

LATIN SERIES • VOLUME 13

THE REPUBLIC AND THE LAWS

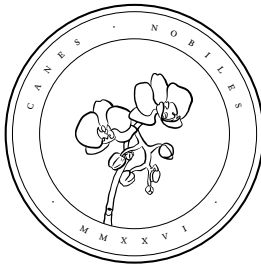
CICERO

De Re Publica · De Legibus

The Republic and the Laws

On the Best Commonwealth and Its Laws

with a word-for-word interlinear English translation
preserving the original word order

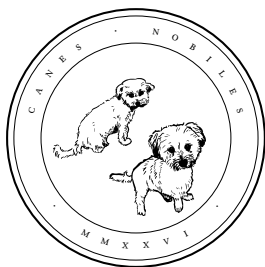


CANES NOBILES · MMXXVI

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Volume 13 of the Canes Nobiles Latin interlinear texts

The Latin text follows Müller's Teubner texts
of *De Re Publica* (1889) and *De Legibus* (1898)

De Re Publica set from the Perseus Digital Library's canonical Latin
corpus, with corrections; *De Legibus* from page scans of the edition

Translated and composed with AI, edited by Christopher Hench
Artwork by Esther Steves

Where the manuscripts fail, Müller prints a row of points and this volume
sets three asterisks, glossed as a lacuna; the same mark stands
for the palimpsest's illegible letters. A dagger stands where he obelizes
a word. What he secludes in square brackets is not printed. The speakers'
abbreviations are his and carry no gloss. The fragments he could not place
in a book are not set, nor are his Latin arguments to the books.
The chapters are the press's own; the margin keeps his section numbers.

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CICERO

De Re Publica

The Republic

BOOK I

I · VIRTUE EXISTS IN ITS USE

The opening of the book is lost, and the text begins with the men who saved Rome in the Punic Wars. Nothing forced Cato from quiet Tusculum into the storms of public life; nature has given mankind a love of the common safety stronger than any pleasure. Virtue, unlike an art, cannot be held unused, and its greatest use is governing a state. The statesman who compels by law what philosophers can hardly win by argument deserves a higher place than the teachers themselves.

*** impetu liberavissent, nec C. Duilius, A. Atilius, 1
(lacuna) by-attack had-freed nor Gaius Duilius Aulus Atilius
 L. Metellus terrore Karthaginis, non duo Scipiones
Lucius Metellus by-the-terror of-Carthage not the-two Scipios
 oriens incendium belli Punici secundi sanguine suo
the-rising blaze of-the-war Punic second with-blood their-own
 restinxissent, nec id excitatum maioribus copiis aut Q.
had-extinguished nor it roused with-greater forces either Quintus
 Maximus enervavisset aut M. Marcellus contudisset aut a
Maximus had-sapped or Marcus Marcellus had-crushed or from
 portis huius urbis avolsu P. Africanus compulisset intra
the-gates of-this city torn-away Publius Africanus had-driven within
 hostium moenia. M. vero Catoni, homini ignoto et novo,
of-the-enemy the-walls to-Marcus but Cato a-man unknown and new
 quo omnes, qui isdem rebus studemus, quasi exemplari
by-whom all who to-the-same things we-are-devoted as-if by-a-pattern
 ad industriam virtutemque ducimur, certe licuit Tusculi
to industry and-virtue we-are-led certainly it-was-allowed at-Tusculum
 se in otio delectare salubri et propinquo loco. Sed homo
himself in leisure to-delight in-a-healthy and nearby place but the-man
 demens, ut isti putant, cum cogeret eum necessitas nulla,
mad as those-men think although compelled him necessity none

in his undis et tempestatibus ad summam senectutem maluit
in these waves and storms to the-utmost old-age preferred
 iactari quam in illa tranquillitate atque otio iucundissime
to-be-tossed than in that tranquility and leisure most-pleasantly
 vivere. Omitto innumerabilis viros, quorum singuli saluti
to-live I-pass-over countless men of-whom each-one for-salvation
 huic civitati fuerunt, et quia sunt haud procul ab aetatis
to-this state were and because they-are not far from of-the-age
 huius memoria, commemorare eos desino, ne quis se aut
this the-memory to-recount them I-leave lest anyone himself or
 suorum aliquem praetermissum queratur. Unum hoc definio,
of-his-own anyone passed-over should-complain one-thing this I-lay-down
 tantam esse necessitatem virtutis generi hominum a natura
so-great to-be the-necessity of-virtue to-the-race of-men by nature
 tantumque amorem ad communem salutem defendendam datum,
and-so-great a-love for the-common safety to-be-defended given
 ut ea vis omnia blandimenta voluptatis otique vicerit.
that that force all the-blandishments of-pleasure and-of-leisure has-overcome

- 2 Nec vero habere virtutem satis est quasi artem aliquam, nisi
nor indeed to-have virtue enough is as-if an-art some unless
 utare; etsi ars quidem, cum ea non utare, scientia
you-use-(it) although an-art indeed when it not you-use by-knowledge
 tamen ipsa teneri potest, virtus in usu sui tota posita est;
still itself to-be-held can virtue in the-use of-itself entire placed is
 usus autem eius est maximus civitatis gubernatio et earum
the-use moreover of-it is the-greatest of-the-state the-governing and of-those
 ipsarum rerum, quas isti in angulis personant, reapse, non
very things which those-men in corners din-out in-reality not
 oratione perfectio. Nihil enim dicitur a philosophis, quod
in-talk the-accomplishment nothing for is-said by philosophers which
 quidem recte honesteque dicatur, quod non ab iis partum
indeed rightly and-honorably may-be-said which not by those brought-forth

confirmatumque sit, a quibus civitatibus iura discripta
and-confirmed has-been by whom for-states laws drawn-up
 sunt. Unde enim pietas aut a quibus religio? unde ius
have-been whence for piety or from whom religion whence law
 aut gentium aut hoc ipsum civile quod dicitur? unde iustitia,
either of-nations or this very civil which is-called whence justice
 fides, aequitas? unde pudor, continentia, fuga turpitudinis,
good-faith fairness whence shame self-control the-shunning of-disgrace
 adpetentia laudis et honestatis? unde in laboribus et periculis
the-desire of-praise and of-honor whence in toils and dangers
 fortitudo? Nempe ab iis, qui haec disciplinis informata
courage surely from those who these-things by-teachings shaped
 alia moribus confirmarunt, sanxerunt autem alia legibus.
some by-customs confirmed established moreover others by-laws
 Quin etiam Xenocraten ferunt, nobilem in primis 3
nay even that-Xenocrates they-report renowned among the-foremost
 philosophum, cum quaereretur ex eo, quid adsequerentur
philosopher when it-was-asked of him what might-gain
 eius discipuli, respondisse, ut id sua sponte facerent,
his pupils to-have-replied that that of-their-own accord they-should-do
 quod cogerentur facere legibus. Ergo ille civis, qui
which they-were-compelled to-do by-the-laws therefore that citizen who
 id cogit omnis imperio legumque poena, quod vix
that compels all by-command and-of-the-laws by-the-penalty which scarcely
 paucis persuadere oratione philosophi possunt, etiam iis,
to-few to-persuade by-speech philosophers are-able even to-those
 qui illa disputant, ipsis est praeferendus doctoribus.
who those-things discuss themselves is to-be-preferred to-the-teachers
 Quae est enim istorum oratio tam exquisita, quae sit
what is for of-those-men speech so refined which should-be
 antepoenenda bene constitutae civitati publico iure et moribus?
to-be-set-before well to-an-ordered state by-public law and by-customs

Equidem quem ad modum 'urbes magnas atque imperiosas',
I-for-my-part in-what to manner cities great and commanding
 ut appellat Ennius, viculis et castellis praeferendas puto,
as calls-(them) Ennius to-hamlets and forts to-be-preferred I-think
 sic eos, qui his urbibus consilio atque auctoritate praesunt,
so those who these cities by-counsel and authority preside-over
 iis, qui omnis negotii publici expertes sint, longe duco
to-those who of-all business public without-share are far I-bold
 sapientia ipsa esse anteponeudos. Et quoniam maxime
in-wisdom itself to-be to-be-set-before and since most-of-all
 rapimur ad opes augendas generis humani studemusque
we-are-swept to the-resources to-be-increased of-the-race human and-we-are-eager
 nostris consiliis et laboribus tutiorem et opulentiorem vitam
by-our counsels and toils safer and richer the-life
 hominum reddere et ad hanc voluptatem ipsius naturae
of-men to-render and to this pleasure of-very nature
 stimulis incitatur, teneamus eum cursum, qui semper fuit
by-the-goats we-are-spurred let-us-hold that course which always was
 optimi cuiusque, neque ea signa audiamus, quae receptui
of-the-best each-man and-not those signals let-us-hear which for-retreat
 canunt, ut eos etiam revocent, qui iam processerint.
sound that those even they-may-call-back who already have-advanced

Those who argue against public life cite first its labors, a slight obstacle to an energetic man, then its dangers, as if the brave should prefer to waste away in old age rather than give their lives for their country. Their favorite argument is the ingratitude of states: Miltiades dying in chains, Themistocles fleeing to the barbarians he had defeated, and at Rome the exile of Camillus, the ruin of Marius, and many more. Now they add Cicero's own name, complaining the more warmly because they believe his counsel and danger preserved their quiet.

His rationibus tam certis tamque inlustris opponuntur ab 4
to-these reasons so certain and-so clear are-opposed by
iis, qui contra disputant, primum labores, qui sint re
those who against argue first the-toils which are in-the-thing
publica defendenda sustinendi, leve sane inpedimentum
public being-defended to-be-endured light surely an-obstacle
vigilanti et industrio, neque solum in tantis rebus, sed
to-a-watchful and industrious-(man) and-not only in so-great matters but
etiam in mediocribus vel studiis vel officiis vel vero etiam
even in moderate either pursuits or duties or indeed even
negotiis contemnendum. Adiunguntur pericula vitae, turpisque
businesses to-be-despised are-added the-dangers of-life and-base
ab his formido mortis fortibus viris opponitur, quibus
by these the-fear of-death to-brave men is-opposed to-whom
magis id miserum videri solet, natura se consumi et
more this wretched to-seem is-wont by-nature themselves to-be-consumed and
senectute, quam sibi dari tempus, ut possint
by-old-age than to-themselves to-be-given the-chance that they-may-be-able
eam vitam, quae tamen esset reddenda naturae, pro patria
that life which still was to-be-rendered to-nature for the-fatherland
potissimum reddere. Illo vero se loco copiosos et
above-all to-render on-that indeed themselves point well-stocked and

disertos putant, cum calamitates clarissimorum virorum

eloquent they-think when the-disasters of-most-illustrious men

iniuriasque iis ab ingratis inpositas civibus colligunt.

and-wrongs on-them by ungrateful inflicted citizens they-gather

5 Hinc enim illa et apud Graecos exempla, Miltiadem, victorem

hence for those both among the-Greeks examples that-Miltiades the-victor

domitoremque Persarum, nondum sanatis vulneribus iis, quae

and-tamer of-the-Persians not-yet healed wounds those which

corpore adverso in clarissima victoria accepisset, vitam ex

with-body facing in a-most-famous victory he-had-received (his)-life from

hostium telis servatam in civium vinclis profudisse, et

of-the-enemy the-weapons saved in of-citizens chains to-have-poured-out and

Themistoclem patria, quam liberavisset, pulsum atque

that-Themistocles from-the-fatherland which he-had-freed driven and

proterritum non in Graeciae portus per se servatos, sed

terrified not into of-Greece the-harbors by himself saved but

in barbariae sinus confugisse, quam adflixerat; nec vero

into of-the-barbarian-land the-bosom to-have-fled which he-had-crushed nor indeed

levitatis Atheniensium crudelitatisque in amplissimos civis

of-fickleness of-the-Athenians and-of-cruelty toward most-distinguished citizens

exempla deficiunt; quae nata et frequentata apud illos etiam

examples are-lacking which born and multiplied among them even

in gravissimam civitatem nostram dicuntur redundasse;

into the-most-grave state our are-said to-have-overflowed

6 nam vel exilium Camilli vel offensio commemoratur Ahalae

for either the-exile of-Camillus or the-disgrace is-recalled of-Ahala

vel invidia Nasicae vel expulsio Laenatis vel Opimii

or the-odium of-Nasica or the-expulsion of-Laenas or of-Opimius

damnatio vel fuga Metelli vel acerbissima C. Marii

the-condemnation or the-flight of-Metellus or the-most-bitter of-Gaius Marius

clades principumque caedes vel eorum multorum pestes, quae

disaster and-of-leading-men the-slaughter or of-those many the-ruins which

paulo post secutae sunt. Nec vero iam meo nomine abstinent
a-little after followed have nor indeed now my name they-spare
 et, credo, quia nostro consilio ac periculo sese in illa
and I-believe because by-our counsel and risk themselves in that
 vita atque otio conservatos putant, gravius etiam de nobis
life and leisure preserved they-think more-heavily even about us
 queruntur et amantius. Sed haud facile dixerim, cur, cum
they-complain and more-lovingly but not easily I-could-say why when
 ipsi discendi aut visendi causa maria tramittant ***
they-themselves of-learning or of-sightseeing for-the-sake seas cross (lacuna)

III · THE CONSUL'S OATH

The text resumes with the oath Cicero swore on leaving his consulship, that the state was safe, which the Roman people swore with him; it outweighed every injury. His misfortunes brought more honor than trouble, and nothing befell him that he had not expected. He could have enjoyed a scholar's leisure, yet chose to face the storms to protect his fellow citizens. The fatherland did not raise us to give our leisure a safe refuge, but claims the greater part of our powers for itself.

*** salvam esse consulatu abiens in contione populo 7
(lacuna) safe to-be from-the-consulship departing in the-assembly the-people
 Romano idem iurante iuravissem, facile iniuriarum omnium
Roman the-same swearing I-had-sworn easily of-wrongs all
 compensarem curam et molestiam. Quamquam nostri casus
I-would-make-up the-care and the-vexation although our misfortunes
 plus honoris habuerunt quam laboris neque tantum molestiae,
more of-honor had than of-toil and-not so-much of-vexation
 quantum gloriae, maioremque laetitiam ex desiderio bonorum
as of-glory and-greater joy from the-longing of-the-good
 percepimus quam ex laetitia improborum dolorem. Sed si
we-gathered than from the-joy of-the-wicked grief but if

aliter, ut dixi, accidisset, qui possem queri? cum mihi nihil
otherwise as I-said it-had-happened how could-I complain since to-me nothing
 inproviso nec gravius, quam exspectavissem, pro tantis meis
unforeseen nor heavier than I-had-expected for so-great my
 factis evenisset. Is enim fueram, cui cum liceret aut
deeds bad-befallen that-man for I-had-been who though it-was-allowed either
 maiores ex otio fructus capere quam ceteris propter variam
greater from leisure fruits to-take than to-the-rest because-of the-varied
 suavitatem studiorum, in quibus a pueritia vixeram, aut si
sweetness of-the-studies in which from boyhood I-had-lived or if
 quid accideret acerbius universis, non praecipuam, sed parem
anything should-befall more-bitter to-all not a-special but an-equal
 cum ceteris fortunae condicionem subire, non dubitaverim
with the-rest of-fortune condition to-undergo not I-hesitated
 me gravissimis tempestatibus ac paene fulminibus ipsis
myself to-the-heaviest storms and almost to-thunderbolts themselves
 obvium ferre conservandorum civium causa meisque
in-the-way to-bring of-preserving citizens for-the-sake and-by-my
 propriis periculis parere commune reliquis otium.
own dangers to-win common for-the-rest leisure

- 8 Neque enim hac nos patria lege genuit aut educavit, ut
nor for on-this us the-fatherland term begot or reared that
 nulla quasi alimenta exspectaret a nobis ac tantum modo
no as-it-were nursing-fees it-should-expect from us and only merely
 nostris ipsa commodis serviens tutum perflugium otio nostro
our itself interests serving a-safe refuge for-leisure our
 suppedicaret et tranquillum ad quietem locum, sed ut plurimas
should-supply and a-tranquil for rest place but that the-most
 et maximas nostri animi, ingenii, consilii partis ipsa sibi
and the-greatest of-our mind of-talent of-judgment parts itself for-itself

ad utilitatem suam pigneraretur tantumque nobis in nostrum
for advantage its-own might-take-in-pledge and-so-much to-us for our
 privatum usum, quantum ipsi superesse posset, remitteret.
private use as for-itself to-be-left-over could might-hand-back

IV · THE PHILOSOPHERS' EXCUSES

The philosophers' excuses deserve no hearing. Good men have no juster reason to enter public life, however full of worthless men and violent crowds, than to keep the wicked from tearing the state apart. Nor could Cicero have saved Rome in its necessity had he not followed a public career from youth. Men who cannot steer in calm water should not promise to take the helm in a storm, and a wise man must learn statecraft beforehand, not knowing when he will need it.

Iam illa perfugia, quae sumunt sibi ad excusationem, quo 9
now those refuges which they-take for-themselves for an-excuse whereby
 facilius otio perfruantur, certe minime sunt audienda, cum
more-easily leisure they-may-enjoy certainly by-no-means are to-be-heeded when
 ita dicunt, accedere ad rem publicam plerumque homines
so they-say to-approach to the-thing public for-the-most-part men
 nulla re bona dignos, cum quibus comparari sordidum,
of-no thing good worthy with whom to-be-compared base
 configere autem multitudine praesertim incitata miserum et
to-clash moreover with-a-multitude especially roused wretched and
 periculosum sit. Quam ob rem neque sapientis esse
dangerous is which on-account-of reason neither of-a-wise-man to-be
 accipere habenas, cum insanos atque indomitos impetus volgi
to-take the-reins when mad and untamed the-rushes of-the-mob
 cohibere non possit, neque liberi cum inpuris atque
to-restrain not he-can nor of-a-free-man with foul and
 inmanibus adversariis decertantem vel contumeliarum verbera
savage adversaries contending either of-insults the-lashes

subire vel expectare sapienti non ferendas iniurias; proinde
to-undergo or to-wait-for for-a-wise-man not to-be-borne wrongs just
 quasi bonis et fortibus et magno animo praeditis ulla sit
as-if for-the-good and brave and with-great spirit endowed any could-be
 ad rem publicam adeundi causa iustior, quam ne pareant
to the-thing public of-approaching cause more-just than lest they-obey
 improbis neve ab isdem lacerari rem publicam patiantur,
the-wicked nor by the-same to-be-torn-apart the-thing public they-allow
 cum ipsi auxilium ferre, si cupiant, non queant.
when they-themselves help to-bring if they-wish not can

- 10 Illa autem exceptio cui probari tandem potest, quod negant
that moreover exception to-whom to-be-approved pray can which they-deny
 sapientem suscepturum ullam rei publicae partem,
that-the-wise-man about-to-undertake any of-the-thing public part
 extra quam si eum tempus et necessitas coegerit? quasi
other than if him the-occasion and necessity shall-have-compelled as-if
 vero maior cuiquam necessitas accidere possit, quam accidit
indeed greater to-anyone necessity to-befall could than befell
 nobis; in qua quid facere potuissem, nisi tum consul fuissem?
us in which what to-do could-I-have unless then consul I-had-been
 Consul autem esse qui potui, nisi eum vitae cursum tenuissem
consul moreover to-be how could-I unless that of-life course I-had-held
 a pueritia, per quem equestri loco natus pervenirem ad
from boyhood through which in-equestrian rank born I-might-arrive at
 honorem amplissimum? Non igitur potestas est ex tempore, aut
the-office highest not therefore the-power is on the-instant or
 cum velis, opitulandi rei publicae, quamvis ea prematur
when you-please of-helping to-the-thing public although it be-pressed
 periculis, nisi eo loco sis, ut tibi id facere liceat.
by-dangers unless in-that position you-are that for-you that to-do may-be-allowed

Maximeque hoc in hominum doctorum oratione mihi mirum 11
and-most-of-all this in of-men learned the-talk to-me strange
 videri solet, quod, qui tranquillo mari gubernare se negent
to-seem is-wont that who in-a-calm sea to-steer themselves deny
 posse, quod nec didicerint nec umquam scire curaverint,
to-be-able because neither they-have-learned nor ever to-know have-cared
 iidem ad gubernacula se accessuros profiteantur
the-same-men to the-helm themselves about-to-go profess
 excitatis maximis fluctibus. Isti enim palam dicere atque in
roused the-greatest waves those-men for openly to-say and in
 eo multum etiam gloriari solent, se de rationibus rerum
that much even to-boast are-wont themselves about the-methods of-things
 publicarum aut constituendarum aut tuendarum nihil nec
public either to-be-established or to-be-safeguarded nothing neither
 didicisse umquam nec docere, earumque rerum scientiam
to-have-learned ever nor to-teach and-of-those things the-knowledge
 non doctis hominibus ac sapientibus, sed in illo genere
not to-learned men and wise but in that kind
 exercitatis concedendam putant. Quare qui convenit polliceri
to-the-practiced to-be-conceded they-think therefore how is-it-fitting to-promise
 operam suam rei publicae tum denique, si necessitate
effort their-own to-the-thing public then at-last if by-necessity
 cogantur? cum, quod est multo proclivius, nulla necessitate
they-be-compelled when what is much easier no necessity
 premente rem publicam regere nesciant. Equidem, ut
pressing the-thing public to-rule they-know-not I-for-my-part though
 verum esset sua voluntate sapientem descendere
true it-were by-bis-own will that-the-wise-man to-descend
 ad rationes civitatis non solere, sin autem temporibus
to the-concerns of-the-state not to-be-wont but-if moreover by-the-times
 cogeretur, tum id munus denique non recusare, tamen
be-were-compelled then that office at-last not to-refuse still

arbitrarer hanc rerum civilium minime neglegendam scientiam

I-would-judge this of-things civil by-no-means to-be-neglected knowledge

sapienti, propterea quod omnia essent ei praeparanda,

by-the-wise-man for-this-reason that all-things were by-him to-be-made-ready

quibus nesciret an aliquando uti necesse esset.

which he-knew-not whether at-some-time to-use necessary would-be

V • A CONVERSATION REMEMBERED

Cicero has argued at length because doubts about public life had to be removed before a work on the commonwealth. The Seven Sages were nearly all statesmen, and no human virtue comes nearer the gods than founding or preserving states. He himself has both governed and taught. Yet he offers no new theory of his own, only a conversation among the wisest Romans of one generation, which Publius Rutilius Rufus once related to him and his brother at Smyrna.

- 12 Haec pluribus a me verbis dicta sunt ob eam
these-things in-more by me words said have-been on-account-of that
 causam, quod his libris erat instituta et suscepta mihi
reason because in-these books had-been set-on-foot and undertaken by-me
 de re publica disputatio; quae ne frustra haberetur,
about the-thing public a-discussion which lest in-vain be-held
 dubitationem ad rem publicam adeundi in primis debui
the-hesitation to the-thing public of-approaching in the-first I-ought
 tollere. Ac tamen si qui sunt, qui philosophorum auctoritate
to-remove and yet if any there-are who of-philosophers by-the-authority
 moveantur, dent operam parumper atque audiant eos,
are-moved let-them-give attention for-a-little and let-them-bear those
 quorum summa est auctoritas apud doctissimos homines et
whose highest is authority among the-most-learned men and
 gloria; quos ego existimo, etiamsi qui ipsi rem publicam
glory whom I consider even-if some themselves the-thing public

non gesserint, tamen, quoniam de re publica multa
not have-managed still since about the-thing public many-things
 quaesierint et scripserint, functos esse aliquo rei
they-have-inquired and written having-performed to-be some of-the-thing
 publicae munere. Eos vero septem, quos Graeci sapientis
public office those indeed seven whom the-Greeks wise
 nominaverunt, omnis paene video in media re publica
named all almost I-see in the-middle-of the-thing public
 esse versatos. Neque enim est ulla res, in qua propius
to-have been-engaged nor for is any thing in which nearer
 ad deorum numen virtus accedat humana, quam civitatis
to of-the-gods the-power virtue may-approach human than states
 aut condere novas aut conservare iam conditas.

either to-found new or to-preserve already founded

Quibus de rebus, quoniam nobis contigit, ut iidem
which about things since to-us it-has-befallen that the-same
 et in gerenda re publica aliquid essemus memoria
both in managing the-thing public something we-had memory
 dignum consecuti et in explicandis rationibus rerum civilium
worthy attained and in explaining the-principles of-things civil
 quandam facultatem non modo usu, sed etiam studio
a-certain capacity not only by-practice but also by-zeal
 discendi et docendi † essemus auctores, cum superiores
of-learning and of-teaching (corrupt) we-were authorities while earlier-men
 alii fuissent in disputationibus perpoliti, quorum res gestae
some had-been in discussions highly-polished whose things done
 nullae invenirentur, alii in gerendo probabiles, in disserendo
none were-found others in doing commendable in discussing
 rudes. Nec vero nostra quaedam est instituenda nova et
unskilled nor indeed our-own some is to-be-set-up new and
 a nobis inventa ratio, sed unius aetatis clarissimorum ac
by us invented method but of-one generation of-the-most-illustrious and

13

sapientissimorum nostrae civitatis virorum disputatio repetenda
wisest of-our state men a-discussion to-be-recalled
 memoria est, quae mihi tibi quondam adolescentulo est
from-memory is which to-me and-to-you once to-a-young-man was
 a P. Rutilio Rufo, Smyrnae cum simul essemus compluris
by Publius Rutilius Rufus at-Smyrna when together we-were several
 dies, exposita, in qua nihil fere, quod magno opere ad
days set-forth in which nothing almost which in-great measure to
 rationes omnium rerum pertineret, est praetermissum.
the-principles of-all things pertained has-been passed-over

VI • TWO SUNS

In the Latin holidays, in the consulship of Tuditanus and Aquilius, Scipio Africanus has settled at his gardens, and his friends have said they will visit him often. His nephew Quintus Tuberus arrives first and asks about the second sun reported in the senate. Scipio wishes Panaetius were there, though he does not follow him in asserting such things as if he could see or touch them; Socrates was wiser to leave them alone. Tuberus objects that Plato's Socrates mixes numbers and geometry with ethics, and Scipio explains that Plato learned this from the Pythagoreans in Italy.

- 14 Nam cum P. Africanus hic, Pauli filius, feriis
for when Publius Africanus this of-Paullus son on-the-holidays
 Latinis Tuditano cons. et Aquilio constituisset in hortis
Latin Tuditanus being-consul and Aquilius he-had-decided in the-gardens
 esse familiarissimique eius ad eum frequenter per eos
to-be and-most-intimate-friends his to him frequently through those
 dies ventituros se esse dixissent, Latinis ipsis
days about-to-keep-coming themselves to-be had-said on-the-Latin-festival itself
 mane ad eum primus sororis filius venit Q. Tuberus;
in-the-morning to him first of-(his)-sister the-son came Quintus Tuberus

quem cum comiter Scipio appellavisset libenterque vidisset,
whom when courteously Scipio had-addressed and-gladly had-seen

Quid tu, inquit, tam mane, Tubero? dabant enim hae feriae
what you he-says so early Tubero were-giving for these holidays
 tibi oportunam sane facultatem ad explicandas tuas litteras.
to-you a-convenient surely opportunity for working-through your studies

Tum ille: Mihi vero omne tempus est ad meos libros vacuum;
then he to-me indeed all time is for my books free
 numquam enim sunt illi occupati; te autem permagnum est
never for are they occupied you moreover a-very-great-thing is
 nancisci otiosum, hoc praesertim motu rei publicae.
to-find at-leisure this especially in-the-upheaval of-the-thing public

Tum Scipio: Atqui nactus es, sed mehercule otiosiores
then Scipio and-yet found you-have but by-Hercules more-at-leisure
 opera quam animo. Et ille: At vero animum quoque relaxes
in-work than in-mind and he but indeed (your)-mind too you-relax
 oportet; sumus enim multi, ut constituimus, parati, si tuo
it-is-needful we-are for many as we-have-agreed ready if at-your
 commodo fieri potest, abuti tecum hoc otio.

convenience to-be-done it-can to-use-up with-you this leisure

sc. Libente me vero, ut aliquid aliquando de doctrinae
willing me indeed that something at-some-time about of-learning
 studiis admoneamur.

the-pursuits we-may-be-reminded

Tum ille: Visne igitur, quoniam et me quodam modo 15
then he do-you-wish therefore since both me in-a-certain way
 invitas et tui spem das, hoc primum, Africane, videamus,
you-invite and of-you hope you-give this first Africanus let-us-see
 ante quam veniunt alii, quidnam sit, de isto altero sole quod
before than come others what is about that second sun which
 nuntiatum est in senatu? neque enim pauci neque leves sunt,
reported was in the-senate neither for few nor light are

qui se duo soles vidisse dicant, ut non tam fides
who themselves two suns to-have-seen say so-that not so-much belief
 non habenda quam ratio quaerenda sit. Hic Scipio: Quam
not to-be-had as a-reason to-be-sought is here Scipio how
 vellem Panaetium nostrum nobiscum haberemus! qui cum
I-would-wish Panaetius our with-us we-had who as-much
 cetera, tum haec caelestia vel studiosissime solet quaerere.
the-rest so these heavenly-things even most-eagerly is-wont to-investigate
 Sed ego, Tubero, (nam tecum aperte, quod sentio, loquar) non
but I Tubero for with-you openly what I-think I-will-speak not
 nimis adsentior in omni isto genere nostro illi familiari, qui,
too-much I-agree in all that kind with-our that friend who
 quae vix coniectura qualia sint possumus suspicari,
the-things-which scarcely by-conjecture of-what-sort are we-can surmise
 sic adfirmat, ut oculis ea cernere videatur aut tractare plane
so asserts that with-eyes them to-see he-seems or to-handle plainly
 manu. Quo etiam sapientiolem Socratem soleo iudicare,
by-hand for-which even wiser Socrates I-am-wont to-judge
 qui omnem eius modi curam deposuerit eaque, quae de
who all of-that kind care laid-aside and-those-things which about
 natura quaererentur, aut maiora, quam hominum ratio consequi
nature were-inquired either greater than of-men reason to-attain
 posset, aut nihil omnino ad vitam hominum adtinere dixerit.
could or nothing at-all to the-life of-men to-pertain said
 16 Dein Tubero: Nescio, Africane, cur ita memoriae proditum
then Tubero I-know-not Africanus why so to-memory banded-down
 sit, Socratem omnem istam disputationem reiecis- et
it-has-been that-Socrates all that discussion to-have-rejected and
 tantum de vita et de moribus solitum esse quaerere.
only about life and about morals accustomed to-have-been to-inquire
 Quem enim auctorem de illo locupletiolem Platone laudare
what for authority about him richer than-Plato to-cite

possumus? cuius in libris multis locis ita loquitur Socrates,
can-we whose in books in-many places so speaks Socrates
 ut etiam, cum de moribus, de virtutibus, denique de
that even when about morals about virtues finally about
 re publica disputet, numeros tamen et geometriam et
the-thing public he-discusses numbers still and geometry and
 harmoniam studeat Pythagorae more coniungere. Tum
harmony he-is-eager of-Pythagoras in-the-manner to-join then
 Scipio: Sunt ista, ut dicis; sed audisse te credo, Tuberō,
Scipio are those-things as you-say but to-have-heard you I-believe Tuberō
 Platonem Socrate mortuo primum in Aegyptum discendi
that-Plato Socrates dead first into Egypt of-learning
 causa, post in Italiam et in Siciliam contendisse,
for-the-sake afterward into Italy and into Sicily to-have-hastened
 ut Pythagorae inventa perdisceret, eumque et cum
that of-Pythagoras the-discoveries he-might-learn-thoroughly and-that-he both with
 Archyta Tarentino et cum Timaeo Locro multum fuisse
Archytas of-Tarentum and with Timaeus of-Locri much to-have-been
 et Philoleo commentarios esse nactus, eumque eo
and from-Philolaus the-notebooks to-have obtained and-since at-that
 tempore in iis locis Pythagorae nomen vigeret, illum se et
time in those places of-Pythagoras the-name flourished that-he himself both
 hominibus Pythagoreis et studiis illis dedisse. Itaque cum
to-men Pythagorean and to-studies those to-have-given and-so since
 Socratem unice dilexisset eique omnia tribuere voluisset,
Socrates singularly he-had-loved and-to-him all-things to-attribute had-wished
 leporem Socraticum subtilitatemque sermonis cum obscuritate
the-charm Socratic and-subtlety of-conversation with the-obscurity
 Pythagorae et cum illa plurimarum artium gravitate contextuit.
of-Pythagoras and with that of-very-many arts weightiness he-interwove

Lucius Furius Philus arrives with Publius Rutilius, the source of this account, and Scipio asks Philus his view of the two sons. Then Laelius comes with his sons-in-law Gaius Fannius and Quintus Scaevola, and with Spurius Mummius. Scipio gives Laelius the middle place, for Laelius honored Scipio as a god in war and Scipio honored the older Laelius as a father at home. Since it is winter, they choose a sunny corner of the meadow, where Manius Manilius joins them.

- 17 Haec Scipio cum dixisset, L. Furium repente venientem
these-things Scipio when he-had-said Lucius Furius suddenly coming
 aspexit, eumque ut salutavit, amicissime adprehendit et
caught-sight-of and-him as he-greeted most-warmly took-hold-of and
 in lecto suo conlocavit. Et cum simul P. Rutilius
on couch his placed and when at-the-same-time Publius Rutilius
 venisset, qui est nobis huius sermonis auctor, eum quoque
had-come who is for-us of-this conversation the-source him too
 ut salutavit, propter Tiberonem iussit adsidere. Tum Furius:
when he-greeted beside Tiberio he-bade to-sit-down then Furius
 Quid vos agitis? num sermonem vestrum aliquem diremit
what you are-doing surely-not conversation your some has-broken-off
 noster interventus? Minime vero, Africanus; soles enim
our arrival by-no-means indeed Africanus you-are-wont for
 tu haec studiose investigare, quae sunt in hoc genere,
you these-things zealously to-investigate which are in this kind
 de quo instituerat paulo ante Tiberio quaerere; Rutilius
about which had-begun a-little before Tiberio to-inquire Rutilius
 quidem noster etiam sub ipsis Numantiae moenibus solebat
indeed our even under the-very of-Numantia walls was-wont
 mecum interdum eius modi aliquid conquirere. Quae res
with-me at-times of-that kind something to-look-into what matter

tandem inciderat? inquit Philus. Tum ille: De solibus istis
pray had-come-up says Philus then he about suns those
 duobus; de quo studeo, Phile, ex te audire quid sentias.
two about which I-am-eager Philus from you to-hear what you-think
 Dixerat hoc ille, cum puer nuntiavit venire ad eum 18
had-said this he when a-slave-boy announced to-be-coming to him
 Laelium domoque iam exisse. Tum Scipio calceis et
that-Laelius and-from-home already to-have-gone-out then Scipio shoes and
 vestimentis sumptis e cubiculo est egressus, et cum
clothes having-been-put-on from the-bedroom has come-out and when
 paululum inambulavisset in porticu, Laelium advenientem
a-little he-had-walked-about in the-colonnade Laelius arriving
 salutavit et eos, qui una venerant, Spurium Mummius,
he-greeted and those who together had-come Spurius Mummius
 quem in primis diligebat, et C. Fannium et Quintum
whom among the-first he-loved and Gaius Fannius and Quintus
 Scaevolam, generos Laelii, doctos adolescentes, iam aetate
Scaevola the-sons-in-law of-Laelius learned young-men already in-age
 quaestorios; quos cum omnis salutavisset, convertit se in
of-quaestorian-rank whom when all he-had-greeted turned himself in
 porticu et coniecit in medium Laelium; fuit enim hoc
the-colonnade and put into the-middle Laelius was for this
 in amicitia quasi quoddam ius inter illos, ut militiae
in friendship as-it-were a-certain law between them that on-campaign
 propter eximiam belli gloriam Africanum ut deum coleret
because-of the-exceptional of-war glory Africanus as a-god should-honor
 Laelius, domi vicissim Laelium, quod aetate antecede-
Laelius at-home in-turn Laelius because in-age he-was-ahead
 baret in parentis loco Scipio. Dein cum essent
should-respect in of-a-parent the-place Scipio then when they-had
 perpauca inter se uno aut altero spatio conlocuti
very-few-things among themselves in-one or a-second lap talked

Scipionique eorum adventus periucundus et pergratus fuisset,
and-to-Scipio their arrival very-pleasant and very-welcome had-been
 placitum est, ut in aprico maxime pratuli loco,
decided it-was that in sunny most of-the-little-meadow spot
 quod erat hibernum tempus anni, considerent; quod cum
because it-was wintry the-time of-year they-should-sit-down which when
 facere vellent, intervenit vir prudens omnibusque illis et
to-do they-wished came-up a-man prudent and-to-all them both
 iucundus et carus, M'. Manilius, qui a Scipione ceterisque
pleasant and dear Manius Manilius who by Scipio and-the-others
 amicissime consalutatus adsedit proximus Laelio.
most-warmly greeted sat-down next to-Laelius

VIII • WHY STUDY THE HEAVENS

Philus proposes a discussion worthy of the newcomers. Laelius asks whether they have mastered all that concerns their homes and the state, since they now inquire into the sky. Philus answers that the whole universe is the home the gods share with us, and knowing it delights every lover of wisdom. Offered the floor, Laelius asks to hear Philus instead, joking that the jurist Manilius might draft an interdict leaving each sun in possession of the heavens. Manilius protests, and all turn to Philus.

- 19 Tum Philus: Non mihi videtur, inquit, quod hi venerunt,
then Philus not to-me it-seems he-says because these have-come
 alius nobis sermo esse quaerendus, sed agendum accuratius
another for-us conversation to-be to-be-sought but to-be-conducted more-carefully
 et dicendum dignum aliquid horum auribus. Hic Laelius:
and to-be-said worthy something of-these for-the-ears here Laelius
 Quid tandem agebatis, aut cui sermoni nos intervenimus?
what pray were-you-doing or into-what conversation we have-broken-in

PH. Quaesierat ex me Scipio, quidnam sentirem de hoc,
had-asked of me Scipio what I-thought about this
 quod duo soles visos esse constaret.

that two suns seen to-have-been was-agreed

L. Ain vero? Phile, iam explorata nobis sunt ea,
do-you-say-so indeed Philus already explored by-us are those-things
 quae ad domos nostras quaeque ad rem publicam pertineant?

which to houses our and-which to the-thing public pertain

siquidem, quid agatur in caelo, quaerimus. Et ille: An tu ad
seeing-that what goes-on in heaven we-inquire and he or you to
 domos nostras non censes pertinere scire, quid agatur et quid

houses our not think to-pertain to-know what goes-on and what

fiat domi? quae non ea est, quam parietes nostri cingunt,
happens at-home which not that is which walls our encircle

sed mundus hic totus, quod domicilium quamque patriam
but the-universe this whole which a-dwelling and-which a-fatherland

di nobis communem secum dederunt, cum praesertim, si
the-gods to-us common with-themselves have-given since especially if
 haec ignoremus, multa nobis et magna ignoranda sint.

these-things we-should-not-know many by-us and great to-be-not-known are

Ac me quidem, ut hercule etiam te ipsum, Laeli, omnisque
and me indeed as by-Hercules also you yourself Laelius and-all
 avidos sapientiae cognitio ipsa rerum consideratioque delectat.

eager for-wisdom the-knowledge itself of-things and-the-contemplation delights

Tum Laelius: Non inpedio, praesertim quoniam feriati
then Laelius not I-binder especially since on-holiday
 sumus; sed possumus audire aliquid an serius venimus?

we-are but can-we to-bear something or too-late have-we-come

PH. Nihil est adhuc disputatum, et, quoniam est integrum,
nothing has so-far been-discussed and since it-is untouched
 libenter tibi, Laeli, ut de eo disseras, equidem
gladly to-you Laelius that about it you-may-discourse I-for-my-part
 concessero.

shall-have-yielded

L. Immo vero te audiamus, nisi forte Manilius interdictum
nay indeed you let-us-hear unless perhaps Manilius an-injunction
 aliquod inter duos soles putat esse componendum, ut ita
some between the-two suns thinks to-be to-be-drawn-up that so
 caelum possideant, ut uterque possederit. Tum Manilius:
heaven they-may-possess as each has-possessed then Manilius
 Pergisne eam, Laeli, artem inludere, in qua primum excellis
do-you-go-on that Laelius art to-mock in which first excel
 ipse, deinde sine qua scire nemo potest, quid sit suum,
yourself then without which to-know no-one can what is his-own
 quid alienum? Sed ista mox; nunc audiamus Philum,
what another's but those-things presently now let-us-hear Philus
 quem video maioribus iam de rebus quam me aut quam
whom I-see greater already about matters than me or than
 P. Mucium consuli.

Publius Mucius to-be-consulted

Philus recalls Gaius Sulpicius Gallus showing the sphere Marcellus brought home from Syracuse, the only spoil he kept. Philus had thought another sphere in the temple of Virtue finer, until Gallus explained what genius the plainer one held. The solid globe was an old invention, turned first by Thales, marked with the stars by Eudoxus, and put into verse by Aratus. But Archimedes' sphere reproduced the unequal courses of the sun, moon, and five planets in a single revolution, and even showed eclipses.

Tum Philus: Nihil novi vobis adferam, neque quod a me sit 21
 then Philus nothing of-new to-you I-shall-bring nor what by me has-been
 cogitatum aut inventum; nam memoria teneo C. Sulpicium
 thought-out or discovered for in-memory I-hold that-Gaius Sulpicius
 Gallum, doctissimum, ut scitis, hominem, cum idem hoc
 Gallus most-learned as you-know a-man when the-same this
 visum diceretur et esset casu apud M. Marcellum,
 seen was-said and he-was by-chance at-the-house-of Marcus Marcellus
 qui cum eo consul fuerat, sphaeram, quam M. Marcelli
 who with him consul had-been the-sphere which of-Marcus Marcellus
 avus captis Syracusis ex urbe locupletissima atque
 the-grandfather having-been-taken Syracuse from the-city most-wealthy and
 ornatissima sustulisset, cum aliud nihil ex tanta praeda domum
 most-adorned had-carried-off though other nothing from so-great booty to-home
 suam deportavisset, iussisse proferri; cuius ego sphaerae
 his-own he-had-brought to-have-ordered to-be-brought-out of-which I sphere
 cum persaepe propter Archimedi gloriam nomen audissem,
 though very-often because-of of-Archimedes the-glory the-name I-had-heard
 speciem ipsam non sum tanto opere admiratus; erat enim
 the-appearance itself not have in-so-great measure admired was for

illa venustior et nobilior in vulgus, quam ab eodem
that more-charming and more-famous among the-common-people which by the-same
 Archimede factam posuerat in templo Virtutis Marcellus idem.

Archimedes made had-placed in the-temple of-Virtue Marcellus the-same

- 22 Sed posteaquam coepit rationem huius operis scientissime
but after began the-principle of-this work most-expertly
 Gallus exponere, plus in illo Siculo ingenii, quam videretur
Gallus to-explain more in that Sicilian of-genius than would-seem
 natura humana ferre potuisse, iudicavi fuisse. Dicebat
nature human to-bear to-have-been-able I-judged to-have-been he-said
 enim Gallus sphaerae illius alterius solidae atque plenae vetus
for Gallus of-sphere that other solid and full old
 esse inventum, et eam a Thalete Milesio primum esse
to-be the-invention and that-it by Thales of-Miletus first to-have-been
 tornatam, post autem ab Eudoxo Cnidio, discipulo, ut
turned afterward moreover by Eudoxus of-Cnidus a-pupil as
 ferebat, Platonis, eandem illam astris stellisque, quae
he-said of-Plato that-the-same that with-constellations and-stars which
 caelo inhaerent, esse descriptam; cuius omnem ornatum
to-the-sky were-fixed to-have-been marked-out whose all adornment
 et descriptionem sumptam ab Eudoxo multis annis post non
and design taken from Eudoxus many years after not
 astrologiae scientia, sed poetica quadam facultate versibus
of-astronomy by-knowledge but by-poetic a-certain faculty in-verses
 Aratum extulisse. Hoc autem sphaerae genus, in quo solis
that-Aratus to-have-set-forth this moreover of-sphere kind in which of-the-sun
 et lunae motus inessent et earum quinque stellarum,
and of-the-moon the-motions were-contained and of-those five stars
 quae errantes et quasi vagae nominarentur, in illa sphaera
which wandering and as-it-were roving were-named in that sphere
 solida non potuisse finiri, atque in eo admirandum esse
solid not to-have-been-able to-be-defined and in that to-be-admired to-be

inventum Archimedi, quod excogitasset, quem ad modum in
the-invention of-Archimedes that he-had-devised in-what to manner in
dissimillimis motibus inaequabiles et varios cursus servaret una
most-dissimilar motions unequal and varied courses should-keep one
conversio. Hanc sphaeram Gallus cum moveret, fiebat, ut
revolution this sphere Gallus when he-moved it-happened that
soli luna totidem conversionibus in aere illo, quot diebus
to-the-sun the-moon by-as-many revolutions in bronze that as in-days
in ipso caelo, succederet, ex quo et in sphaera solis
in the-very sky should-come-up-to from which both in the-sphere of-the-sun
fieret eadem illa defectio et incideret luna tum in eam
came-about the-same that eclipse and fell the-moon then into that
metam, quae esset umbra terrae, cum sol e regione ***
turning-post which was the-shadow of-the-earth when the-sun from opposite (lacuna)

X • ECLIPSES EXPLAINED

Scipio remembers Gallus with affection. When Scipio was a youth in his father's camp in Macedonia, a sudden eclipse of the full moon terrified the army, and Gallus taught the soldiers the next day that it was no portent but a regular event. Pericles is said to have calmed the Athenians the same way, having learned from Anaxagoras why the sun is eclipsed. Ennius records an eclipse about 350 years after Rome's founding, and from it earlier eclipses were reckoned back to Romulus.

*** fuit, quod et ipse hominem diligebam et in primis 23
(lacuna) was because both myself the-man I-loved and in the-first
patri meo Paulo probatum et carum fuisse cognoveram.
to-father my Paullus approved and dear to-have-been I-had-learned
Memini me admodum adolescentulo, cum pater in
I-remember with-me quite a-young-lad when (my)-father in
Macedonia consul esset et essemus in castris, perturbari
Macedonia consul was and we-were in camp to-be-thrown-into-disorder

exercitum nostrum religione et metu, quod serena nocte
army our by-religious-awe and fear because in-a-clear night
 subito candens et plena luna defecisset. Tum ille, cum
suddenly bright and full the-moon had-failed then he when
 legatus noster esset anno fere ante, quam consul est
legate our he-was in-the-year about before than consul he-was
 declaratus, haud dubitavit postridie palam in castris docere
declared not he-hesitated the-next-day openly in camp to-teach
 nullum esse prodigium, idque et tum factum esse et
no to-be portent and-that both then done to-have-been and
 certis temporibus esse semper futurum, cum sol ita locatus
at-fixed times to-be always about-to-happen when the-sun so placed
 fuisset, ut lunam suo lumine non posset attingere. Ain
had-been that the-moon with-its light not could reach do-you-say-so
 tandem? inquit Tubero; docere hoc poterat ille homines
pray says Tubero to-teach this could he men
 paene agrestes et apud imperitos audebat haec dicere?
almost rustic and before the-unskilled he-dared these-things to-say
 s. Ille vero et magna quidem cum ***

he indeed and great indeed with (lacuna)

24 neque insolens ostentatio neque oratio abhorrens a persona
neither arrogant display nor speech at-odds with the-character
 hominis gravissimi; rem enim magnam adsecutus est,
of-a-man most-grave a-thing for great achieved he-has
 quod hominibus perturbatis inanem religionem timoremque
because from-men thrown-into-disorder an-empty religious-awe and-fear
 deiecerat.

he-had-cast-out

25 Atque eius modi quiddam etiam bello illo maximo,
and of-that kind something also in-war that greatest
 quod Athenienses et Lacedaemonii summa inter se
which the-Athenians and the-Lacedaemonians with-the-utmost among themselves

contentione gesserunt, Pericles ille, et auctoritate et eloquentia
struggle waged Pericles that both in-authority and in-eloquence
 et consilio princeps civitatis suae, cum obscurato sole tenebrae
and in-counsel the-first-man of-the-state his when darkened sun darkness
 factae essent repente Atheniensiumque animos summus timor
made had-been suddenly and-of-the-Athenians the-minds the-utmost fear
 occupavisset, docuisse civis suos dicitur, id quod ipse ab
had-seized to-have-taught citizens his is-said that which himself from
 Anaxagora, cuius auditor fuerat, acceperat, certo illud
Anaxagoras whose pupil he-had-been he-had-received at-a-fixed that
 tempore fieri et necessario, cum tota se luna sub orbem
time to-happen and necessarily when entire itself the-moon under the-orb
 solis subiecisset; itaque, etsi non omni intermenstruo,
of-the-sun had-put and-so although not at-every new-moon
 tamen id fieri non posse nisi certo intermenstruo
still that to-happen not to-be-able except at-a-fixed new-moon
 tempore. Quod cum disputando rationibusque docuisset,
time which when by-arguing and-by-reasons he-had-taught
 populum liberavit metu; erat enim tum haec nova et ignota
the-people be-freed from-fear was for then this new and unknown
 ratio, solem lunae oppositu solere deficere, quod
account that-the-sun of-the-moon by-the-interposition to-be-wont to-fail which
 Thailetem Milesium primum vidisse dicunt. Id autem postea
that-Thales of-Miletus first to-have-seen they-say that moreover afterward
 ne nostrum quidem Ennium fugit; qui ut scribit, anno
not our even Ennius escaped who as he-writes in-the-year
 trecentesimo quinquagesimo fere post Romam conditam
three-hundredth fiftieth about after Rome founded

Nonis Iunis soli luna obstitit et nox.
on-the-Nones of-June to-the-sun the-moon stood-in-the-way and night

Atque hac in re tanta inest ratio atque sollertia, ut ex hoc
and this in matter so-great is-within method and skill that from this
 die, quem apud Ennium et in maximis annalibus consignatum
day which in Ennius and in the-greatest annals recorded
 videmus, superiores solis defectiones reputatae sint usque
we-see earlier of-the-sun eclipses have-been-reckoned right up
 ad illam, quae Nonis Quinctilibus fuit regnante Romulo;
to that which on-the-Nones of-Quinctilis was reigning Romulus
 quibus quidem Romulum tenebris etiamsi natura ad humanum
in-which indeed Romulus darkness even-if nature to human
 exitum abripuit, virtus tamen in caelum dicitur sustulisse.
end snatched-away virtue still into heaven is-said to-have-raised

XI • THE WISE MAN'S KINGDOM

After a gap, Scipio praises the man who studies the heavens. What can seem great or lasting to one who has seen how small the earth is? He alone owns all things by the law of nature, which gives each thing to whoever knows how to use it; he takes office from duty, not ambition, and is never less alone than when alone. Archimedes did more than the tyrant Dionysius. The castaway in the story told of Plato saw geometry in the sand and knew that men were near.

- 26 Tum Tubero: Videsne, Africane, quod paulo ante secus
then Tubero do-you-see Africanus what a-little before otherwise
 tibi videbatur, doc *** lis, quae videant ceteri.
to-you it-seemed (fragment) (lacuna) (fragment) which see the-rest
 Quid porro aut praeclarum putet in rebus humanis,
what further either splendid could-think in things human
 qui haec deorum regna perspexerit, aut diuturnum, qui
who these of-the-gods realms has-surveyed or lasting who
 cognoverit, quid sit aeternum, aut gloriosum, qui viderit,
has-learned what is eternal or glorious who has-seen

quam parva sit terra, primum universa, deinde ea pars
how small is the-earth first as-a-whole then that part
 eius, quam homines incolant, quamque nos in exigua eius
of-it which men inhabit and-how we in a-tiny of-it
 parte adfixi plurimis ignotissimi gentibus speremus tamen
part fixed to-very-many most-unknown nations hope still
 nostrum nomen volitare et vagari latissime?

our name to-fly-about and to-roam most-widely

Agros vero et aedificia et pecudes et inmensum argenti 27
fields indeed and buildings and cattle and immeasurable of-silver
 pondus atque auri qui bona nec putare nec appellare
weight and of-gold who goods neither to-think nor to-call
 soleat, quod earum rerum videatur ei levis fructus,
is-wont because of-those things seems to-him slight the-enjoyment
 exiguus usus, incertus dominatus, saepe etiam deterrimorum
small the-use uncertain the-ownership often even of-the-worst
 hominum inmensa possessio, quam est hic fortunatus
men immense the-possession how is this-man fortunate
 putandus! cui soli vere liceat omnia non Quiritium, sed
to-be-thought to-whom alone truly it-is-allowed all-things not of-the-Quirites but
 sapientium iure pro suis vindicare, nec civili nexo, sed
of-the-wise by-the-law as his-own to-claim nor by-civil bond but
 communi lege naturae, quae vetat ullam rem esse cuiusquam
by-the-common law of-nature which forbids any thing to-be anyone's
 nisi eius, qui tractare et uti sciat; qui inperia consulatusque
except his who to-handle and to-use knows who commands and-consulships
 nostros in necessariis, non in expetendis rebus, muneris
our among necessary not among to-be-sought things of-duty
 fungendi gratia subeundos, non praemiorum aut gloriae
to-be-discharged for-the-sake to-be-undertaken not of-rewards or of-glory
 causa adpetendos putet; qui denique, ut Africanum avum
for-the-sake to-be-sought thinks who finally as that-Africanus grandfather

meum scribit Cato solitum esse dicere, possit idem de
my writes Cato accustomed to-have-been to-say can the-same about
 se praedicare, numquam se plus agere, quam nihil cum
himself to-declare never himself more to-do than nothing when
 ageret, numquam minus solum esse, quam cum solus esset.
he-did never less alone to-be than when alone he-was

- 28 Quis enim putare vere potest plus egisse Dionysium tum,
who for to-think truly can more to-have-done that-Dionysius then
 cum omnia moliendo eripuerit civibus suis libertatem, quam
when all-things by-striving he-snatched from-citizens his liberty than
 eius civem Archimedes, cum istam ipsam sphaeram, nihil
his citizen Archimedes when that very sphere nothing
 cum agere videretur, effecerit? quis autem non magis solos
when to-do he-seemed he-produced who moreover not rather alone
 esse, qui in foro turbaque, quicum conloqui libeat,
to-be those-who in the-forum and-crowd with-whom to-converse it-may-please
 non habeant, quam qui nullo arbitro vel secum ipsi
not have than who with-no witness either with-themselves themselves
 loquantur vel quasi doctissimorum hominum in concilio
talk or as-it-were of-most-learned men in the-assembly
 adsint, cum eorum inventis scriptisque se oblectent?
are-present when of-them in-the-discoveries and-writings themselves they-delight
 Quis vero divitiorem quemquam putet quam eum, cui nihil
who indeed richer anyone could-think than him to-whom nothing
 desit, quod quidem natura desideret, aut potentiorum quam
is-lacking which indeed nature requires or more-powerful than
 illum, qui omnia, quae expetat, consequatur, aut beatiorum,
him who all-things which he-seeks attains or happier
 quam qui sit omni perturbatione animi liberatus, aut firmiore
than who is from-every disturbance of-mind freed or of-firmer
 fortuna, quam qui ea possideat, quae secum, ut aiunt,
fortune than who those-things possesses which with-himself as they-say

vel e naufragio possit ecferre? Quod autem imperium,
even from a-shipwreck he-can to-carry-out what moreover command
 qui magistratus, quod regnum potest esse praestantius quam
what magistracy what kingship can to-be more-excellent than
 despicientem omnia humana et inferiora sapientia ducentem
despising all human-things and lower than-wisdom considering
 nihil umquam nisi sempiternum et divinum animo volutare?
nothing ever except eternal and divine in-mind to-turn-over
 cui persuasum sit appellari ceteros homines, esse solos
to-whom persuaded it-is to-be-called that-the-rest men to-be alone
 eos, qui essent politi propriis humanitatis artibus;
those who were refined in-the-proper of-humanity arts
 ut mihi Platonis illud, seu quis dixit alius, perelegans 29
so-that to-me of-Plato that-saying or-if anyone said other very-elegant
 esse videatur; quem cum ex alto ignotas ad terras
to-be may-seem whom when from the-deep to-unknown to lands
 tempestas et in desertum litus detulisset, timentibus ceteris
a-storm and onto a-deserted shore had-carried fearing the-others
 propter ignorationem locorum animadvertisse dicunt in arena
because-of ignorance of-the-places to-have-noticed they-say in the-sand
 geometricas formas quasdam esse descriptas; quas ut
geometric figures certain to-be drawn which as-soon-as
 vidisset, exclamavisse, ut bono essent animo; videre
he-had-seen to-have-cried-out that of-good they-should-be heart to-see
 enim se hominum vestigia; quae videlicet ille non ex
for himself of-men the-traces which evidently he not from
 agri consitura, quam cernebat, sed ex doctrinae indiciis
of-the-field the-planting which he-saw but from of-learning the-signs
 interpretabatur. Quam ob rem, Tubero, semper mihi et
was-interpreting which on-account-of reason Tubero always to-me both
 doctrina et eruditi homines et tua ista studia placuerunt.
learning and educated men and your those studies have-pleased

Laelius praises Sextus Aelius, whom Ennius called shrewd for answers that freed his clients from care, and who quoted against Gallus' studies the verses mocking astrologers who miss what lies at their feet. Other Greek studies serve life and the state; these arts only sharpen boys' minds. Laelius asks why Tubero inquires about two suns, not two senates and nearly two peoples: Gracchus split the people, and Scipio's rivals split the senate and block his help. A united senate and people would make them better and happier; knowledge of the sky would not.

- 30 Tum Laelius: Non audeo quidem, inquit, ad ista, Scipio,
then Laelius not I-dare indeed he-says to those-things Scipio
 dicere, neque tam te aut Philum aut Manilium * * *
to-speak nor so-much you or Philus or Manilius (lacuna)
 * * * in ipsius paterno genere fuit noster ille amicus,
(lacuna) in his-own father's family was our that friend
 dignus huic ad imitandum,
worthy for-this-man for imitating

egregie cordatus homo, catus Aelius Sextus,
exceptionally sagacious a-man shrewd Aelius Sextus

qui 'egregie cordatus' et 'catus' fuit et ab Ennio dictus
who exceptionally sagacious and shrewd was and by Ennius called
 est, non quod ea quaerebat, quae numquam inveniret,
was not because those-things he-sought which never he-would-find
 sed quod ea respondebat, quae eos, qui quaesissent, et
but because those-things he-answered which those who had-asked both

cura et negotio solverent, cuique contra Galli studia
from-care and from-trouble would-free and-to-whom against of-Gallus the-studies
 disputanti in ore semper erat ille de Iphigenia Achilles:
arguing in the-mouth always was that from the-Iphigenia Achilles

Astrologorum signa in caelo quid fit observationis,
of-the-astrologers the-signs in the-sky what is-made of-observation
 cum capra aut nepa aut exoritur nomen aliquod beluarum!
when the-goat or the-scorpion or rises a-name some of-beasts
 Quod est ante pedes nemo spectat, caeli scrutantur plagas.
what is before the-feet no-one looks-at of-the-sky they-search the-regions

Atque idem (multum enim illum audiebam et libenter)
and the-same-man much for him I-used-to-hear and gladly
 Zethum illum Pacuvii nimis inimicum doctrinae esse
that-Zetbus that of-Pacuvius too hostile to-learning to-be
 dicebat; magis eum delectabat Neoptolemus Ennii, qui
he-used-to-say more him delighted the-Neoptolemus of-Ennius who
 se ait 'philosophari velle, sed paucis; nam omnino
himself says to-philosophize to-wish but in-few-words for altogether
 haud placere'. Quodsi studia Graecorum vos tanto opere
not to-please but-if the-studies of-the-Greeks you in-so-great measure
 delectant, sunt alia liberiora et transfusa latius, quae vel
delight there-are others more-liberal and spread more-widely which either
 ad usum vitae vel etiam ad ipsam rem publicam conferre
to the-use of-life or even to the-very thing public to-apply
 possumus. Istae quidem artes, si modo aliquid valent, id
we-can those indeed arts if only something they-avail that
 valent, ut paulum acuunt et tamquam inritent ingenia
they-avail that a-little they-sharpen and as-it-were they-stimulate the-talents
 puerorum, quo facilius possint maiora discere.
of-boys whereby more-easily they-may-be-able greater-things to-learn

31 Tum Tubero: Non dissentio a te, Laeli, sed quaero, quae
 then Tubero not I-disagree from you Laelius but I-ask what
 tu esse maiora intellegas.

you to-be greater-things understand

L. Dicam mehercule et contemnar a te fortasse, cum tu

I-will-say by-Hercules and I-shall-be-despised by you perhaps since you
 ista caelestia de Scipione quaesieris, ego autem haec, quae
 those heavenly-things of Scipio have-asked I however these-things which

videntur ante oculos esse, magis putem quaerenda. Quid
 seem before the-eyes to-be more I-think to-be-inquired-into what

enim mihi L. Pauli nepos, hoc avunculo, nobilissima
 for to-me of-Lucius Paullus the-grandson this-man as-uncle most-noble

in familia atque in hac tam clara re publica natus, quaerit,
 in family and in this so famous thing public born asks

quo modo duo soles visi sint, non quaerit, cur in una
 in-what way two suns seen have-been not asks why in one

re publica duo senatus et duo paene iam populi sint?

thing public two senates and two almost now peoples there-are

Nam, ut videtis, mors Tiberii Gracchi et iam ante

for as you-see the-death of-Tiberius Gracchus and already before

tota illius ratio tribunatus divisit populum unum in

the-whole of-that-man method of-tribunate has-divided people one into

duas partis; obtrectatores autem et invidi Scipionis initiis

two parts the-detractors moreover and the-envious of-Scipio beginnings

factis a P. Crasso et Appio Claudio tenent nihilo minus

made by Publius Crassus and Appius Claudius hold nothing less

illis mortuis senatus alteram partem dissidentem a

those-men dead of-the-senate the-other part dissenting from

vobis auctore Metello et P. Mucio neque hunc, qui unus

you as-leader Metellus and Publius Mucius nor this-man who alone

potest, concitatis sociis et nomine Latino, foederibus violatis,

can roused the-allies and name Latin treaties violated

triumviris seditiosissimis aliquid cotidie novi molientibus, bonis

triumvirs most-seditious something daily new contriving good

viris perturbatis his tam periculosis rebus subvenire patiuntur.

men disturbed these so dangerous things to-relieve they-allow

Quam ob rem, si me audietis, adolescentes, solem 32

which on-account-of reason if me you-will-heed young-men the-sun

alterum ne metueritis; aut enim nullus esse potest, aut

second not fear either for none to-be can or

sit sane, ut visus est, modo ne sit molestus, aut

let-it-be by-all-means as seen it-has-been only lest it-be troublesome either

scire istarum rerum nihil aut, etiamsi maxime sciemus,

to-know of-those things nothing or even-if most-fully we-shall-know

nec meliores ob eam scientiam nec beatiores esse

neither better on-account-of that knowledge nor happier to-be

possumus; senatum vero et populum ut unum habeamus,

can-we the-senate but and the-people that one we-may-have

et fieri potest, et permolestum est, nisi fit, et

both to-be-done can and very-troublesome is unless it-is-done and

secus esse scimus et videmus, si id effectum sit, et

otherwise to-be we-know and we-see if that brought-about be both

melius nos esse victuros et beatius.

better we to-be about-to-live and more-happily

Mucius asks what they should learn, and Laelius names the arts that make men useful to the state: let Scipio explain the best constitution. Laelius recalls Scipio's discussions with Panaetius in the presence of Polybius, where he held that the constitution their ancestors left them is by far the best. Scipio accepts, since the care of the commonwealth is the one work his forebears left him. He asks to be heard as a Roman educated by his father's care, but taught far less by books than by practice and the precepts of his home.

- 33 Tum Mucius: Quid esse igitur censes, Laeli, discendum
 then Mucius what to-be therefore think-you Laelius to-be-learned
 nobis, ut istud efficere possimus ipsum, quod postulas?
 by-us that that to-accomplish we-may-be-able itself which you-demand
 L. Eas artis, quae efficient, ut usui civitati simus; id
 those arts which may-bring-about that of-use to-the-state we-may-be that
 enim esse praeclarissimum sapientiae munus maximumque
 for to-be the-most-glorious of-wisdom function and-greatest
 virtutis vel documentum vel officium puto. Quam ob
 of-virtue either proof or duty I-think which on-account-of
 rem, ut hae feriae nobis ad utilissimos rei publicae
 reason that these holidays by-us to most-useful of-the-thing public
 sermones potissimum conferantur, Scipionem rogemus, ut
 conversations above-all may-be-devoted Scipio let-us-ask that
 explicet, quem existimet esse optimum statum civitatis.
 he-explain what he-considers to-be the-best constitution of-the-state
 Deinde alia quaeremus; quibus cognitis spero nos
 then other-things we-shall-ask which when-known I-hope that-we
 ad haec ipsa via perventuros earumque rerum
 to these-things themselves by-the-road about-to-arrive and-of-those things
 rationem, quae nunc instant, explicatueros.
 the-account which now are-pressing about-to-explain

Cum id et Philus et Manilius et Mummius admodum 34
when that both Philus and Manilius and Mummius fully
 adprobavissent *** Nullum est exemplum, cui malimus
had-approved (lacuna) no is example to-which we-would-rather
 adsimulare rem publicam. Quare, si placet, deduc orationem
to-liken the-thing public therefore if it-pleases bring-down speech
 tuam de caelo ad haec citeriora. *** non solum ob
your from heaven to these nearer-things (lacuna) not only on-account-of
 eam causam fieri volui, quod erat aequum de re
that reason to-be-done I-wished because it-was fair about the-thing
 publica potissimum principem rei publicae dicere, sed
public above-all the-first-man of-the-thing public to-speak but
 etiam quod memineram persaepe te cum Panaetio disserere
also because I-remembered very-often you with Panaetius to-discourse
 solitum coram Polybio, duobus Graecis vel peritissimis
accustomed in-the-presence-of Polybius two Greeks even most-expert
 rerum civilium, multaque colligere ac docere, optimum
of-things civil and-many-things to-gather and to-show the-best
 longe statum civitatis esse eum, quem maiores nostri nobis
by-far constitution of-the-state to-be that which ancestors our to-us
 reliquissent. Qua in disputatione quoniam tu paratior es,
had-left which in discussion since you more-prepared are
 feceris, ut etiam pro his dicam, si, de re
you-will-have-done so-that even for these I-may-speak if about the-thing
 publica quid sentias, explicaris, nobis gratum omnibus.
public what you-think you-will-have-explained to-us grateful to-all
 Tum ille: Non possum equidem dicere me ulla in 35
then he not I-can for-my-part to-say that-I in-any in
 cogitatione acrius aut diligentius solere versari quam in
thought more-keenly or more-diligently to-be-wont to-be-engaged than in
 ista ipsa, quae mihi, Laeli, a te proponitur. Etenim cum
that very-one which to-me Laelius by you is-set-forth for-indeed since

in suo quemque opere artificem, qui quidem excellat, nihil
in his-own each work craftsman who indeed excels nothing
 aliud cogitare, meditari, curare videam, nisi quo sit
else to-think to-ponder to-care-for I-see except by-which he-may-be
 in illo genere melior, ego, cum mihi sit unum opus hoc
in that kind better I since for-me there-is one work this
 a parentibus maioribusque meis relictum, procuratio atque
by parents and-ancestors my left the-care and
 administratio rei publicae, non me inertiore esse
administration of-the-thing public not that-I lazier to-be
 confitear quam opificem quemquam, si minus in maxima
should-I-confess than a-workman any if less in the-greatest
 arte, quam illi in minimis, operae consumpserim?
art than they in the-least of-effort I-have-spent

- 36 Sed neque his contentus sum, quae de ista consultatione
but neither with-these content am-I which about that inquiry
 scripta nobis summi ex Graecia sapientissimique homines
written to-us the-highest from Greece and-wisest men
 reliquerunt, neque ea, quae mihi videntur, anteferre illis
have-left nor those-things which to-me seem to-put-before to-those
 audeo. Quam ob rem peto a vobis, ut me sic audiat, is
I-dare which on-account-of reason I-ask of you that me so you-hear
 neque ut omnino expertem Graecarum rerum neque ut eas
neither as wholly without-share-in of-Greek things nor as them
 nostris in hoc praesertim genere anteponentem, sed ut unum
to-ours in this especially kind preferring but as one
 e togatis patris diligentia non inliberaliter institutum
of the-toga-wearers of-father by-the-care not illiberally educated
 studioque discendi a pueritia incensum, usu tamen et
and-by-eagerness of-learning from boyhood fired by-practice still and
 domesticis praeceptis multo magis eruditum quam litteris.
by-domestic precepts much more taught than by-letters

Philus expects more from Scipio than from all the Greek writers, and Scipio complains of the burden this lays on him. He will follow the rule for every inquiry: first agree on what a name means. Since they are asking about the commonwealth, they must first see what it is. But speaking to experienced statesmen, he will not start like a schoolmaster from the union of man and woman and the growth of families, nor promise to leave nothing out.

Hic Philus: Non hercule, inquit, Scipio, dubito, quin tibi 37
here Philus not by-Hercules he-says Scipio I-doubt but-that you
 ingenio praestiterit nemo, usu quidem in re publica
in-talent has-surpassed no-one in-practice indeed in the-thing public
 rerum maximarum facile omnis viceris; quibus autem
of-things greatest easily all you-have-surpassed in-what moreover
 studiis semper fueris, tenemus. Quam ob rem, si,
studies always you-have-been we-know which on-account-of reason if
 ut dicis, animum quoque contulisti in istam rationem et
as you-say (your)-mind also you-have-applied to that method and
 quasi artem, habeo maximam gratiam Laelio; spero enim
as-it-were art I-have the-greatest gratitude to-Laelius I-hope for
 multo uberiora fore, quae a te dicentur, quam
much richer to-be-about-to-be the-things-which by you will-be-said than
 illa, quae a Graecis hominibus scripta sunt, omnia.
those-things which by Greek men written have-been all
 Tum ille: Permagnum tu quidem expectationem, quod onus
then he a-very-great you indeed expectation which burden
 est ei, qui magnis de rebus dicturus est, gravissimum,
is to-him who great about things about-to-speak is heaviest
 inponis orationi meae. Et Philus: Quamvis sit magna,
you-lay-on on-the-speech my and Philus however-much it-be great

tamen eam vinctus, ut soles; neque enim est periculum,
still it you-will-surpass as you-are-wont nor for is danger
 ne te de re publica disserentem deficiat oratio.

lest you about the-thing public discoursing fail speech

- 38 Hic Scipio: Faciam, quod vultis, ut potero, et ingrediar
here Scipio I-will-do what you-wish as I-shall-be-able and I-will-enter
 in disputationem ea lege, qua credo omnibus in rebus
into the-discussion on-that law by-which I-believe all in things
 disserendis utendum esse, si errorem velis tollere, ut
to-be-discussed to-be-used to-be if error you-wish to-remove that
 eius rei, de qua quaeretur, si, nomen quod sit,
of-that thing about which inquiry-will-be-made if the-name what it-is
 conveniat, explicetur, quid declaretur eo nomine; quod si
is-agreed be-explained what is-meant by-that name which if
 convenerit, tum demum decebit ingredi in sermonem;
it-shall-have-been-agreed then at-last it-will-be-fitting to-enter into the-conversation
 numquam enim, quale sit illud, de quo disputabitur,
never for of-what-sort is that about which it-will-be-disputed
 intellegi poterit, nisi, quid sit, fuerit intellectum
to-be-understood will-be-able unless what it-is shall-have-been understood
 prius. Quare, quoniam de re publica quaerimus, hoc
first therefore since about the-thing public we-inquire this
 primum videamus, quid sit id ipsum, quod quaerimus. Cum
first let-us-see what is that itself which we-see when
 adprobavisset Laelius, Nec vero, inquit Africanus, ita disseram
had-approved Laelius nor indeed says Africanus so I-shall-discourse
 de re tam inlustri tamque nota, ut ad illa elementa
about a-thing so illustrious and-so familiar that to those elements
 revolvam, quibus uti docti homines his in rebus solent, ut
I-return which to-use learned men these in matters are-wont so-that
 a prima congressione maris et feminae, deinde a progenie
from the-first union of-male and of-female then from offspring

et cognatione ordiar verbisque, quid sit et quot modis
and kinship I-begin and-in-words what it-is and in-how-many ways
 quidque dicatur, definiam saepius; apud prudentes enim
each-thing is-said I-define rather-often before prudent for
 homines et in maxima re publica summa cum gloria belli
men and in the-greatest thing public highest with glory of-war
 domique versatos cum loquar, non committam, ut non sit
and-at-home engaged since I-speak not I-will-allow that not be
 inlustrior illa ipsa res, de qua disputem, quam oratio mea;
more-illustrious that very thing about which I-am-discussing than speech my
 nec enim hoc suscepi, ut tamquam magister persequerer
nor for this I-have-undertaken that like a-schoolmaster I-should-pursue
 omnia, neque hoc polliceor me effecturum, ut ne qua
all-things nor this I-promise that-I about-to-accomplish that not any
 particula in hoc sermone praetermissa sit. Tum Laelius: Ego
small-part in this conversation passed-over be then Laelius I
 vero istud ipsum genus orationis, quod polliceris, expecto.
indeed that very kind of-speech which you-promise I-await

XV • WHAT A COMMONWEALTH IS

Scipio defines the commonwealth as the affair of the people, and a people as an assembly united by agreement about law and by common advantage. Men gather not so much from weakness as from a natural sociability. Such assemblies settle in towns with temples and public spaces, and every commonwealth must be governed by some deliberation, entrusted to one man, to a chosen few, or to all. Each of these three forms is tolerable if it keeps the original bond, though none is perfect.

Est igitur, inquit Africanus, res publica res populi, 39
is therefore says Africanus the-thing public the-thing of-the-people
 populus autem non omnis hominum coetus quoquo modo
a-people moreover not every of-men gathering in-whatever way

congregatus, sed coetus multitudinis iuris consensu et
assembled but a-gathering of-a-multitude of-right by-agreement and
 utilitatis communione sociatus. Eius autem prima causa
of-advantage by-partnership associated of-it moreover the-first cause
 coeundi est non tam inbecillitas quam naturalis
of-coming-together is not so-much weakness as natural
 quaedam hominum quasi congregatio; non est enim
a-certain of-men as-it-were herding not is for
 singulare nec solivagum genus hoc, sed ita generatum, ut
solitary nor lone-wandering kind this but so begotten that
 ne in omnium quidem rerum affluentia ***
not in of-all even things abundance (lacuna)
 Brevis multitudo dispersa atque vaga concordia civitas
in-a-short-time a-multitude scattered and roving by-concord a-state
 facta erat.

made had-been

- 41 *** quaedam quasi semina, neque reliquarum virtutum nec
(lacuna) certain as-it-were seeds nor of-the-other virtues nor
 ipsius rei publicae reperiatur ulla institutio. Hi coetus
very of-the-thing public may-be-found any establishment these gatherings
 igitur hac, de qua exposui, causa instituti sedem primum
therefore for-this about which I-have-set-out cause established a-seat first
 certo loco domiciliorum causa constituerunt; quam
in-a-fixed place of-dwellings for-the-sake they-set-up which
 cum locis manuque saepsissent, eius modi coniunctionem
when by-sites and-by-hand they-had-fenced of-that kind a-joining
 tectorum oppidum vel urbem appellaverunt delubris distinctam
of-roofs a-town or a-city they-called with-shrines marked-out
 spatiisque communibus. Omnis ergo populus, qui est talis
and-open-spaces common every therefore people which is such
 coetus multitudinis, qualem exposui, omnis civitas, quae
a-gathering of-a-multitude as I-have-set-out every state which

est constitutio populi, omnis res publica, quae, ut dixi,
is the-establishment of-a-people every thing public which as I-said
 populi res est, consilio quodam regenda est, ut diuturna
of-the-people thing is by-counsel a-certain to-be-ruled is that lasting
 sit. Id autem consilium primum semper ad eam causam
it-may-be that moreover counsel first always to that cause
 referendum est, quae causa genuit civitatem.

to-be-referred is which cause begot the-state

Deinde aut uni tribuendum est aut delectis quibusdam
then either to-one to-be-assigned it-is or to-chosen certain-men
 aut suscipiendum est multitudini atque omnibus. Quare
or to-be-undertaken is by-the-multitude and by-all therefore
 cum penes unum est omnium summa rerum, regem
when in-the-hands-of one is of-all the-sum of-things king
 illum unum vocamus et regnum eius rei publicae
that one we-call and kingship of-that of-the-thing public
 statum. Cum autem est penes delectos, tum illa civitas
the-constitution when moreover it-is in-the-hands-of the-chosen then that state
 optimatum arbitrio regi dicitur. Illa autem est civitas
of-the-best-men by-the-judgment to-be-ruled is-said that moreover is a-state
 popularis (sic enim appellant), in qua in populo sunt omnia.
popular so for they-call-(it) in which in the-people are all-things
 Atque horum trium generum quodvis, si teneat illud vinclum,
and of-these three kinds any-one if it-holds that bond
 quod primum homines inter se rei publicae societate
which first men among themselves of-the-thing public in-partnership
 devinxit, non perfectum illud quidem neque mea sententia
bound not perfect that indeed nor in-my opinion
 optimum est, sed tolerabile tamen, ut aliud alio possit
best is but tolerable still though one than-another may
 esse praestantius. Nam vel rex aequus ac sapiens vel delecti
to-be more-excellent for either a-king fair and wise or chosen

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ac principes cives vel ipse populus, quamquam id est
 and leading citizens or the-very people although that is
 minime probandum, tamen nullis interiectis iniquitatibus aut
 least to-be-approved still with-no interposed injustices or
 cupiditatibus posse videtur aliquo esse non incerto statu.
 desires to-be-able seems in-some to-be not unsettled condition

XVI · THE FAULTS OF THE SIMPLE FORMS

Each simple form has its flaw. Under a king the others share too little in law and counsel, under the best men the multitude lacks liberty, and under the people equality itself is unjust, since it knows no degrees of worth. Cyrus, Marseilles, and Athens show this. Each form also slides toward a neighboring evil: Cyrus toward Phalaris, the Massilian few toward the Thirty, the Athenian people toward frenzy. Constitutions revolve in cycles, and a fourth form, mixed from the three, is best.

- 43 Sed et in regnis nimis expertes sunt ceteri communis
 but both in kingships too-much without-share are the-rest of-common
 iuris et consilii, et in optimatum dominatu vix particeps
 right and of-counsel and in of-the-best-men the-dominion scarcely sharing
 libertatis potest esse multitudo, cum omni consilio communi
 of-liberty can to-be the-multitude since of-all counsel common
 ac potestate careat, et cum omnia per populum geruntur
 and power it-lacks and when all-things through the-people are-managed
 quamvis iustum atque moderatum, tamen ipsa aequabilitas
 however just and moderate still the-very equality
 est iniqua, cum habet nullos gradus dignitatis. Itaque si
 is unfair since it-has no degrees of-rank and-so if
 Cyrus ille Perses iustissimus fuit sapientissimusque rex,
 Cyrus that the-Persian most-just was and-wisest king
 tamen mihi populi res (ea enim est, ut dixi antea,
 still to-me of-the-people the-thing that for is as I-said before

publica) non maxime expetenda fuisse illa videtur, cum
public not most to-be-desired to-have-been that seems when
 regeretur unius nutu ac modo; si Massilienses, nostri
it-was-ruled of-one by-the-nod and manner if the-Massilians our
 clientes, per delectos et principes cives summa iustitia
clients through chosen and leading citizens with-the-highest justice
 reguntur, inest tamen in ea condicione populi similitudo
are-ruled is-within still in that condition of-the-people a-likeness
 quaedam servitutis; si Athenienses quibusdam temporibus
certain of-slavery if the-Athenians at-certain times
 sublato Areopago nihil nisi populi scitis ac
having-been-removed the-Areopagus nothing except of-the-people by-enactments and
 decretis agebant, quoniam distinctos dignitatis gradus non
by-decrees they-did since distinct of-rank degrees not
 habebant, non tenebat ornatum suum civitas.
they-had not kept distinction its-own the-state

Atque hoc loquor de tribus his generibus rerum publicarum 44
and this I-say about three these kinds of-things public
 non turbatis atque permixtis, sed suum statum tenentibus.
not disordered and mixed-up but their-own condition keeping
 Quae genera primum sunt in iis singula vitiis, quae ante
which kinds first are in those each faults which before
 dixi, deinde habent pernicioosa alia vitia; nullum est enim
I-mentioned then they-have ruinous other faults no is for
 genus illarum rerum publicarum, quod non habeat iter ad
kind of-those things public which not has a-path to
 finitimum quoddam malum praeceps ac lubricum. Nam illi
a-neighboring certain evil steep and slippery for to-that
 regi, ut eum potissimum nominem, tolerabili aut, si voltis,
king that him above-all I-may-name tolerable or if you-wish
 etiam amabili, Cyro, subest ad inmutandi animi licentiam
even lovable Cyrus lies-beneath to of-changing mind the-license

crudelissimus ille Phalaris, cuius in similitudinem dominatus
most-cruel that Phalaris whose into likeness the-dominion

unius proclivi cursu et facile delabitur. Illi autem
of-one by-a-downward course and easily slides to-that moreover

Massiliensium paucorum et principum administrationi civitatis
of-the-Massilians of-the-few and leading-men administration of-the-state

finitimus est, qui fuit quodam tempore apud Athenienses
neighboring is which was at-a-certain time among the-Athenians

triginta virorum consensus et factio. Iam Atheniensium
of-thirty men the-combination and faction now of-the-Athenians

populi potestatem omnium rerum ipsi, ne alios requiramus,
of-the-people the-power over-all things we-ourselves not others we-may-seek

ad furorem multitudinis licentiamque conversam pesti ***
to the-frenzy of-the-multitude and-license turned to-ruin (lacuna)

45 *** deterrimus et ex hac vel optimatium vel factiosa
(lacuna) most-wretched and from this either of-the-best-men or factious

tyrannica illa vel regia vel etiam persaepe popularis, itemque
tyrannical that or kingly or even very-often popular and-like-wise

ex ea genus aliquod ecflorescere ex illis, quae ante
from that kind some to-blossom-forth from those which before

dixi, solet, mirique sunt orbes et quasi circumitus in
I-mentioned is-wont and-wonderful are the-cycles and as-it-were revolutions in

rebus publicis commutationum et vicissitudinum; quos cum
things public of-changes and of-alternations which as-much

cognosse sapientis est, tum vero prospicere impendentis
to-have-learned of-the-wise-man is so indeed to-foresee impending

in gubernanda re publica moderantem cursum atque in
in steering the-thing public governing the-course and in

sua potestate retinentem magni cuiusdam civis et divini
his-own power keeping of-a-great a-certain citizen and divine

paene est viri. Itaque quartum quoddam genus rei
almost is of-a-man and-so a-fourth certain kind of-the-thing

publicae maxime probandum esse sentio, quod est ex his,
public most to-be-approved to-be I-feel which is from these
 quae prima dixi, moderatum et permixtum tribus.
which first I-mentioned blended and mixed three

XVII · THE DEMOCRATS' CASE

Laelius asks which of the three simple forms Scipio thinks best. After a gap, Scipio sets out the democrats' case. Liberty lives only where the people are sovereign, and liberty that is not equal is not liberty. Under a king slavery is plain, and in aristocracies citizens vote but give what they cannot refuse. Where the people keep their rights, as at Rhodes and Athens, nothing is freer or happier, since they are masters of laws, courts, war, and peace. This alone they call a commonwealth.

Hic Laelius: Scio tibi ita placere, Africane; saepe enim 46
here Laelius I-know to-you so to-seem-good Africanus often for
 ex te audiui; sed tamen, nisi molestum est, ex tribus
from you I-have-heard but still unless troublesome it-is of three
 istis modis rerum publicarum velim scire quod optimum
those forms of-things public I-would-like to-know which best
 iudices. Nam vel profuerit aliquod ad cog ***
you-judge for either it-will-have-helped something to (fragment) (lacuna)
 *** et talis est quaeque res publica, qualis eius aut natura 47
(lacuna) and such is each thing public as of-him either the-nature
 aut voluntas, qui illam regit. Itaque nulla alia in civitate,
or the-will who it rules and-so no other in state
 nisi in qua populi potestas summa est, ullum domicilium
except in which of-the-people the-power supreme is any dwelling
 libertas habet; qua quidem certe nihil potest esse dulcius,
liberty has than-which indeed certainly nothing can to-be sweeter
 et quae, si aequa non est, ne libertas quidem est. Qui autem
and which if equal not is not liberty even it-is how moreover

aequa potest esse, omitto dicere in regno, ubi ne obscura
equal can to-be I-omit to-say in a-kingship where not hidden
 quidem est aut dubia servitus, sed in istis civitatibus, in
even is or doubtful slavery but in those states in
 quibus verbo sunt liberi omnes? ferunt enim suffragia, mandant
whicb in-word are free all they-cast for votes they-commit
 inperia, magistratus, ambiuntur, rogantur, sed ea dant,
commands magistrates are-canvassed are-solicited but those-things they-give
 quae, etiamsi nolint, danda sint, et quae ipsi
whicb even-if they-be-unwilling to-be-given are and whicb they-themselves
 non habent, unde alii petunt; sunt enim expertes imperii,
not have whence others seek are for without-share of-command
 consilii publici, iudicii delectorum iudicum, quae familiarum
of-counsel public of-judgment of-chosen jurors whicb of-families
 vetustatibus aut pecuniis ponderantur. In libero autem populo,
by-antiquity or by-wealth are-weighed in a-free moreover people
 ut Rhodi, ut Athenis, nemo est civium, qui ***
as at-Rhodes as at-Athens no-one is of-the-citizens who (lacuna)

48 *** populo aliquis unus pluresve divitiores opulentioresque
(lacuna) in-the-people someone one more-or richer and-more-powerful
 extitissent, tum ex eorum fastidio et superbia nata esse
had-arisen then from their disdain and arrogance born to-have-been
 commemorant cedentibus ignavis et inbecillis et adrogantiae
they-relate yielding the-cowardly and the-weak and to-the-arrogance
 divitum succumbentibus. Si vero ius suum populi teneant,
of-the-rich submitting if indeed right their-own peoples keep
 negant quicquam esse praestantius, liberius, beatius, quippe
they-deny anything to-be more-excellent freer happier inasmuch-as
 qui domini sint legum, iudiciorum, belli, pacis, foederum,
who masters are of-laws of-courts of-war of-peace of-treaties
 capitis unius cuiusque, pecuniae. Hanc unam rite rem
of-the-life of-one each of-wealth this alone rightly thing

publicam, id est rem populi, appellari putant. Itaque
public that is the-thing of-the-people to-be-called they-think and-so
 et a regum et a patrum dominatione solere in
both from of-kings and from of-the-fathers the-dominion to-be-went into
 libertatem rem populi vindicari, non ex liberis populis
liberty the-thing of-the-people to-be-claimed not from free peoples
 reges requiri aut potestatem atque opes optimatium.
kings to-be-sought or the-power and resources of-the-best-men

XVIII · LAW, THE BOND OF CITIZENS

The democrats go on: a people in concord, aiming at its own safety and freedom, is the most stable state, since discord comes from divided interests. Law is the bond of civil society, and the right it grants is equal; if wealth and talent cannot be equal, rights must be. A man who dominates an oppressed people should be called a tyrant, not a king. Sparta had to accept any king of royal birth, and who would bear men who named themselves the best?

Et vero negant oportere indomiti populi vitio genus hoc 49
and indeed they-deny to-be-right of-an-untamed people by-the-fault kind this
 totum liberi populi repudiari, concordi populo et omnia
whole of-a-free people to-be-rejected than-a-harmonious people and all-things
 referente ad incolumitatem et ad libertatem suam nihil
referring to safety and to liberty its-own nothing
 esse inmutabilius, nihil firmitus; facillimam autem in ea re
to-be more-unchangeable nothing firmer easiest moreover in that thing
 publica esse concordiam, in qua idem conducat omnibus;
public to-be concord in which the-same is-of-advantage to-all
 ex utilitatis varietatibus, cum aliis aliud expediat, nasci
from of-interest the-varieties when to-some one-thing is-expedient to-be-born
 discordias; itaque, cum patres rerum potirentur, numquam
discords and-so when the-fathers of-affairs were-masters never

constitisse civitatis statum; multo iam id in regnis minus,
to-have-stood-firm of-the-state the-condition much now that in kingships less

quorum, ut ait Ennius, 'nulla sancta societas nec fides est.'

of-which as says Ennius no sacred partnership nor good-faith is

Quare cum lex sit civilis societatis vinculum, ius autem legis

therefore since law is of-civil partnership the-bond right moreover of-law

aequale, quo iure societas civium teneri potest, cum par

equal by-what right the-partnership of-citizens to-be-held can when equal

non sit condicio civium? Si enim pecunias aequari non

not is the-condition of-citizens if for fortunes to-be-equalized not

placet, si ingenia omnium paria esse non possunt, iura certe

it-pleases if the-talents of-all equal to-be not can rights certainly

paria debent esse eorum inter se, qui sunt cives in eadem

equal ought to-be of-those among themselves who are citizens in the-same

re publica. Quid est enim civitas nisi iuris societas? ***

thing public what is for a-state except of-right a-partnership (lacuna)

50 *** Ceteras vero res publicas ne appellandas quidem

(lacuna) other indeed things public not to-be-called even

putant iis nominibus, quibus illae sese appellari velint.

they-think by-those names by-which they themselves to-be-called would-wish

Cur enim regem appellem Iovis optimi nomine hominem

why for king should-I-call of-Jupiter best by-the-name a-man

dominandi cupidum aut imperii singularis, populo oppresso

of-lording eager or of-command single the-people oppressed

dominantem, non tyrannum potius? tam enim esse clemens

lording-it not tyrant rather as for to-be merciful

tyrannus quam inportunus potest; ut hoc populorum

a-tyrant as harsh can so-that this for-peoples

intersit, utrum comi domino an aspero serviant; quin serviant

matters whether a-kind master or a-harsh they-serve but-that they-serve

quidem, fieri non potest. Quo autem modo adsequi poterat

indeed to-happen not can in-what moreover way to-attain could

Lacedaemo illa tum, cum praestare putabatur disciplina
Lacedaemon that then when to-excel it-was-thought in-discipline
 rei publicae, ut bonis uteretur iustisque regibus, cum
of-the-thing public that good it-might-have and-just kings when
 esset habendus rex, quicumque genere regio natus esset? Nam
was to-be-held king whoever of-stock royal born had-been for
 optimatis quidem quis ferat, qui non populi concessu,
the-best-men indeed who would-bear who not of-the-people by-the-grant
 sed suis comitiis hoc sibi nomen adrogaverunt? Qui
but by-their-own assemblies this to-themselves name have-claimed how
 enim iudicatur iste optimus? doctrina, artibus, studiis ***
for is-judged that-man best by-learning by-arts by-studies (lacuna)

XIX · THE ARISTOCRATS' CASE

Scipio turns to the aristocrats' case. A state that picks its rulers by chance will capsize like a ship steered by a passenger drawn by lot; a free people will choose the best, and nature makes the weaker willing to obey them. The form is ruined when wealth and birth are taken for merit. When virtue governs, the ruler serves no desire and lives as a law to his citizens. The best men hold the middle place between one man's weakness and the rashness of many, and the equality free peoples prize is most unequal.

*** si fortuito id faciet, tam cito evertetur
(lacuna) if by-chance that it-will-do so quickly it-will-be-overtaken
 quam navis, si e vectoribus sorte ductus ad gubernacula
as a-ship if from the-passengers by-lot drawn to the-helm
 accesserit. Quodsi liber populus deliget, quibus se
shall-have-come but-if a-free people it-will-choose to-whom itself
 committat, deligetque, si modo salvus esse vult, optimum
it-may-entrust and-it-will-choose if only safe to-be it-wishes best

51

quemque, certe in optimorum consiliis posita est civitatum
each certainly in of-the-best the-counsels placed is of-states
 salus, praesertim cum hoc natura tulerit, non solum ut
the-safety especially since this nature has-brought not only that
 summi virtute et animo praesent inbecillioribus, sed ut hi
the-highest in-virtue and in-spirit should-rule-over the-weaker but that these
 etiam parere summis velint. Verum hunc optimum statum
even to-obey the-highest would-wish but this best constitution
 pravis hominum opinionibus eversum esse dicunt, qui
by-perverse of-men opinions overturned to-have-been they-say who
 ignoratione virtutis, quae cum in paucis est, tum a paucis
by-ignorance of-virtue which as-much in few is so by few
 iudicatur et cernitur, opulentos homines et copiosos, tum
is-judged and is-discerned rich men and well-supplied then
 genere nobili natos esse optimos putant. Hoc errore vulgi
of-family noble born to-be the-best think by-this error of-the-crowd
 cum rem publicam opes paucorum, non virtutes tenere
when the-thing public the-resources of-the-few not the-virtues to-hold
 coeperunt, nomen illi principes optimatum mordicus
began the-name those leading-men of-the-best-men with-(their)-teeth
 tenent, re autem carent. Nam divitiae, nomen, opes vacuae
bold in-fact however they-lack for riches name resources empty
 consilio et vivendi atque aliis imperandi modo dedecoris
of-counsel and of-living and others of-commanding of-a-way of-disgrace
 plenae sunt et insolentis superbiae, nec ulla deformior species
full are and of-insolent arrogance nor any uglier form
 est civitatis quam illa, in qua opulentissimi optimi putantur.
is of-a-state than that in which the-richest the-best are-thought

- 52 Virtute vero gubernante rem publicam quid potest esse
virtue indeed steering the-thing public what can to-be
 praeclarius? cum is, qui inperat aliis, servit ipse nulli cupiditati,
more-glorious when he who commands others serves himself to-no desire

cum, quas ad res civis instituit et vocat, eas omnis
when to-which to things the-citizens he-trains and summons those all
 complexus est ipse nec leges inponit populo, quibus ipse non
embraced has himself nor laws imposes on-the-people which himself not
 pareat, sed suam vitam ut legem praeferat suis civibus. Qui
he-obey but his-own life as a-law holds-up to-his-own citizens who
 si unus satis omnia consequi posset, nihil opus esset
if alone sufficiently all-things to-attain could no need there-would-be
 pluribus; si universi videre optimum et in eo consentire
for-more if all-together to-see the-best and on it to-agree
 possent, nemo delectos principes quaereret. Difficultas ineundi
could no-one chosen leading-men would-seek the-difficulty of-entering-on
 consilii rem a rege ad plures, error et temeritas
counsel the-thing from the-king to more-men the-error and rashness
 populorum a multitudine ad paucos transtulit. Sic inter
of-peoples from the-multitude to the-few has-transferred thus between
 infirmitatem unius temeritatemque multorum medium optimates
the-weakness of-one and-rashness of-many a-middle the-best-men
 possederunt locum, quo nihil potest esse moderatius;
have-occupied place than-which nothing can to-be more-moderate
 quibus rem publicam tuentibus beatissimos esse populos
whom the-thing public protecting most-happy to-be the-peoples
 necesse est vacuos omni cura et cogitatione aliis permissis
necessary it-is free-from every care and thought to-others entrusted
 otio suo, quibus id tuendum est neque committendum,
leisure their-own by-whom that to-be-protected is and-not to-be-allowed
 ut sua commoda populus neglegi a principibus putet.
that its-own interests the-people to-be-neglected by the-leading-men should-think
 Nam aequabilitas quidem iuris, quam amplexantur liberi

53

for the-equality indeed of-right which embrace free
 populi, neque servari potest (ipsi enim populi, quamvis
peoples neither to-be-kept can the-very for peoples however

soluti ecfrenatique sint, praecipue multis multa tribuunt, et
loosed and-unbridled they-be especially to-many much they-grant and
 est in ipsis magnus dilectus hominum et dignitatum),
is among themselves great discrimination of-men and of-ranks
 eaque, quae appellatur aequabilitas, iniquissima est. Cum enim
and-it which is-called equality most-unequal is when for
 par habetur honos summis et infimis, qui sint in omni
equal is-held honor to-the-highest and to-the-lowest who are in every
 populo necesse est, ipsa aequitas iniquissima est; quod in
people necessary it-is the-very fairness most-unfair is which in
 iis civitatibus, quae ab optimis reguntur, accidere non potest.
those states which by the-best are-ruled to-happen not can
 Haec fere, Laeli, et quaedam eiusdem generis ab iis, qui
these-things roughly Laelius and certain of-the-same kind by those who
 eam formam rei publicae maxime laudant, disputari solent.
that form of-the-thing public most praise to-be-argued are-wont

XX · THE CASE FOR KINGSHIP

Asked by Laelius, Scipio prefers a blend of all three forms, but of the simple ones he would choose kingship, whose name suggests a father caring for citizens as children. The best men claim more counsel, and the people cry for liberty. He begins, like Aratus, with Jupiter. If statesmen taught of one king in heaven because it was useful, the nations' consent is weighty; if that is a fable, let the learned be heard, and the text breaks off as Scipio names them.

- 54 Tum Laelius: Quid tu, inquit, Scipio? e tribus istis quod
then Laelius what you he-says Scipio of three those which
 maxime probas?
most do-you-approve

s. Recte quaeris, quod maxime e tribus, quoniam eorum
rightly you-ask which most of three since of-them
 nullum ipsum per se separatim probo anteponoque singulis
none itself by itself separately I-approve and-I-put-before to-each
 illud, quod conflatum fuerit ex omnibus. Sed si unum
that which blended shall-have-been from all but if one
 ac simplex probandum sit, regium problem *** in
and simple to-be-approved is the-kingly I-would-approve (lacuna) in
 *** hoc loco appellatur, occurrit nomen quasi
(lacuna) this place is-called there-comes-to-mind the-name as-it-were
 patrum regis, ut ex se natis, ita consulentis suis
fatherly of-king as from himself for-those-born so looking-after his-own
 civibus et eos conservantis studiosius quam *** sustentari
citizens and them preserving more-zealously than (lacuna) to-be-upheld
 unius optimi et summi viri diligentia.

of-one best and highest man by-the-diligence

Adsunt optimates, qui se melius hoc idem facere

55

are-at-hand the-best-men who themselves better this same to-do
 profiteantur plusque fore dicant in pluribus consilii
profess and-more to-be-about-to-be say in more-men of-counsel
 quam in uno et eandem tamen aequitatem et fidem.

than in one and the-same still fairness and good-faith

Ecce autem maxima voce clamat populus neque se uni

look moreover with-the-greatest voice shouts the-people neither itself to-one

neque paucis velle parere; libertate ne feris quidem

nor to-few to-wish to-obey than-liberty not to-wild-beasts even

quicquam esse dulcius; hac omnes carere, sive regi

anything to-be sweeter of-this all to-be-deprived whether to-a-king

sive optimatibus serviant. Ita caritate nos capiunt reges,

or to-the-best-men they-serve so by-affection us captivate kings

consilio optimates, libertate populi, ut in comparando difficile
by-counsel the-best-men by-liberty peoples that in comparing difficult
 ad eligendum sit, quid maxime velis.

for choosing it-is what most you-would-want

L. Credo, inquit, sed expediri, quae restant, vix poterunt,
I-believe he-says but to-be-worked-out what remain scarcely will-be-able
 si hoc incohatum reliqueris.

if this begun you-shall-have-left

56 S. Imitemur ergo Aratum, qui magnis de rebus dicere
let-us-imitate then Aratus who great about things to-speak
 exordiens a Iove incipiendum putat.

beginning with Jupiter to-be-begun thinks

L. Quo Iove? aut quid habet illius carminis simile haec
with-what Jupiter or what has of-that poem like this
 oratio?

speech

S. Tantum, inquit, ut rite ab eo dicendi principia capiamus,
only-this he-says that duly from him of-speaking the-beginnings we-may-take
 quem unum omnium deorum et hominum regem esse omnes
whom alone of-all gods and men king to-be all
 docti indoctique † expoliri consentiunt. Quid? inquit

learned and-unlearned (corrupt) to-be-polished agree what says

Laelius. Et ille: Quid censes, nisi quod est ante oculos? Sive
Laelius and he what do-you-think except what is before the-eyes whether
 haec ad utilitatem vitae constituta sunt a principibus
these-things for the-benefit of-life established have-been by the-leading-men
 rerum publicarum, ut rex putaretur unus esse in caelo, qui
of-things public that a-king should-be-thought one to-be in heaven who
 nutu, ut ait Homerus, totum Olympum converteret idemque
by-a-nod as says Homer whole Olympus should-turn and-the-same
 et rex et pater haberetur omnium, magna auctoritas est
both king and father should-be-held of-all great authority there-is

multique testes, siquidem omnis multos appellari placet, ita
and-many witnesses if-indeed all many to-be-called it-pleases so
 consensisse gentes decretis videlicet principum, nihil esse
to-have-agreed nations by-the-decrees clearly of-leading-men nothing to-be
 rege melius, quoniam deos omnis censent unius regi
than-a-king better since the-gods all they-think of-one to-be-ruled
 numine; sive haec in errore inperitorum posita esse et
by-the-will or these-things in error of-the-unskilled placed to-be and
 fabularum similia didicimus, audiamus communis quasi
to-fables like we-have-learned let-us-bear common as-it-were
 doctores eruditorum hominum, qui tamquam oculis illa
teachers of-learned men who as-if with-eyes those-things
 viderunt, quae nos vix audiendo cognoscimus. Quinam,
saw which we scarcely by-hearing learn who-then
 inquit Laelius, isti sunt? Et ille: Qui natura omnium rerum
says Laelius those are and he those-who nature of-all things
 pervestiganda senserunt omnem hunc mundum mente ***
in-searching-out have-perceived all this universe by-mind (lacuna)

XXI · THE KINGDOM OF THE MIND

Scipio offers recent witnesses: Rome has been without kings for less than four hundred years, and Romulus reigned only six centuries ago. Laelius prefers arguments, so Scipio appeals to Laelius' own anger. Laelius cites Archytas, who told his bailiff he would have beaten him to death were he not angry. Anger, greed, and lust are rebels in the soul, which is best when counsel rules alone. If the mind is rightly a kingdom, why doubt about the commonwealth, where divided authority is no authority?

*** Sed, si vis, Laeli, dabo tibi testes nec nimis 58
(lacuna) but if you-wish Laelius I-will-give you witnesses neither too
 antiquos nec ullo modo barbaros.
ancient nor in-any way barbarian

L. Istos, inquit, volo.

those he-says I-want

S. Videsne igitur minus quadringentorum annorum esse hanc

do-you-see therefore less of-four-hundred years to-be this

urbem, ut sine regibus sit?

city that without kings it-is

L. Vero minus.

indeed less

S. Quid ergo? haec quadringentorum annorum aetas ut urbis

what then this of-four-hundred years age as of-a-city

et civitatis num valde longa est?

and of-a-state surely-not very long is

L. Ista vero, inquit, adulta vix.

that indeed he-says grown-up scarcely

S. Ergo his annis quadringentis Romae rex erat?

therefore in-these years four-hundred at-Rome a-king was

L. Et superbus quidem.

and proud indeed

S. Quid supra?

what before

L. Iustissimus, et deinceps retro usque ad Romulum, qui

a-most-just-one and in-succession backward right to Romulus who

ab hoc tempore anno sescentesimo rex erat.

from this time in-the-year six-hundredth king was

S. Ergo ne iste quidem pervetus?

therefore not he even very-ancient

L. Minime ac prope senescente iam Graecia.

by-no-means and almost growing-old already Greece

S. Cedo, num, Scipio, barbarorum Romulus rex fuit?

tell-me surely-not Scipio of-barbarians Romulus king was

- L. Si, ut Graeci dicunt omnis aut Graios esse aut barbaros,
if as the-Greeks say all either Greeks to-be or barbarians
 vereor, ne barbarorum rex fuerit; sin id nomen moribus
I-fear lest of-barbarians king he-may-have-been but-if that name to-manners
 dandum est, non linguis, non Graecos minus barbaros quam
to-be-given is not to-languages not the-Greeks less barbarians than
 Romanos puto. Et Scipio: Atqui ad hoc, de quo agitur,
the-Romans I-think and Scipio and-yet for this about which it-is-treated
 non quaerimus gentem, ingenia quaerimus. Si enim et
not we-ask nation talents we-ask if for both
 prudentes homines et non veteres reges habere voluerunt,
prudent men and not ancient kings to-have wished
 utor neque perantiquis neque inhumanis ac feris testibus.
I-use neither very-ancient nor inhuman and savage witnesses
 Tum Laelius: Video te, Scipio, testimoniis satis instructum, 59
then Laelius I-see you Scipio with-testimonies sufficiently equipped
 sed apud me, ut apud bonum iudicem, argumenta plus
but with me as with a-good judge arguments more
 quam testes valent. Tum Scipio: Utere igitur argumento,
than witnesses avail then Scipio use therefore the-argument
 Laeli, tute ipse sensus tui. Cuius, inquit ille, sensus?
Laelius you yourself of-feeling your of-what says he feeling
 S. Si quando, si forte, tibi visus es irasci alicui.
if ever if perhaps to-yourself seemed you-have to-be-angry at-someone
 L. Ego vero saepius, quam vellem.
I indeed more-often than I-would-wish
 S. Quid? tum, cum tu es iratus, permittis illi iracundiae
what then when you are angry do-you-allow to-that anger
 dominatum animi tui?
the-mastery of-mind your

L. Non mehercule, inquit, sed imitor Archytam illum
not by-Hercules be-says but I-imitate Archytas that
 Tarentinum, qui cum ad villam venisset et omnia aliter
of-Tarentum who when to the-farm he-had-come and all-things otherwise
 offendisset ac iusserat, 'A te infelicem', inquit vilico,
had-found than he-had-ordered ah you unlucky-one he-says to-the-bailiff
 'quem necassem iam verberibus, nisi iratus essem.'
whom I-would-have-killed already with-blows unless angry I-were
 Optime, inquit Scipio.

excellent says Scipio

60 Ergo Archytas iracundiam videlicet dissidentem a ratione
therefore Archytas anger clearly disagreeing with reason
 seditionem quandam animi vere ducebat eamque consilio
a-sedition certain of-the-mind truly considered and-it by-counsel
 sedari volebat; adde avaritiam, adde imperii, adde
to-be-calmed wished add avarice add of-command add
 gloriae cupiditatem, adde libidines; et illud vides, si in
of-glory the-desire add lusts and that you-see if in
 animis hominum regale imperium sit, unius fore
the-minds of-men royal command there-be of-one to-be-about-to-be
 dominatum, consilii scilicet (ea est enim animi pars
the-mastery of-counsel namely that is for of-the-mind part
 optima), consilio autem dominante nullum esse libidinibus,
the-best counsel moreover ruling no to-be for-lusts
 nullum irae, nullum temeritati locum.
no for-anger no for-rashness place

L. Sic, inquit, est.

so he-says it-is

S. Probas igitur animum ita adfectum?

do-you-approve therefore a-mind so disposed

L. Nihil vero, inquit, magis.

nothing indeed he-says more

S. Ergo non probares, si consilio pulso libidines, quae
therefore not would-you-approve if counsel driven-out the-lusts which
 sunt innumerabiles, iracundiaeve tenerent omnia?

are countless angers-or held all-things

L. Ego vero nihil isto animo, nihil ita animato homine
I indeed nothing than-that mind nothing so minded than-a-man
 miseriis ducerem.

more-wretched would-consider

S. Sub regno igitur tibi esse placet omnis animi partes,
under kingship therefore to-you to-be it-pleases all of-the-mind parts
 et eas regi consilio?

and them to-be-ruled by-counsel

L. Mihi vero sic placet.

to-me indeed so it-pleases

S. Cur igitur dubitas, quid de re publica sentias?

why therefore do-you-hesitate what about the-thing public you-should-think

in qua, si in plures translata res sit, intellegi iam
in which if to more-men transferred the-matter be to-be-understood already
 licet nullum fore, quod praesit, inperium, quod

it-is-allowed no to-be-about-to-be which may-preside command which

quidem, nisi unum sit, esse nullum potest.

indeed unless one it-is to-be none can

Laelius asks what difference one ruler makes if the many are just. Scipio makes Laelius his witness: Laelius sets one bailiff over his estate and alone rules his house. We trust a ship to one pilot and a patient to one doctor. Tarquin's arrogance made the name of king hateful, and the freed people ran riot with liberty; yet in war they obey as if a king ruled, and in grave wars Rome gave all command to a dictator, called master of the people.

- 61 Tum Laelius: Quid, quaeso, interest inter unum et
then Laelius what pray is-the-difference between one and
 plures, si iustitia est in pluribus? Et Scipio: Quoniam
more-men if justice is in more-men and Scipio since
 testibus meis intellexi, Laeli, te non valde moveri, non
by-witnesses my I-have-perceived Laelius you not greatly to-be-moved not
 desinam te uti teste, ut hoc, quod dico, probem. Me,
I-will-cease you to-use as-witness that this which I-say I-may-prove me
 inquit ille, quonam modo?
says he in-what-possible way
- s. Quia animum adverti nuper, cum essemus in Formiano,
because attention I-turned lately when we-were in the-Formian-villa
 te familiae valde interdicere, ut uni dicto audiens
that-you to-the-household strongly to-order that to-one to-word obedient
 esset.
it-should-be
- L. Quippe vilico.
since to-the-bailiff
- s. Quid? domi pluresne praesunt negotiis tuis?
what at-home do-more-men preside-over affairs your
- L. Immo vero unus, inquit.
nay indeed one he-says
- s. Quid? totam domum num quis alter praeter te regit?
what the-whole house surely-not anyone other besides you rules

L. Minime vero.

by-no-means indeed

S. Quin tu igitur concedis idem in re publica,
singulorum dominatus, si modo iusti sint, esse optimos?

of-single-men the-masteries if only just they-be to-be the-best

L. Adducor, inquit, ut prope modum adsentiar.

I-am-led he-says that nearly to-the-point I-may-agree

Et Scipio: Tum magis adsentire, Laeli, si, ut omittam 62

and Scipio then more you-will-agree Laelius if that I-may-pass-over
similitudines, uni gubernatori, uni medico, si digni modo
likenesses to-one pilot to-one doctor if worthy only

sint iis artibus, rectius esse alteri navem committere,

they-be of-those arts more-properly to-be to-the-one a-ship to-entrust

aegrum alteri quam multis, ad maiora pervenero.

the-sick-man to-the-other than to-many to greater-things I-shall-come

L. Quenam ista sunt?

what-then those are

S. Quid? tu non vides unius inopportunitate et superbia

what you not see of-one by-the-harshness and arrogance

Tarquinii nomen huic populo in odium venisse regium?

of-Tarquin the-name to-this people into hatred to-have-come royal

L. Video vero, inquit.

I-see indeed he-says

S. Ergo etiam illud vides, de quo progrediente oratione

therefore also that you-see about which advancing speech

plura me dicturum puto, Tarquinio exacto mira

more-things me about-to-say I-think Tarquin driven-out with-wonderful

quadam exultasse populum insolentia libertatis; tum

a-certain to-have-exulted that-the-people strangeness of-liberty then

exacti in exilium innocentes, tum bona direpta multorum,

driven into exile innocent-men then the-goods plundered of-many

tum annui consules, tum demissi populo fasces, tum
then yearly consuls then lowered to-the-people the-fasces then
 provocationes omnium rerum, tum secessiones plebei, tum
appeals of-all things then secessions of-the-plebs then
 prorsus ita acta pleraque, ut in populo essent omnia.
altogether so done most-things that in the-people were all-things

L. Est, inquit, ut dicis.

it-is he-says as you-say

- 63 Est vero, inquit Scipio, in pace et otio; licet enim
it-is indeed says Scipio in peace and leisure it-is-allowed for
 lascivire, dum nihil metuas, ut in navi ac saepe etiam
to-frolic while nothing you-fear as in a-ship and often even
 in morbo levi. Sed ut ille, qui navigat, cum subito
in illness a-light but as he who sails when suddenly
 mare coepit horrescere, et ille aeger ingravescente morbo
the-sea has-begun to-roughen and that sick-man worsening illness
 unius opem inplorat, sic noster populus in pace et domi
of-one the-help implores so our people in peace and at-home
 imperat et ipsis magistratibus minatur, recusat, appellat,
commands and the-very magistrates threatens refuses appeals
 provocat, in bello sic paret ut regi; valet enim salus
appeals-to-the-people in war so obeys as to-a-king prevails for safety
 plus quam libido. Gravioribus vero bellis etiam sine collega
more than caprice in-graver indeed wars even without colleague
 omne imperium nostri penes singulos esse voluerunt,
all command our-ancestors in-the-hands-of single-men to-be wished
 quorum ipsum nomen vim suae potestatis indicat. Nam
of-whom the-very name the-force of-its-own power shows for
 dictator quidem ab eo appellatur, quia dicitur, sed in
the-dictator indeed from that is-called because he-is-named but in
 nostris libris vides eum, Laeli, magistrum populi appellari.
our books you-see him Laelius master of-the-people to-be-called

L. Video, inquit. Et Scipio: Sapienter igitur illi veteres ***

I-see he-says and Scipio wisely therefore those ancients (lacuna)

XXIII · HOW KINGSHIP DECAYS

Scipio quotes Ennius: when Romulus died, the people mourned him as guardian, father, and god, not as master. The whole form fell through one king's injustice. An unjust king becomes a tyrant, the worst form and nearest the best. If the best men overthrow him, the state takes the second form; if the people do, they rule moderately while they keep their sense. But a people that has tasted the blood of the best men becomes the mob Plato describes, parched with thirst for liberty.

*** iusto quidem rege cum est populus orbatus, 'pectora 64

(lacuna) of-a-just indeed king when is a-people bereaved the-breasts

diu tenet desiderium', sicut ait Ennius, 'post optimi regis

long holds longing as says Ennius after of-the-best king

obitum';

the-death

simul inter

together among

sese sic memorant: 'o Romule, Romule die,

themselves thus they-recall O Romulus Romulus divine

qualem te patriae custodem di genuerunt!

what-a you of-the-fatherland guardian the-gods begot

O pater, o genitor, o sanguen dis oriundum!'

O father O begetter O blood from-the-gods sprung

Non eros nec dominos appellabant eos, quibus iuste
not owners nor masters they-called those whom justly
 paruerunt, denique ne reges quidem, sed patriae custodes,
they-obeyed finally not kings even but of-the-fatherland guardians
 sed patres, sed deos; nec sine causa; quid enim adiungunt?
but fathers but gods nor without cause what for they-add

Tu produxisti nos intra luminis oras.
you have-brought-forth us within of-light the-borders

Vitam, honorem, decus sibi datum esse iustitia
life honor distinction to-themselves given to-have-been by-the-justice
 regis existimabant. Mansisset eadem voluntas in eorum
of-the-king they-thought would-have-remained the-same goodwill in their
 posteris, si regum similitudo permansisset, sed vides unius
descendants if of-kings the-likeness had-endured but you-see of-one
 iniustitia concidisse genus illud totum rei publicae.
by-the-injustice to-have-collapsed kind that whole of-the-thing public

L. Video vero, inquit, et studeo cursus istos mutationum
I-see indeed he-says and I-am-eager courses those of-changes
 non magis in nostra quam in omni re publica noscere.
not more in our than in every thing public to-learn

65 Et Scipio: Est omnino, cum de illo genere rei publicae,
and Scipio it-is altogether when about that kind of-the-thing public
 quod maxime probo, quae sentio, dixero, accuratius mihi
which most I-approve what I-think I-shall-have-said more-carefully by-me
 dicendum de commutationibus rerum publicarum, etsi
to-be-spoken about the-changes of-things public although
 minime facile eas in ea re publica futuras puto. Sed huius
least easily them in that thing public about-to-be I-think but of-this
 regiae prima et certissima est illa mutatio: Cum rex
kingly-(form) first and most-certain is that change when the-king

iniustus esse coepit, perit illud ilico genus, et est idem
unjust to-be has-begun perishes that on-the-spot kind and is the-same
 ille tyrannus, deterrimum genus et finitimum optimo; quem
he tyrant the-worst kind and neighboring to-the-best whom
 si optimates oppresserunt, quod ferme evenit, habet statum
if the-best-men have-crushed which generally happens has a-constitution
 res publica de tribus secundarium; est enim quasi
the-thing public of three the-second is for as-it-were
 regium, id est patrium consilium populo bene consulentium
kingly that is fatherly the-counsel for-the-people well consulting
 principum. Sin per se populus interfecit aut eiecit
of-leading-men but-if by itself the-people has-killed or has-thrown-out
 tyrannum, est moderator, quoad sentit et sapit, et sua
the-tyrant it-is more-moderate as-long-as it-perceives and is-wise and in-its-own
 re gesta laetatur tuerique vult per se constitutam rem
deed done rejoices and-to-protect wishes by itself established the-thing
 publicam. Si quando aut regi iusto vim populus attulit
public if ever either to-a-king just violence the-people has-brought
 regnovit eum spoliavit aut etiam, id quod evenit saepius,
of-kingship-or him has-despoiled or even that which happens more-often
 optimatum sanguinem gustavit ac totam rem publicam
of-the-best-men the-blood has-tasted and the-whole thing public
 substravit libidini suae (cave putes autem mare ullum
has-laid-beneath to-caprice its-own beware you-may-think moreover sea any
 aut flammam esse tantam, quam non facilius sit sedare quam
or flame to-be so-great which not more-easily it-is to-calm than
 effrenatam insolentia multitudinem), tum fit illud, quod
unbridled by-insolence a-multitude then happens that which
 apud Platonem est luculente dictum, si modo id exprimere
in Plato is brilliantly said if only that to-render
 Latine potuero; difficile factu est, sed conabor tamen.
in-Latin I-shall-be-able difficult to-do it-is but I-will-try still

66 'Cum' enim inquit 'inexplebiles populi fauces exaruerunt
when for he-says insatiable of-the-people the-jaws have-parched
 libertatis siti malisque usus ille ministris non modice
of-liberty with-thirst and-bad having-used it servants not moderately
 temperatam, sed nimis meracam libertatem sitiens hausit,
tempered but too undiluted liberty thirsting has-drained
 tum magistratus et principes, nisi valde lenes et remissi
then magistrates and leading-men unless very mild and indulgent
 sint et large sibi libertatem ministrent, insequitur, insimulat,
they-be and lavishly to-it liberty they-serve it-pursues accuses
 arguit, praepotentes, reges, tyrannos vocat.' Puto enim tibi
charges over-powerful kings tyrants calls I-think for to-you
 haec esse nota.
these-things to-be known

L. Vero mihi, inquit ille, notissima.

indeed to-me says he very-well-known

XXIV • FROM LIBERTY TO TYRANNY

Scipio continues Plato's picture: in such a state those who obey are called willing slaves, fathers fear their sons, teachers fear their pupils, and even horses and asses jostle people in the street, until citizens cannot bear the least authority and ignore the laws. From this excess of liberty a tyrant is born, a bold champion of the people who is granted guards and repeated commands. The constitution is tossed like a ball between kings, tyrants, the best men, peoples, and factions.

67 s. Ergo illa sequuntur: 'eos, qui pareant principibus,
therefore those-things follow that-those who obey the-leading-men
 agitari ab eo populo et servos voluntarios appellari;
to-be-harassed by that people and slaves voluntary to-be-called
 eos autem, qui in magistratu privatorum similes esse velint,
those moreover who in magistracy to-private-men like to-be wish

eosque privatos, qui efficiant, ne quid inter privatum et
and-those private-men who bring-about lest anything between a-private-man and
 magistratum differat, ferunt laudibus et mactant honoribus,
a-magistrate may-differ they-exalt with-praises and load with-honors
 ut necesse sit in eius modi re publica plena libertatis
so-that necessary it-be in of-that kind thing public full of-liberty
 esse omnia, ut et privata domus omnis vacet dominatione
to-be all-things so-that both private house every be-free from-mastery
 et hoc malum usque ad bestias perveniat, denique ut pater
and this evil right to the-beasts may-reach finally that the-father
 filium metuat, filius patrem neglegat, absit omnis pudor, ut
the-son may-fear the-son the-father may-disregard be-absent all shame that
 plane liberi sint, nihil intersit, civis sit an peregrinus,
fully free they-may-be nothing it-matter citizen be-be or foreigner
 magister ut discipulos metuat et iis blandiatur spernantque
the-teacher that (his)-pupils may-fear and them may-flatter and-despise
 discipuli magistros, adulescentes ut senum sibi pondus
the-pupils (their)-teachers the-young-men that of-old-men to-themselves the-gravity
 adsumant, senes autem ad ludum adolescentium descendant,
may-assume the-old-men moreover to the-game of-the-young-men may-descend
 ne sint iis odiosi et graves; ex quo fit, ut
lest they-be to-them hateful and burdensome from which it-comes-about that
 etiam servi se liberius gerant, uxores eodem iure sint,
even slaves themselves more-freely conduct wives by-the-same right may-be
 quo viri, inque tanta libertate canes etiam et equi,
by-which husbands and-in so-great liberty dogs even and horses
 aselli denique liberi sic incurrant, ut iis de via
donkeys finally free so run-at-people that for-them from the-road
 decedendum sit. Ergo ex hac infinita', inquit, 'licentia haec
to-be-withdrawn it-is therefore from this boundless he-says license this
 summa cogitur, ut ita fastidiosae mollesque mentes evadant
conclusion is-drawn that so squeamish and-soft minds turn-out

civium, ut, si minima vis adhibeatur imperii, irascantur et
of-citizens that if the-least force be-applied of-command they-grow-angry and
 perferre nequeant; ex quo leges quoque incipiunt negligere,
to-bear cannot from which the-laws also they-begin to-disregard
 ut plane sine ullo domino sint.'

so-that entirely without any master they-may-be

68 Tum Laelius: Prorsus, inquit, expressa sunt a te, quae

then Laelius exactly he-says rendered have-been by you the-things-which
 dicta sunt ab illo.

said have-been by him

s. Atque, ut iam ad sermonis mei auctorem revertar, ex hac

and that now to of-speech my the-source I-may-return from this
 nimia licentia, quam illi solam libertatem putant, ait ille ut ex
excessive license which they alone liberty think says he as from
 stirpe quadam existere et quasi nasci tyrannum. Nam ut
a-root certain to-spring-up and as-it-were to-be-born the-tyrant for as

ex nimia potentia principum oritur interitus principum,
from excessive power of-the-leading-men arises the-ruin of-the-leading-men
 sic hunc nimis liberum populum libertas ipsa servitute adficit.

so this too free people liberty itself with-slavery afflicts

Sic omnia nimia, cum vel in tempestate vel in agris vel in
so all-things excessive when either in the-weather or in the-fields or in
 corporibus laetiora fuerunt, in contraria fere convertuntur,

bodies more-luxuriant have-been into opposites generally are-turned

maximeque id in rebus publicis evenit, nimiaque illa libertas
and-most-of-all that in things public happens and-excessive that liberty

et populis et privatis in nimiam servitutem cadit. Itaque
both for-peoples and for-private-men into excessive slavery falls and-so

ex hac maxima libertate tyrannus gignitur et illa iniustissima
from this greatest liberty the-tyrant is-begotten and that most-unjust

et durissima servitus. Ex hoc enim populo indomito vel potius
and harshest slavery from this for people untamed or rather

immani deligitur aliqui plerumque dux contra illos principes
monstrous is-chosen some usually leader against those leading-men
 adflictos iam et depulsos loco audax, inpurus, consecrans
afflicted already and dislodged from-position bold foul pursuing
 proterve bene saepe de re publica meritos, populo
impudently well often of the-thing public having-deserved the-people
 gratificans et aliena et sua; cui quia privato
gratifying both with-others'-goods and his-own to-whom because as-a-private-man
 sunt oppositi timores, dantur imperia et ea continuantur,
are set-before fears are-given commands and those are-prolonged
 praesidiis etiam, ut Athenis Pisistratus, saepiuntur,
with-bodyguards even as at-Athens Pisistratus they-are-fenced-in
 postremo, a quibus producti sunt, existunt eorum
finally by whom brought-forward they-were they-emerge of-those
 ipsorum tyranni; quos si boni oppresserunt, ut saepe fit,
very tyrants whom if the-good have-crushed as often happens
 recreatur civitas; sin audaces, fit illa factio, genus aliud
is-restored the-state but-if the-bold comes-about that faction kind another
 tyrannorum, eademque oritur etiam ex illo saepe optimatum
of-tyrants and-the-same arises even from that often of-the-best-men
 praeclaro statu, cum ipsos principes aliqua pravitas de
splendid constitution when the-very leading-men some depravity from
 via deflexit. Sic tamquam pilam rapiunt inter se
the-road has-turned-aside so like a-ball they-snatch among themselves
 rei publicae statum tyranni ab regibus, ab iis autem
of-the-thing public the-constitution tyrants from kings from those moreover
 principes aut populi, a quibus aut factiones aut tyranni,
leading-men or peoples from whom either factions or tyrants
 nec diutius umquam tenetur idem rei publicae modus.
nor longer ever is-held the-same of-the-thing public form

Of the three simple forms kingship is best, but better still is a balanced mixture: something royal, something given to the authority of the leading men, and some matters left to the people's judgment. Such a constitution has equality and stability, since each order holds its place and nothing gives way. Scipio will now turn from theory to what all know: no constitution compares with the one their fathers left them, and he will use Rome as his model. Laelius agrees that the task is Scipio's alone.

- 69 Quod ita cum sit, ex tribus primis generibus longe praestat
which so since it-is of three first kinds by-far excels
 mea sententia regium, regio autem ipsi praestabit id, quod
in-my opinion the-kingly the-kingly moreover itself will-excel that which
 erit aequatum et temperatum ex tribus optimis rerum
will-be balanced and blended from three best of-things
 publicarum modis. Placet enim esse quiddam in re publica
public forms it-pleases for to-be something in the-thing public
 praestans et regale, esse aliud auctoritati principum
preeminent and kingly to-be something-else to-the-authority of-the-leading-men
 inpartitum ac tributum, esse quasdam res servatas iudicio
imparted and allotted to-be certain things reserved for-the-judgment
 voluntatique multitudinis. Haec constitutio primum habet
and-will of-the-multitude this constitution first has
 aequabilitatem quandam magnam, qua carere diutius vix
an-equality certain great which to-lack longer scarcely
 possunt liberi, deinde firmitudinem, quod et illa prima facile
can free-men then stability because both those first easily
 in contraria vitia convertuntur, ut existat ex rege dominus,
into opposite vices are-turned so-that there-arises from a-king a-master
 ex optimatibus factio, ex populo turba et confusio, quodque
from the-best-men a-faction from the-people a-mob and confusion and-because
 ipsa genera generibus saepe conmutantur novis, hoc in hac
the-very kinds for-kinds often are-exchanged new this in this

iuncta moderateque permixta conformatione rei publicae

joined and-moderately mixed shaping of-the-thing public

non ferme sine magnis principum vitiis evenit. Non est

not generally without great of-the-leading-men faults happens not is

enim causa conversionis, ubi in suo quisque est gradu firmiter

for a-cause of-overturning where in his-own each is rank firmly

collocatus et non subest, quo praecipitet ac decidat.

placed and not is-there-beneath where he-may-plunge and fall-down

Sed vereor, Laeli vosque homines amicissimi ac prudentissimi, 70

but I-fear Laelius and-you men most-friendly and most-prudent

ne, si diutius in hoc genere verser, quasi praecipientis

lest if longer in this kind I-dwell as-it-were of-one-instructing

cuiusdam et docentis et non vobiscum simul considerantis

a-certain and of-one-teaching and not with-you together of-one-considering

esse videatur oratio mea. Quam ob rem ingrediar in

to-be may-seem speech my which on-account-of reason I-will-go into

ea, quae nota sunt omnibus, quaesita autem a nobis

those-things which known are to-all sought moreover by us

iam diu. Sic enim decerno, sic sentio, sic adfirmo, nullam

already long so for I-decide so I-feel so I-affirm that-no

omnium rerum publicarum aut constitutione aut discriptione

of-all things public either in-constitution or in-arrangement

aut disciplina conferendam esse cum ea, quam patres nostri

or in-discipline to-be-compared to-be with that which fathers our

nobis acceptam iam inde a maioribus reliquerunt. Quam,

to-us received already thence from ancestors have-left which

si placet, quoniam ea, quae tenebatis ipsi, etiam ex

if it-pleases since those-things which you-knew yourselves also from

me audire voluistis, simul et qualis sit et optimam

me to-hear you-have-wished at-once both of-what-sort it-is and best

esse ostendam expositaque ad exemplum nostra re publica

to-be I-will-show and-set-forth as a-model our thing public

accommodabo ad eam, si potero, omnem illam orationem,

I-will-fit to it if I-shall-be-able all that speech

quae est mihi habenda de optimo civitatis statu. Quod

which is by-me to-be-held about the-best of-the-state constitution which

si tenere et consequi potuero, cumulate munus hoc, cui

if to-hold and to-achieve I-shall-be-able abundantly task this to-which

me Laelius praeposuit, ut opinio mea fert, effecero.

me Laelius has-appointed as opinion my holds I-shall-have-accomplished

71 Tum Laelius: Tuum vero, inquit, Scipio, ac tuum quidem

then Laelius yours indeed he-says Scipio and yours indeed

unius. Quis enim te potius aut de maiorum dixerit

alone who for than-you rather either about of-the-ancestors could-speak

institutis, cum sis clarissimis ipse maioribus? aut

the-institutions since you-are from-most-illustrious yourself ancestors or

de optimo statu civitatis? quem si habemus, etsi ne

about the-best constitution of-the-state which if we-have although not

nunc quidem, tum vero quis te possit esse florentior?

now even then indeed who than-you could to-be more-flourishing

aut de consiliis in posterum providendis, cum tu duobus

or about counsels for the-future to-be-provided since you two

huius urbis terroribus depulsis in omne tempus prospexeris?

of-this city terrors driven-off for all time have-looked-ahead

BOOK II

I • CATO'S PRINCIPLE

All are eager to listen, and Scipio begins with the elder Cato, whom he loved and admired above all men. Cato used to say that Rome's constitution surpassed others because theirs were generally framed by single lawgivers, like Minos in Crete and Lycurgus at Sparta, or by a succession of them at Athens, while Rome's was the work of many men over many generations. So Scipio will trace the Roman people from its origin to maturity, rather than invent a state as Socrates does in Plato.

Cum omnes flagrant cupidine audiendi, ingressus est sic 1
when all were-burning with-desire of-hearing begun has so
 loqui Scipio: Catonis hoc senis est, quem, ut scitis, unice
to-speak Scipio of-Cato this the-elder is whom as you-know singularly
 dilexi maximeque sum admiratus cuique vel patris utriusque
I-loved and-most I-have admired and-to-whom either of-father each
 iudicio vel etiam meo studio me totum ab adulescentia
by-the-judgment or also by-my eagerness myself wholly from youth
 dedidi; cuius me numquam satiare potuit oratio; tantus erat in
I-gave-over whose me never to-sate could speech so-great was in
 homine usus rei publicae, quam et domi et militiae
the-man experience of-the-thing public which both at-home and on-campaign
 cum optime, tum etiam diutissime gesserat, et modus in
as-much excellently so also for-longest had-managed and moderation in
 dicendo et gravitate mixtus lepos et summum vel discendi
speaking and with-gravity mixed charm and the-highest either of-learning
 studium vel docendi et orationi vita admodum congruens.
zeal or of-teaching and with-speech life fully agreeing
 Is dicere solebat ob hanc causam praestare nostrae civitatis 2
he to-say was-wont on-account-of this reason to-excel of-our state
 statum ceteris civitatibus, quod in illis singuli fuissent
the-constitution the-other states because in those single-men had-been

fere, qui suam quisque rem publicam constituissent legibus
generally who his-own each thing public had-established by-laws
 atque institutis suis, ut Cretum Minos, Lacedaemoniorum
and institutions his-own as of-the-Cretans Minos of-the-Lacedaemonians
 Lycurgus, Atheniensium, quae persaepe commutata esset,
Lycurgus of-the-Athenians which very-often changed had-been
 tum Theseus, tum Draco, tum Solo, tum Clisthenes, tum
now Theseus now Draco now Solon now Cleisthenes now
 multi alii, postremo exsanguem iam et iacentem doctus vir
many others finally bloodless already and prostrate a-learned man
 Phalereus sustentasset Demetrius, nostra autem res publica
of-Phalerum had-propped-up Demetrius our however thing public
 non unius esset ingenio, sed multorum, nec una hominis
not of-one had-been by-the-genius but of-many nor in-one of-man
 vita, sed aliquot constituta saeculis et aetatibus. Nam neque
life but in-several established centuries and generations for neither
 ullum ingenium tantum extitisse dicebat, ut, quem res nulla
any genius so-great to-have-existed he-said that whom thing no
 fugeret, quisquam aliquando fuisset, neque cuncta ingenia
should-escape anyone ever had-been nor all talents
 conlata in unum tantum posse uno tempore providere,
brought-together into one so-much to-be-able at-one time to-provide
 ut omnia complecterentur sine rerum usu ac vetustate.
that all-things they-should-embrace without of-things experience and long-duration
 3 Quam ob rem, ut ille solebat, ita nunc mea repetet
which on-account-of reason as he was-wont so now my will-go-back-to
 oratio populi originem; libenter enim etiam verbo utor
speech of-the-people the-origin gladly for also the-word I-use
 Catonis. Facilius autem, quod est propositum, consequar, si
of-Cato more-easily moreover what is proposed I-shall-attain if
 nostram rem publicam vobis et nascentem et crescentem et
our thing public to-you both being-born and growing and

adultam et iam firmam atque robustam ostendero, quam si
grown-up and already firm and strong I-shall-have-shown than if
 mihi aliquam, ut apud Platonem Socrates, ipse finxero.
for-myself some as in Plato Socrates himself I-shall-have-invented

II · ROMULUS CHOOSES A SITE

Romulus, said to be the son of Mars, was ordered exposed by the Tiber with his brother Remus by the Alban king Amulius, suckled by a wild beast, and raised by shepherds. Grown strong, he led the local people, overpowered Alba Longa, killed Amulius, and resolved to found a city under the auspices. He chose the site with remarkable foresight. He did not build on the sea, for coastal cities face hidden dangers: an enemy by land gives warning, but a fleet can arrive before anyone suspects it.

Hoc cum omnes adprobavissent, Quod habemus, inquit, 4
this when all had-approved what have-we he-says
 institutae rei publicae tam clarum ac tam omnibus notum
of-an-established thing public so famous and so to-all known
 exordium quam huius urbis condendae principium profectum
beginning as of-this city to-be-founded the-origin proceeding
 a Romulo? qui patre Marte natus (concedamus enim
from Romulus who from-father Mars born let-us-grant for
 famae hominum, praesertim non inveteratae solum, sed
to-the-report of-men especially not grown-old only but
 etiam sapienter a maioribus proditae, bene meriti de
also wisely by ancestors handed-down well deserving-men of
 rebus communibus ut genere etiam putarentur, non solum
things common that in-birth also should-be-thought not only
 ingenio esse divino) — is igitur, ut natus sit, cum Remo
in-genius to-be divine he therefore as-soon-as born was with Remus

fratre dicitur ab Amulio, rege Albano, ob labefactandi
brother is-said by Amulius king Alban on-account-of of-overthrowing
 regni timorem ad Tiberim exponi iussus esse; quo
of-the-kingship fear by the-Tiber to-be-exposed ordered to-have-been in-which
 in loco cum esset silvestris beluae sustentatus uberibus
in place when he-had-been of-a-woodland beast nourished by-the-teats
 pastoresque eum sustulissent et in agresti cultu laboreque
and-shepherds him had-taken-up and in rustic way-of-life and-toil
 aluissent, perhibetur, ut adoleverit, et corporis viribus et
had-reared it-is-said that when-he-grew-up both of-body in-strength and
 animi ferocitate tantum ceteris praestitisse, ut omnes, qui
of-spirit in-fierceness so-much the-rest to-have-surpassed that all who
 tum eos agros, ubi hodie est haec urbs, incolebant, aequo
then those fields where today is this city inhabited with-even
 animo illi libenterque parerent. Quorum copiis cum se
mind him and-gladly obeyed of-whose forces when himself
 ducem praeuisset, ut iam a fabulis ad facta veniamus,
leader he-had-offered that now from fables to deeds we-may-come
 oppressisse Longam Albam, validam urbem et potentem
to-have-crushed Longa Alba a-strong city and powerful
 temporibus illis, Amuliumque regem interemisse fertur.
in-times those and-Amulius the-king to-have-killed he-is-said

- 5 Qua gloria parta urbem auspicato condere et firmare
which glory won a-city with-auspices-taken to-found and to-strengthen
 dicitur primum cogitavisse rem publicam. Urbi autem
he-is-said first to-have-planned the-thing public for-the-city moreover
 locum, quod est ei, qui diuturnam rem publicam serere
a-place which is by-him who a-lasting thing public to-sow
 conatur, diligentissime providendum, incredibili oportunitate
attempts most-carefully to-be-provided with-incredible fitness
 delegit. Neque enim ad mare admovit, quod ei fuit
he-chose nor for to the-sea did-he-move-it which for-him was

illa manu copiisque facillimum, ut in agrum Rutulorum
with-that band and-forces very-easy that into the-land of-the-Rutulians
 Aboriginumque procederet, aut in ostio Tiberino, quem
and-of-the-Aborigines he-might-advance or at the-mouth Tiberine to-which
 in locum multis post annis rex Ancus coloniam deduxit,
in place many after years king Ancus a-colony led-out
 urbem ipse conderet, sed hoc vir excellenti providentia
a-city himself he-might-found but this the-man of-surpassing foresight
 sensit ac vidit, non esse opportunissimos situs maritimos
perceived and saw not to-be most-suitable sites maritime
 urbibus eis, quae ad spem diuturnitatis conderentur atque
for-cities those which with hope of-duration were-founded and
 imperii, primum quod essent urbes maritimae non solum
of-empire first because were cities maritime not only
 multis periculis oppositae, sed etiam caecis.
to-many dangers exposed but also bidden

Nam terra continens adventus hostium non modo expectatos, 6
for land continuous the-approaches of-enemies not only expected
 sed etiam repentinos multis indiciis et quasi fragore
but also sudden by-many signs and as-it-were by-a-crash
 quodam et sonitu ipso ante denuntiat; neque vero
certain and by-sound itself beforehand announces nor indeed
 quisquam potest hostis advolare terra, quin eum non modo
any can enemy to-fly-at by-land but-that him not only
 esse, sed etiam quis et unde sit, scire possimus. Maritimus
to-be but also who and whence he-is to-know we-can maritime
 vero ille et navalis hostis ante adesse potest, quam
however that and naval enemy before to-be-present can than
 quisquam venturum esse suspicari queat, nec vero, cum
anyone about-to-come to-be to-suspect can nor indeed when
 venit, prae se fert, aut qui sit aut unde veniat aut
he-comes before himself does-he-carry either who he-is or whence he-comes or

etiam quid velit, denique ne nota quidem ulla, pacatus
 even what he-wants finally not by-mark even any friendly
 an hostis sit, discerni ac iudicari potest.
 or enemy he-is to-be-distinguished and to-be-judged can

III • THE VICES OF SEABOARD CITIES

Seaboard cities also suffer a corruption of morals, since foreign customs arrive with foreign goods, and their citizens' minds wander abroad even when their bodies stay home. This restlessness ruined Carthage and Corinth, whose people left farming and arms for trade and sailing. The sea brings luxury, and nearly all Greece, with its islands and colonies, lies on the water, which explains its vices and revolutions. Yet the sea has one great advantage: whatever grows anywhere can reach the city, and its own produce can go out.

- 7 Est autem maritimis urbibus etiam quaedam corruptela ac
 there-is moreover for-maritime cities also a-certain corruption and
 demutatio morum; admiscuntur enim novis sermonibus ac
 alteration of-morals they-are-mixed for with-new languages and
 disciplinis et inportantur non merces solum adventiciae, sed
 teachings and are-imported not wares only foreign but
 etiam mores, ut nihil possit in patriis institutis manere
 also morals so-that nothing can in ancestral institutions to-remain
 integrum. Iam qui incolunt eas urbes, non haerent in suis
 intact now who inhabit those cities not cling in their-own
 sedibus, sed volucris semper spe et cogitatione rapiuntur a
 homes but by-winged always hope and thought are-swept from
 domo longius, atque etiam cum manent corpore, animo tamen
 home farther and even when they-remain in-body in-mind still
 exulant et vagantur. Nec vero ulla res magis labefactatam
 they-are-exiles and roam nor indeed any thing more shaken

diu et Carthaginem et Corinthum pervertit aliquando quam
long both Carthage and Corinth overturned at-last than
 hic error ac dissipatio civium, quod mercandi cupiditate
this wandering and scattering of-the-citizens because of-trading by-desire
 et navigandi et agrorum et armorum cultum reliquerant.
and of-sailing both of-the-fields and of-arms the-cultivation they-had-abandoned
 Multa etiam ad luxuriam invitamenta perniciose civitatibus 8
many also to luxury inducements ruinous to-states
 subpeditantur mari, quae vel capiuntur vel inportantur;
are-supplied by-sea which either are-taken or are-imported
 atque habet etiam amoenitas ipsa vel sumptuosas vel
and has also pleasantness itself either costly or
 desidiosas inlecebras multas cupiditatum. Et, quod de
idle allurements many of-desires and what about
 Corintho dixi, id haud scio an liceat de cuncta
Corinth I-said that not I-know whether it-may-be-allowed about all
 Graecia verissime dicere; nam et ipsa Peloponnesus fere
Greece most-truly to-say for both itself the-Peloponnese almost
 tota in mari est, nec praeter Phliuntios ulli sunt, quorum
whole in the-sea is nor besides the-Phliansians any are whose
 agri non contingant mare, et extra Peloponnesum Aenianes
fields not touch the-sea and outside the-Peloponnese the-Aenianes
 et Doris et Dolopes soli absunt a mari. Quid dicam
and Doris and the-Dolopes alone are-away from the-sea what shall-I-say
 insulas Graeciae? quae fluctibus cinctae natant paene ipsae
the-islands of-Greece which by-waves girt swim almost themselves
 simul cum civitatum institutis et moribus.
together with of-states institutions and morals
 Atque haec quidem, ut supra dixi, veteris sunt Graeciae. 9
and these-things indeed as above I-said of-ancient are Greece
 Coloniarum vero quae est deducta a Graiis in Asiam,
of-the-colonies moreover which is led-out by Greeks into Asia

Thracam, Italiam, Siciliam, Africam praeter unam Magnesiam,
Thrace Italy Sicily Africa except one Magnesia
 quam unda non adluat? Ita barbarorum agris quasi
which the-wave not washes so of-barbarians to-the-lands as-it-were
 adtexta quaedam videtur ora esse Graeciae; nam e barbaris
woven-on a-certain seems border to-be of-Greece for of barbarians
 quidem ipsis nulli erant antea maritumi praeter Etruscos
indeed themselves none were formerly seafaring except the-Etruscans
 et Poenos, alteri mercandi causa, latrocinandi alteri. Quae
and Carthaginians the-one of-trading for-the-sake of-plundering the-other which
 causa perspicua est malorum commutationumque Graeciae
cause evident is of-the-evils and-of-the-changes of-Greece
 propter ea vitia maritimarum urbium, quae ante paulo
because-of those faults of-maritime cities which before a-little
 perbreviter adtigi. Sed tamen in his vitiis inest illa magna
very-briefly I-touched-on but still in these faults is-within that great
 commoditas, et, quod ubique genitum est, ut ad eam urbem,
advantage both what anywhere produced is that to that city
 quam incolas, possit adnare, et rursus ut id, quod agri efferant
which you-inhabit it-can swim-to and again that that which fields yield
 sui, quascumque velint in terras, portare possint ac mittere.
their-own whatever they-wish into lands to-carry they-can and to-send

Romulus won the sea's benefits and escaped its vices by founding his city on a steady river flowing broadly into the sea, as if he foresaw that Rome would be the seat of a great empire. Steep hills and walls made a natural fortress with a single approach, and the citadel survived even the Gallic attack. The site was rich in springs and healthy. Romulus named the city after himself and, to strengthen it, had the Sabine maidens seized at the games and married into leading families.

Qui potuit igitur divinius et utilitates conplecti maritimas 10

how could therefore more-divinely both the-advantages to-embrace maritime

Romulus et vitia vitare, quam quod urbem perennis amnis

Romulus and the-faults to-avoid than that the-city of-an-ever-flowing river

et aequabilis et in mare late influentis posuit in ripa? quo

and even and into the-sea broadly flowing he-placed on the-bank so-that

posset urbs et accipere a mari, quo egeret, et reddere, quo

could the-city both to-receive from the-sea what it-needed and to-return what

redundaret, eodemque ut flumine res ad victum cultumque

it-had-in-excess and-by-the-same that river the-things for living and-refinement

maxime necessarias non solum mari ꝑabsorberet, sed etiam

most necessary not only from-the-sea it-might-draw-in but also

invectas acciperet ex terra, ut mihi iam tum divinasse ille

brought-in receive from the-land so-that to-me already then to-have-foreseen he

videatur hanc urbem sedem aliquando et domum summo esse

may-seem this city a-seat at-some-time and a-home to-supreme to-be

imperio praebituram; nam hanc rerum tantam potentiam non

empire about-to-furnish for this of-affairs so-great power not

ferme facilius ulla in parte Italiae posita urbs tenere potuisset.

generally more-easily any in part of-Italy placed a-city to-hold could-have

Urbis autem ipsius nativa praesidia quis est tam neglegens 11

of-the-city moreover itself the-natural defenses who is so careless

qui non habeat animo notata ac plane cognita? cuius is est

who not has in-mind marked and fully known of-which that is

tractus ductusque muri cum Romuli, tum etiam reliquorum
the-sweep and-course of-the-wall as-much of-Romulus so also of-the-other
 regum sapientia definitus ex omni parte arduis praeruptisque
kings by-the-wisdom laid-out on every side by-steep and-sheer
 montibus, ut unus aditus, qui esset inter Esquilinum
hills that the-one approach which was between the-Esquiline
 Quirinalemque montem, maximo aggere obiecto fossa
and-Quirinal bill by-a-very-great rampart set-against by-a-trench
 cingeretur vastissima, atque ut ita munita arx circumiectu
was-girded very-wide and that so fortified the-citadel on-a-surrounding
 arduo et quasi circumciso saxo niteretur, ut etiam in illa
steep and as-it-were cut-away rock rested so-that even in that
 tempestate horribili Gallici adventus incolumis atque intacta
storm dreadful of-the-Gallic invasion unbarred and untouched
 permanserit. Locumque delegit et fontibus abundantem et
it-remained and-a-place he-chose both in-springs abounding and
 in regione pestilenti salubrem; colles enim sunt, qui cum
in a-region unhealthy healthy hills for there-are which as-much
 perflantur ipsi, tum adferunt umbram vallibus.
are-blown-through themselves so bring shade to-the-valleys

- 12 Atque haec quidem perceleriter confecit; nam et urbem
and these-things indeed very-quickly he-accomplished for both a-city
 constituit, quam e suo nomine Romam iussit nominari, et
he-established which from his-own name Rome he-ordered to-be-named and
 ad firmandam novam civitatem novum quoddam et subagreste
for strengthening the-new state a-new certain and somewhat-rustic
 consilium, sed ad muniendas opes regni ac populi
plan but for fortifying the-resources of-the-kingdom and of-people
 sui magni hominis et iam tum longe providentis secutus
his of-a-great man and already then far foreseeing followed
 est, cum Sabinas honesto ortas loco virgines, quae Romam
has when Sabine of-honorable born rank maidens who to-Rome

ludorum gratia venissent, quos tum primum anniversarios
of-the-games for-the-sake had-come which then first annual
 in circo facere instituisset, Consualibus rapi iussit
in the-circus to-hold he-had-established at-the-Consualia to-be-seized he-ordered
 easque in familiarum amplissimarum matrimoniis collocavit.
and-them in of-families most-distinguished marriages he-placed

V · THE SENATE AND THE AUSPICES

When the Sabines went to war over the maidens, Romulus made a treaty with their king Titus Tatius at the women's pleading, admitted the Sabines to the state, and shared his throne. He divided the people into three tribes and thirty curiae. After Tatius' death he ruled with still greater regard for the counsel of the leading men, whom he called fathers. He relied on the auspices, chose augurs, and punished with fines of cattle. After thirty-seven years he vanished during an eclipse and was believed a god.

Qua ex causa cum bellum Romanis Sabini intulissent 13
which from cause when war on-the-Romans the-Sabines had-brought
 proeliique certamen varium atque anceps fuisset, cum T. Tatío,
and-of-battle the-contest varied and doubtful had-been with Titus Tatius
 rege Sabinorum, foedus icit matronis ipsis, quae raptae
king of-the-Sabines a-treaty he-struck the-matrons themselves who seized
 erant, orantibus; quo foedere et Sabinos in civitatem adscivit
had-been pleading by-which treaty both the-Sabines into the-state he-admitted
 sacris communicatis et regnum suum cum illorum rege sociavit.
rites shared and kingship his with their king he-joined
 Post interitum autem Tatii cum ad eum dominatus omnis 14
after the-death moreover of-Tatius when to him the-lordship all
 reccidisset, quamquam cum Tatío in regium consilium
had-fallen-back although with Tatius into royal council

delegerat principes (qui appellati sunt propter caritatem patres)

he-had-chosen leading-men who called were because-of affection fathers

populumque et suo et Tatii nomine et Lucumonis,

and-the-people both by-his-own and of-Tatius name and of-Lucumo

qui Romuli socius in Sabino proelio occiderat, in tribus tris

who of-Romulus ally in the-Sabine battle had-fallen into tribes three

curiasque triginta discripserat (quas curias earum nominibus

and-curiae thirty he-had-divided which curiae of-those by-the-names

nuncupavit, quae ex Sabinis virgines raptae postea fuerant

he-named who from the-Sabines maidens seized afterward had-been

oratrices pacis et foederis) — sed quamquam ea Tatius

pleaders of-peace and of-the-treaty but although those-things Tatius

sic erant discripta vivo, tamen eo interfecto multo etiam

so had-been arranged living still he killed much even

magis Romulus patrum auctoritate consilioque regnavit.

more Romulus of-the-fathers by-the-authority and-counsel reigned

15 Quo facto primum vidit iudicavitque idem, quod Sparta

which done first he-saw and-judged the-same which at-Sparta

Lycurgus paulo ante viderat, singulari imperio et potestate

Lycurgus a-little before had-seen by-single command and power

regia tum melius gubernari et regi civitates, si esset optimi

royal then better to-be-steered and to-be-ruled states if were of-best

cuiusque ad illam vim dominationis adiuncta auctoritas. Itaque

each to that force of-lordship joined the-authority and-so

hoc consilio et quasi senatu fultus et munitus et bella

by-this council and as-it-were senate propped and fortified both wars

cum finitimis felicissime multa gessit et, cum ipse nihil ex

with neighbors most-successfully many he-waged and though himself nothing from

praeda domum suam reportaret, locupletare civis non destitit.

booty to-home his-own he-carried-back to-enrich the-citizens not he-ceased

Tum, id quo retinemus hodie magna cum salute rei
then that which we-keep today great with benefit of-the-thing
 publicae, auspiciis plurimum obsecutus est Romulus. Nam
public to-the-auspices very-much deferred has Romulus for
 et ipse, quod principium rei publicae fuit, urbem
both himself which the-beginning of-the-thing public was the-city
 condidit auspicato et omnibus publicis rebus instituendis,
founded with-auspices-taken and for-all public things to-be-established
 qui sibi essent in auspiciis, ex singulis tribubus singulos
who with-him might-be at the-auspices from single tribes single-men
 cooptavit augures et habuit plebem in clientelas principum
he-co-opted augurs and he-held the-plebs into clientships of-the-leading-men
 discriptam (quod quanta fuerit utilitati, post videro)
divided which for-how-great was benefit later I-shall-see
 multaeque dictione ovium et bovum (quod tum erat
and-of-a-fine by-the-imposition of-sheep and of-oxen because then was
 res in pecore et locorum possessionibus, ex quo pecuniosi
property in cattle and of-lands in-possessions from which moneyed
 et locupletes vocabantur), non vi et suppliciis coercebat.
and rich they-were-called not by-force and by-punishments he-restrained
 Ac Romulus cum septem et triginta regnavisset annos et
and Romulus when seven and thirty he-had-reigned years and
 haec egregia duo firmamenta rei publicae peperisset,
these outstanding two supports of-the-thing public had-produced
 auspicia et senatum, tantum est consecutus, ut, cum
the-auspices and the-senate so-much has attained that when
 subito sole obscurato non comparuisset, deorum in numero
suddenly the-sun darkened not he-had-appeared of-the-gods in the-number
 conlocatus putaretur; quam opinionem nemo umquam
placed he-was-thought which opinion no-one ever
 mortalis adsequi potuit sine eximia virtutis gloria.
mortal to-attain could without exceptional of-virtue glory

16

17

This makes Romulus the more remarkable: the others said to have become gods lived in unlearned ages, while Romulus lived less than six hundred years ago, when letters were long established. Scipio reckons the dates: Rome was founded in the second year of the seventh Olympiad, when Greece was full of poets, long after Homer. Yet such was Romulus' virtue that men believed Proculus Julius, a countryman, who at the fathers' prompting told the assembly that Romulus had appeared to him as the god Quirinus.

- 18 *Atque hoc eo magis est in Romulo admirandum, quod ceteri,*
and this by-that more is in Romulus to-be-wondered-at because the-others
qui dii ex hominibus facti esse dicuntur, minus eruditis
who gods from men made to-have-been are-said in-less educated
hominum saeculis fuerunt, ut fingendi proclivis esset ratio,
of-men ages lived so-that of-inventing easy was the-method
cum imperiti facile ad credendum inpellerentur, Romuli autem
when the-unskilled readily to believing were-driven of-Romulus however
aetatem minus his sescentis annis iam inveteratis litteris
the-age less than-these six-hundred years already long-established letters
atque doctrinis omnique illo antiquo ex inculta hominum vita
and learning and-all that ancient from uncultivated of-men life
errore sublato fuisse cernimus. Nam si, id quod Graecorum
error removed to-have-been we-perceive for if that which of-the-Greeks
investigatur annalibus, Roma condita est secundo anno
is-traced in-the-annals Rome founded was in-the-second year
Olympiadis septumae, in id saeculum Romuli cecidit aetas,
of-Olympiad seventh into that age of-Romulus fell the-lifetime
cum iam plena Graecia poetarum et musicorum esset minorque
when already full Greece of-poets and of-musicians was and-less
fabulis nisi de veteribus rebus haberetur fides. Nam centum
to-fables unless about old things was-given credence for a-hundred

et octo annis postquam Lycurgus leges scribere instituit, prima
and eight years after Lycurgus laws to-write began the-first
 posita est Olympias, quam quidam nominis errore ab eodem
held was Olympiad which some of-the-name by-a-mistake by the-same
 Lycurgo constitutam putant; Homerum autem, qui minimum
Lycurgus established think Homer however who the-least
 dicunt, Lycurgi aetati triginta annis anteponunt fere.

say of-Lycurgus to-the-age thirty years they-set-before about
 Ex quo intellegi potest permultis annis ante Homerum 19
from which to-be-understood it-can very-many years before that-Homer
 fuisse quam Romulum, ut iam doctis hominibus ac
to-have-lived than Romulus so-that already learned men and
 temporibus ipsis eruditis ad fingendum vix quicquam
times themselves educated for inventing scarcely any
 esset loci. Antiquitas enim recepit fabulas fictas etiam
was of-room antiquity for accepted fables invented even
 non numquam incondite, haec aetas autem iam exulta
not never clumsily this age however already refined
 praesertim eludens omne, quod fieri non potest, respuit.

especially mocking all which to-happen not can rejects
 *** us nepos eius, ut dixerunt quidam, ex filia. 20
(lacuna) (fragment) grandson his as have-said some from (his)-daughter
 Quo autem ille mortuus, eodem est anno natus Simonides
in-which moreover he died in-the-same was year born Simonides
 Olympiade sexta et quinquagesima, ut facilius intellegi
in-Olympiad sixth and fiftieth so-that more-easily to-be-understood
 possit tum de Romuli immortalitate creditum, cum iam
it-may then about of-Romulus immortality believed when already
 inveterata vita hominum ac tractata esset et cognita. Sed
long-established life of-men and handled was and known but
 profecto tanta fuit in eo vis ingenii atque virtutis, ut id de
surely so-great was in him force of-genius and of-virtue that that about

Romulo Proculo Iulio, homini agresti, crederetur, quod multis
Romulus to-Proculus Julius a-man rustic was-believed which many
 iam ante saeculis nullo alio de mortali homines credidissent;
already before ages no other about mortal men had-believed
 qui impulsu patrum, quo illi a se invidiam interitus
who at-the-prompting of-the-fathers so-that they from themselves the-odium of-the-death
 Romuli pellerent, in contione dixisse fertur a se visum
of-Romulus might-drive in the-assembly to-have-said is-said by himself seen
 esse in eo colle Romulum, qui nunc Quirinalis vocatur;
to-have-been on that hill Romulus which now Quirinal is-called
 eum sibi mandasse, ut populum rogaret, ut sibi eo in
him to-him to-have-charged that the-people he-should-ask that for-him on-that on
 colle delubrum fieret; se deum esse et Quirinum vocari.
hill a-shrine be-made himself a-god to-be and Quirinus to-be-called

VII • THE INTERREGNUM

Laelius praises Scipio's method: Plato built an imaginary city far from human life, and others discussed constitutions without a model, but Scipio joins theory to one real commonwealth. Scipio continues: after Romulus the senate tried to rule without a king, but the people demanded one. The leading men then devised the interregnum, so that the state would never lack a ruler nor keep one man long enough to entrench himself. The rustic Romans saw what Lycurgus missed, that a king should be chosen for virtue, not birth.

- 21 Videtisne igitur unius viri consilio non solum ortum novum
do-you-see therefore of-one man by-the-counsel not only risen a-new
 populum neque ut in cunabulis vagientem relictum, sed adultum
people nor as in the-cradle wailing left but grown
 iam et paene puberem? Tum Laelius: Nos vero videmus, et
already and almost of-age then Laelius we indeed see and

te quidem ingressum ratione ad disputandum nova, quae
you indeed entered by-a-method upon disputing new which
 nusquam est in Graecorum libris. Nam princeps ille, quo
nowhere is in of-the-Greeks books for the-foremost that than-whom
 nemo in scribendo praestantior fuit, aream sibi sumsit, in
no-one in writing more-excellent was a-site for-himself took on
 qua civitatem extrueret arbitrato suo, praeclaram ille quidem
which a-state he-might-build by-choice his-own splendid he indeed
 fortasse, sed a vita hominum abhorrentem et moribus,
perhaps but from the-life of-men remote and from-customs
 reliqui disseruerunt sine ullo certo exemplari formaque rei 22
the-rest discoursed without any fixed model and-form of-the-thing
 publicae de generibus et de rationibus civitatum; tu mihi
public about kinds and about the-principles of-states you to-me
 videris utrumque facturum; es enim ita ingressus, ut, quae
seem both about-to-do you-have for so entered that what
 ipse reperias, tribuere aliis malis quam, ut facit apud
yourself you-discover to-attribute to-others you-would-rather than as does in
 Platonem Socrates, ipse fingere et illa de urbis situ
Plato Socrates yourself to-invent and those-things about of-the-city site
 revoces ad rationem, quae a Romulo casu aut necessitate facta
you-refer to principle which by Romulus by-chance or by-necessity done
 sunt, et disceptas non vaganti oratione, sed defixa in una re
were and you-discuss not with-roving speech but fixed on one thing
 publica. Quare perge, ut instituisti; prospicere enim iam videor
public therefore go-on as you-have-begun to-foresee for already I-seem
 te reliquos reges persequente quasi perfectam rem publicam.
you the-other kings pursuing as-it-were a-perfect thing public
 Ergo, inquit Scipio, cum ille Romuli senatus, qui constabat 23
therefore says Scipio when that of-Romulus senate which consisted
 ex optimatibus, quibus ipse rex tantum tribuisset, ut eos
of the-best-men to-whom himself the-king so-much had-granted that them

patres vellet nominari patricosque eorum liberos, temptaret
fathers he-wished to-be-named and-patricians their children attempted
 post Romuli excessum, ut ipse regeret sine rege rem
after of-Romulus the-departure that itself it-might-rule without a-king the-thing
 publicam, populus id non tulit desiderioque Romuli postea
public the-people that not bore and-by-longing for-Romulus afterward
 regem flagitare non destitit; cum prudenter illi principes novam
a-king to-demand not ceased when prudently those leading-men a-new
 et inauditam ceteris gentibus interregni ineundi rationem
and unheard-of to-other nations of-an-interregnum of-entering a-method
 excogitaverunt, ut, quoad certus rex declaratus esset, nec sine
devised that until a-definite king declared was neither without
 rege civitas nec diuturno rege esset uno nec committeretur,
a-king the-state nor under-a-lasting king should-be one nor it-be-allowed
 ut quisquam inveterata potestate aut ad deponendum
that anyone by-long-held power either for laying-down
 imperium tardior esset aut ad optinendum munitior.
command slower should-be or for keeping more-entrenched

- 24 Quo quidem tempore novus ille populus vidit tamen
at-which indeed time new that people saw still
 id, quod fugit Lacedaemonium Lycurgum, qui regem non
that which escaped the-Lacedaemonian Lycurgus who a-king not
 deligendum duxit, si modo hoc in Lycurgi potestate potuit
to-be-chosen thought if only this in of-Lycurgus the-power could
 esse, sed habendum, qualiscumque is foret, qui modo esset
to-be but to-be-accepted of-whatever-sort he should-be who only was
 Herculis stirpe generatus; nostri illi etiam tum agrestes
of-Hercules from-the-stock begotten ours those even then rustic
 viderunt virtutem et sapientiam regalem, non progeniem
saw virtue and wisdom royal not lineage
 quaeri oportere.
to-be-sought to-be-proper

With the senate's approval the people chose a foreign king, the Sabine Numa Pompilius, who had his power confirmed by a law of the curiae. Seeing the Romans inflamed by Romulus' wars, he divided the conquered land among the citizens and taught them to prosper by farming. He added two augurs, appointed five pontiffs, and instituted the flamens, the Salii, and the Vestal Virgins, making worship demanding in care but light in cost. After thirty-nine years of peace he died, having strengthened religion and gentleness.

Quibus cum esse praestantem Numam Pompilium fama 25
in-which since to-be preeminent Numa Pompilius report
 ferret, praetermissis suis civibus regem alienigenam patribus
bore passed-over its-own citizens a-king foreign-born the-fathers
 auctoribus sibi ipse populus adscivit eumque ad regnandum
approving for-itself itself the-people adopted and-him for reigning
 Sabinum hominem Romam Curibus accivit. Qui ut huc
a-Sabine man to-Rome from-Cures summoned who when hither
 venit, quamquam populus curiatis eum comitiis regem esse
he-came although the-people by-curiate him assemblies king to-be
 iusserat, tamen ipse de suo imperio curiatam legem
had-ordered still himself about his-own command a-curiate law
 tulit, hominesque Romanos instituto Romuli bellicis
proposed and-the-men Roman by-the-institution of-Romulus with-warlike
 studiis ut vidit incensos, existimavit eos paulum ab illa
pursuits when he-saw inflamed he-judged them a-little from that
 consuetudine esse revocandos.

habit to-be to-be-called-back
 Ac primum agros, quos bello Romulus ceperat, divisit 26
and first the-lands which in-war Romulus had-taken he-divided
 viritim civibus docuitque sine depopulatione atque
man-by-man to-the-citizens and-taught without pillaging and

praeda posse eos colendis agris abundare commodis omnibus
plunder to-be-able them by-tilling fields to-abound in-advantages all
 amoremque eis otii et pacis iniecit, quibus facillime
and-love in-them of-leisure and of-peace he-instilled by-which most-easily
 iustitia et fides convalescit, et quorum patrocinio maxime
justice and good-faith grow-strong and under-whose protection most
 cultus agrorum perceptioque frugum defenditur. Idemque
the-cultivation of-fields and-the-harvesting of-crops is-defended and-the-same
 Pompilius et auspiciis maioribus inventis ad pristinum
Pompilius both auspices greater having-been-devised to the-former
 numerum duo augures addidit et sacris e principum
number two augurs added and over-the-rites from of-the-leading-men
 numero pontifices quinque praefecit et animos propositis
the-number pontiffs five set and the-minds having-been-proposed
 legibus his, quas in monumentis habemus, ardentis
laws these which in records we-have burning
 consuetudine et cupiditate bellandi religionum caerimoniis
with-habit and desire of-warring of-religions by-the-ceremonies
 mitigavit adiunxitque praeterea flamines, Salios virginesque
he-softened and-he-added besides flamens Salii and-virgins
 Vestales omnisque partis religionis statuit sanctissime.
Vestal and-all parts of-religion established most-sacredly

- 27 Sacrorum autem ipsorum diligentiam difficilem, apparatus
of-the-rites moreover themselves the-observance difficult the-equipment
 perfacilem esse voluit; nam quae perdiscenda quaeque
very-easy to-be he-wished for which to-be-learned-thoroughly and-which
 observanda essent, multa constituit, sed ea sine impensa.
to-be-observed were many-things he-established but those without expense
 Sic religionibus colendis operam addidit, sumtum removit,
so to-religions to-be-cultivated effort he-added expense removed
 idemque mercatus, ludos omnesque conveniundi causas et
and-the-same-man markets games and-all of-assembling occasions and

celebritates invenit. Quibus rebus institutis ad humanitatem
festivals devised which things established to humanity
 atque mansuetudinem revocavit animos hominum studiis
and gentleness he-called-back the-minds of-men by-pursuits
 bellandi iam immanis ac feros. Sic ille cum undequadrage-
of-warring already savage and fierce so he when thirty-nine
 annos summa in pace concordiaque regnavisset (sequamur
years in-the-utmost in peace and-concord he-had-reigned let-us-follow
 enim potissimum Polybium nostrum, quo nemo fuit
for above-all Polybius our than-whom no-one was
 in exquirendis temporibus diligentior), excessit e vita
in investigating chronology more-diligent departed from life
 duabus praeclarissimis ad diuturnitatem rei publicae
two most-excellent for the-duration of-the-thing public
 rebus confirmatis, religione atque clementia.
things confirmed religion and clemency

IX · NUMA WAS NO PYTHAGOREAN

Manilius asks whether Numa was really a pupil of Pythagoras, as he has often heard from his elders. Scipio calls the story an ignorant and absurd invention: Pythagoras came to Italy in the fourth year of Tarquin the Proud's reign, about 140 years after Numa's death. Manilius is glad the Romans were formed not by imported arts but by native virtues. Scipio replies that he will see this more clearly as the commonwealth advances by a natural course to the best constitution, improving much that it borrowed, strengthened by counsel and discipline, with fortune not against it.

Quae cum Scipio dixisset, Verene, inquit Manilius, hoc
which when Scipio had-said truly says Manilius this
 memoriae proditum est, Africane, regem istum Numam
to-memory handed-down has-been Africanus that-the-king that Numa

28

Pythagorae ipsius discipulum aut certe Pythagoreum fuisse?
of-Pythagoras himself a-pupil or at-least a-Pythagorean to-have-been
 saepe enim hoc de maioribus natu audivimus et ita
often for this from the-greater in-age we-have-heard and so
 intellegimus vulgo existimari; neque vero satis id annalium
we-understand commonly to-be-thought nor indeed sufficiently that of-annals
 publicorum auctoritate declaratum videmus. Tum Scipio: Falsum
public by-the-authority declared we-see then Scipio false
 est enim, Manili, inquit, id totum, neque solum fictum, sed
is for Manilius he-says that whole nor only invented but
 etiam imperite absurdeque fictum; ea sunt enim demum
also ignorantly and-absurdly invented those-things are for precisely
 non ferenda in mendacio, quae non solum ficta esse,
not to-be-borne in a-lie which not only invented to-be
 sed ne fieri quidem potuisse cernimus. Nam quartum
but not to-happen even to-have-been-able we-perceive for the-fourth
 iam annum regnante Lucio Tarquinio Superbo Sybarim
already year reigning Lucius Tarquinius the-Proud to-Sybaris
 et Crotonem et in eas Italiae partis Pythagoras venisse
and Croton and into those of-Italy parts Pythagoras to-have-come
 reperitur; Olympias enim secunda et sexagesima eadem
is-found the-Olympiad for second and sixtieth the-same
 Superbi regni initium et Pythagorae declarat adventum.
of-the-Proud of-the-reign the-beginning and of-Pythagoras shows the-arrival

- 29 Ex quo intellegi regiis annis dinumeratis potest anno
from which to-be-understood royal years counted-up it-can in-the-year
 fere centesimo et quadragesimo post mortem Numae primum
about hundredth and fortieth after the-death of-Numa first
 Italiam Pythagoram attigisse; neque hoc inter eos, qui
Italy that-Pythagoras to-have-reached nor this among those who
 diligentissime persecuti sunt temporum annales, ulla est
most-diligently pursued have of-the-times the-annals any has

umquam in dubitatione versatum. Di immortales, inquit
ever in doubt been-engaged gods immortal says

Manilius, quantus iste est hominum et quam inveteratus error!

Manilius how-great that is of-men and how long-established error

Ac tamen facile patior non esse nos transmarinis nec inportatis

and yet easily I-allow not to-be us by-overseas nor by-imported

artibus eruditos, sed genuinis domesticisque virtutibus.

arts educated but by-native and-home-grown virtues

Atqui multo id facilius cognosces, inquit Africanus, si

and-yet much that more-easily you-will-learn says Africanus if

progredientem rem publicam atque in optimum statum

advancing the-thing public and to the-best constitution

naturali quodam itinere et cursu venientem videris; quin

by-a-natural certain road and course coming you-shall-have-seen nay

hoc ipso sapientiam maiorum statues esse laudandam, quod

for-this very the-wisdom of-the-ancestors you-will-judge to-be to-be-praised that

multa intelleges etiam aliunde sumta meliora apud nos

many-things you-will-understand even from-elsewhere taken better among us

multo esse facta, quam ibi fuissent, unde huc translata

much to-have-been made than there they-had-been whence hither transferred

essent atque ubi primum extitissent, intellegesque

they-had-been and where first they-had-arisen and-you-will-understand

non fortuito populum Romanum, sed consilio et disciplina

not by-chance the-people Roman but by-counsel and by-discipline

confirmatum esse nec tamen adversante fortuna.

strengthened to-have-been nor yet opposing fortune

30

The people chose Tullus Hostilius, who excelled in war, built the senate house and the assembly ground, and established the fetial law by which an undeclared war is unjust; he would not even use the royal insignia without the people's order. Ancus Marcius, Numa's grandson, conquered the Latins and made them citizens, added the Aventine and Caelian hills, and founded a colony at the Tiber's mouth. Then Greek learning flowed into Rome: Demaratus of Corinth, fleeing the tyrant Cypselus, settled at Tarquinii and raised his sons in Greek arts.

- 31 Mortuo rege Pompilio Tullum Hostilium populus regem
 dead king Pompilius Tullus Hostilius the-people king
 interrege rogante comitiis curiatis creavit, isque de imperio
 the-interrex presiding in-the-assemblies curiate made and-be about command
 suo exemplo Pompilii populum consuluit curiatim. Cuius
 his-own by-the-example of-Pompilius the-people consulted by-curiae whose
 excellens in re militari gloria magnaеque extiterunt res
 outstanding in affairs military glory and-great arose deeds
 bellicae, fecitque idem et saepsit de manubiis comitium
 warlike and-be-made the-same-man and enclosed from spoils the-comitium
 et curiam constituitque ius, quo bella indicerentur,
 and the-senate-house and-established a-law by-which wars might-be-declared
 quod per se iustissime inventum sanxit fetiali religione,
 which by himself most-justly devised he-sanctioned by-fetial religion
 ut omne bellum, quod denuntiatum indictumque non esset,
 that every war which announced and-declared not had-been
 id iniustum esse atque inpium iudicaretur. Et ut advertatis
 that unjust to-be and impious should-be-judged and that you-may-turn
 animum, quam sapienter iam reges hoc nostri viderint,
 attention how wisely already kings this our saw
 tribuenda quaedam esse populo (multa enim nobis
 to-be-granted certain-things to-be to-the-people many-things for by-us

de eo genere dicenda sunt), ne insignibus quidem regiis

about that kind to-be-said are not the-insignia even royal

Tullus nisi iussu populi est ausus uti. Nam ut sibi

Tullus except by-order of-the-people has dared to-use for that for-himself

duodecim lictores cum fascibus anteire liceret ***

twelve lictors with fasces to-go-before it-might-be-allowed (lacuna)

*** neque enim serpit, sed volat in optimum statum 33

(lacuna) nor for creeps but flies to the-best constitution

instituto tuo sermone res publica.

undertaken your conversation the-thing public

s. Post eum Numae Pompilii nepos ex filia rex a populo est

after him of-Numa Pompilius grandson from daughter king by the-people was

Ancus Marcius constitutus, itemque de imperio suo legem

Ancus Marcius appointed and-likewise about command his-own a-law

curiatam tulit. Qui cum Latinis bello devicisset, adscivit

curiate proposed who when the-Latins in-war he-had-conquered he-admitted

eos in civitatem, atque idem Aventinum et Caelium

them into citizenship and the-same-man the-Aventine and Caelian

montem adiunxit urbi, quosque agros ceperat, divisit et

hill joined to-the-city and-which lands he-had-taken divided and

silvas maritimas omnis publicavit, quas ceperat, et ad ostium

forests coastal all made-public which he-had-taken and at the-mouth

Tiberis urbem condidit colonisque firmavit. Atque ita cum

of-the-Tiber a-city founded and-with-colonists strengthened and so when

tres et viginti regnavisset annos, est mortuus. Tum Laelius:

three and twenty he-had-reigned years he-has died then Laelius

Laudandus etiam iste rex; sed obscura est historia Romana,

to-be-praised also that king but obscure is history Roman

siquidem istius regis matrem habemus, ignoramus patrem.

since of-that king the-mother we-have we-do-not-know the-father

s. Ita est, inquit; sed temporum illorum tantum fere regum
so it-is he-says but of-times those only nearly of-kings
 inlustrata sunt nomina.

brought-to-light have-been the-names

- 34 Sed hoc loco primum videtur insitiva quadam disciplina
but at-this point first seems by-grafted a-certain learning
 doctior facta esse civitas. Influxit enim non tenuis quidam
more-learned made to-have-been the-state flowed-in for not a-thin certain
 e Graecia rivulus in hanc urbem, sed abundantissimus
from Greece rivulet into this city but most-abundant
 amnis illarum disciplinarum et artium. Fuisse enim
river of-those learnings and arts to-have-been for
 quendam ferunt Demaratum Corinthium et honore et
a-certain they-say Demaratus a-Corinthian both in-honor and
 auctoritate et fortunis facile civitatis suae principem; qui
in-authority and in-fortunes easily of-state his the-first-man who
 cum Corinthiorum tyrannum Cypselum ferre non potuisset,
when of-the-Corinthians the-tyrant Cypselus to-bear not he-had-been-able
 fugisse cum magna pecunia dicitur ac se contulisse
to-have-fled with great wealth he-is-said and himself to-have-betaken
 Tarquinius, in urbem Etruriae florentissimam. Cumque audiret
to-Tarquinius into a-city of-Etruria most-flourishing and-when he-beard
 dominationem Cypseli confirmari, defugit patriam vir
the-lordskip of-Cypselus to-be-strengthened he-fled-from (his)-country a-man
 liber ac fortis et adscitus est civis a Tarquiniensibus atque
free and brave and admitted was citizen by the-Tarquinius and
 in ea civitate domicilium et sedes collocavit. Ubi cum de
in that state dwelling and home he-placed where when from
 matre familias Tarquiniensi duo filios procreavisset, omnibus
a-mother of-a-family Tarquinian two sons he-had-begotten in-all
 eos artibus ad Graecorum disciplinam erudiit ***
them arts after of-the-Greeks the-system he-educated (lacuna)

Demaratus' son, who had recast his Greek name as Lucius Tarquinius, became King Ancus' close friend and near partner, and after Ancus' death was made king by every vote. He doubled the senators, dividing the greater clans from the lesser, and raised the cavalry to 1,800, though the augur Attus Navius kept him from renaming its divisions. He conquered the Aequi, defeated the Sabines at the walls, first held the Roman Games, and vowed the temple of Jupiter on the Capitol.

*** facile in civitatem receptus esset, propter 35
 (lacuna) easily into citizenship received be-had-been because-of
 humanitatem atque doctrinam Anco regi familiaris est
 culture and learning to-Ancus the-king a-friend he-was
 factus usque eo, ut consiliorum omnium particeps et
 made right to-that-point that of-counsels all a-sharer and
 socius paene regni putaretur. Erat in eo praeterea
 partner almost of-the-kingship he-was-thought there-was in him besides
 summa comitas, summa in omnis civis opis, auxilii,
 the-utmost affability the-utmost toward all citizens of-aid of-help
 defensionis, largiendi etiam benignitas. Itaque mortuo Marcio
 of-defense of-bestowing even generosity and-so dead Marcius
 cunctis populi suffragiis rex est creatus L. Tarquinius;
 with-all of-the-people votes king was made Lucius Tarquinius
 sic enim suum nomen ex Graeco nomine inflexerat, ut
 so for his-own name from the-Greek name he-had-bent so-that
 in omni genere huius populi consuetudinem videretur
 in every kind of-this people the-custom he-might-seem
 imitatus. Isque ut de suo imperio legem tulit,
 to-have-imitated and-he when about his-own command a-law he-proposed
 principio duplicavit illum pristinum patrum numerum et
 at-the-beginning doubled that former of-the-fathers number and

antiquos patres maiorum gentium appellavit, quos priores

the-old fathers of-the-greater clans he-called whom first

sententiam rogabat, a se adscitos minorum.

opinion he-asked by himself admitted of-the-lesser

36 Deinde equitatum ad hunc morem constituit, qui usque

then the-cavalry after this fashion he-established which right

adhuc est retentus, nec potuit Titiensium et Rhamnensium

till-now has been-kept nor could-be of-the-Titienses and of-the-Ramnenses

et Lucerum mutare, cum cuperet, nomina, quod auctor

and of-the-Luceres to-change though he-wished the-names because the-sanctioner

ei summa augur gloria Attus Navius non erat. Atque etiam

to-him of-highest augur glory Attus Navius not was and also

Corinthios video publicis equis adsignandis et alendis

the-Corinthians I-see in-public horses to-be-assigned and to-be-maintained

orbis et viduarum tributis fuisse quondam diligentis. Sed

of-orphans and of-widows by-taxes to-have-been once careful but

tamen prioribus equitum partibus secundis additis mdccc

still to-the-former of-knights divisions second added eighteen-hundred

fecit equites numerumque duplicavit. Postea bello subegit

he-made knights and-the-number doubled afterward in-war subdued

Aequorum magnam gentem et ferocem et rebus populi

of-the-Aequi a-great nation and fierce and to-the-affairs of-the-people

Romani imminentem, idemque Sabinos cum a moenibus

Roman threatening and-the-same-man the-Sabines when from the-walls

urbis reppulisset, equitatu fudit belloque devicit. Atque

of-the-city he-had-driven-back with-cavalry routed and-in-war conquered and

eundem primum ludos maximos, qui Romani dicti sunt,

that-the-same-man first the-games greatest which Roman called were

fecisse accepimus aedemque in Capitolio Iovi optimo

to-have-held we-have-learned and-a-temple on the-Capitol to-Jupiter best

maximo bello Sabino in ipsa pugna vovisse faciendam
 greatest in-the-war Sabine in the-very battle to-have-vowed to-be-built
 mortuumque esse, cum duodequadraginta regnavisset annos.
 and-died to-have when thirty-eight he-had-reigned years

XII • SERVIUS TULLIUS

Laelius sees Cato's saying confirmed, since each king added something. Scipio turns to Servius Tullius, said to be the son of a slave woman, who waited at the king's table as a boy until his talent shone out; Tarquinius loved him like a son and educated him in Greek learning. When Tarquinius was murdered by the sons of Ancus, Servius gave judgments in royal dress, pretending the king was only wounded, won the people over, and then had them confirm his reign without consulting the senators.

Tum Laelius: Nunc fit illud Catonis certius, nec 37
 then Laelius now becomes that of-Cato more-certain neither
 temporis unius nec hominis esse constitutionem rei
 of-time one nor of-man to-be the-establishment of-the-thing
 publicae; perspicuum est enim, quanta in singulos reges
 public clear it-is for how-great with each-of-the kings
 rerum bonarum et utilium fiat accessio. Sed sequitur is,
 of-things good and useful comes the-addition but follows he
 qui mihi videtur ex omnibus in re publica vidisse
 who to-me seems of all in the-thing public to-have-seen
 plurimum. Ita est, inquit Scipio. Nam post eum Servius
 the-most so it-is says Scipio for after him Servius
 Tullius primus iniussu populi regnavisse traditur, quem
 Tullius first without-the-order of-the-people to-have-reigned is-reported whom
 ferunt ex serva Tarquiniense natum, cum esset ex
 they-say from a-slave-woman Tarquinian born although he-had-been by

quodam regis cliente conceptus. Qui cum famulorum in
a-certain of-the-king client conceived who when of-the-servants in
 numero educatus ad epulas regis adsisteret, non latuit
the-number reared at the-feasts of-the-king he-waited not lay-bidden
 scintilla ingenii, quae iam tum elucebat in puero; sic erat
the-spark of-talent which already then shone in the-boy so he-was
 in omni vel officio vel sermone sollers. Itaque Tarquinius,
in every either duty or speech skillful and-so Tarquinius
 qui admodum parvos tum haberet liberos, sic Servium
who quite small then had children so Servius
 diligebat, ut is eius vulgo haberetur filius, atque eum
loved that he his commonly was-held son and him
 summo studio omnibus iis artibus, quas ipse didicerat,
with-the-utmost care in-all those arts which himself he-had-learned
 ad exquisitissimam consuetudinem Graecorum erudiit.

after the-most-refined practice of-the-Greeks educated

38 Sed cum Tarquinius insidiis Anci filiorum interisset
but when Tarquinius by-the-plots of-Ancus of-the-sons had-perished
 Serviusque, ut ante dixi, regnare coepisset non iussu, sed
and-Servius as before I-said to-reign had-begun not by-order but
 voluntate atque concessu civium, quod, cum Tarquinius ex
by-the-will and consent of-the-citizens because when Tarquinius from
 vulnere aeger fuisset et vivere falso diceretur, ille regio
the-wound sick to-have-been and to-live falsely was-said he in-royal
 ornatu ius dixisset obaeratosque pecunia sua liberavisset
dress law had-pronounced and-the-debtors with-money his-own had-freed
 multaue comitate usus iussu Tarquinii se ius dicere
and-much affability having-used by-order of-Tarquinius himself law to-pronounce
 probavisset, non commisit se patribus, sed Tarquinio
had-made-believable not entrusted himself to-the-fathers but Tarquinius
 sepulto populum de se ipse consuluit iussusque
buried the-people about himself he-himself consulted and-ordered

regnare legem de imperio suo curiatam tulit. Et primum
to-reign a-law about command his-own curiate proposed and first
 Etruscorum iniurias bello est ultus; ex quo cum ma ***
of-the-Etruscans the-wrongs in-war has avenged from which when (fragment) (lacuna)

XIII · THE CENTURIES OF SERVIUS

After a gap, Scipio describes Servius' division of the people into cavalry and five classes, older and younger, so that votes lay with the rich, not the multitude. The cavalry and first class held eighty-nine centuries, nearly a majority, while the larger multitude in the other ninety-six was neither shut out nor too strong. He called the poorest proletarians, since offspring were expected of them. A fragment praises a state blended moderately from the three kinds.

*** duodeviginti censu maximo. Deinde equitum magno 39
(lacuna) eighteen with-rating highest then of-knights great
 numero ex omni populi summa separato relicuum populum
number from all of-the-people the-sum separated the-remaining people
 distribuit in quinque classis senioresque a iunioribus
be-distributed into five classes and-the-older-men from the-younger-men
 divisit easque ita disparavit, ut suffragia non in multitudinis,
divided and-them so separated that the-votes not in of-the-multitude
 sed in locupletium potestate essent, curavitque, quod semper
but in of-the-rich power were and-took-care which always
 in re publica tenendum est, ne plurimum valeant
in the-thing public to-be-held is lest the-most may-prevail
 plurimi. Quae discriptio si esset ignota vobis, explicaretur
the-greatest-number which arrangement if were unknown to-you would-be-explained
 a me; nunc rationem videtis esse talem, ut ꝑequitum
by me now the-method you-see to-be such that of-the-knights
 centuriae cum sex suffragiis et prima classis addita centuria,
the-centuries with six votes and the-first class added the-century

quae ad summum usum urbis fabris tignariis est data,
which for highest use of-the-city to-the-workmen of-timber was given
 lxxxviii centurias habeat; quibus ex centum quattuor centuriis
eighty-nine centuries it-has to-which of hundred four centuries
 (tot enim reliquae sunt) octo solae si accesserunt, confecta
so-many for remaining are eight alone if have-joined completed
 est vis populi universa, relicuaeque multo maior multitudo
is the-force of-the-people entire and-the-rest much greater multitude
 sex et nonaginta centuriarum neque excluderetur suffragiis,
six and ninety of-centuries neither was-excluded from-votes
 ne superbum esset, nec valeret nimis, ne esset periculosum.
lest arrogant it-were nor had-power too-much lest it-were dangerous

- 40 In quo etiam verbis ac nominibus ipsis fuit diligens; qui
in which even in-words and names themselves he-was careful who
 cum locupletis assiduos appellasset ab asse dando, eos, qui aut
when the-rich assidui he-had-called from the-as giving those who either
 non plus mille quingentos aeris aut omnino nihil in suum
not more thousand five-hundred of-bronze or at-all nothing into their
 census praeter caput attulissent, proletarios nominavit, ut ex
rating besides the-head had-brought proletarians he-named that from
 iis quasi proles, id est quasi progenies civitatis, expectari
them as-it-were offspring that is as-it-were progeny of-the-state to-be-awaited
 videretur. Illarum autem sex et nonaginta centuriarum in una
might-seem of-those moreover six and ninety centuries in one
 centuria tum quidem plures censebantur quam paene in prima
century then indeed more were-rated than almost in the-first
 classe tota. Ita nec prohibebatur quisquam iure suffragii,
class whole so not was-barred anyone from-the-right of-voting
 et is valebat in suffragio plurimum, cuius plurimum intererat
and he prevailed in voting the-most whose most it-concerned

esse in optimo statu civitatem. Quin etiam accensis
to-be in the-best constitution the-state nay even to-the-supernumeraries
 velatis, liticinibus, cornicinibus, proletariis * * *
clothed to-trumpeters to-horn-blowers to-the-proletarians (lacuna)
 Statu esse optimo constitutam rem publicam, quae ex 41
in-constitution to-be the-best established the-thing public which from
 tribus generibus illis, regali et optumati et populari, confusa
three kinds those royal and of-the-best-men and popular blended
 modice nec puniendo inritet animum inmanem ac ferum.
moderately nor by-punishing may-provoke a-mind savage and wild

XIV · KINGSHIP AND LIBERTY

Rome under its kings, Sparta, and Carthage all mixed the three forms, but in none were they balanced. Where one man holds perpetual royal power, the state is and is called a kingdom, whatever share the senate and people have, and it falls easily through one man's vice. Kingship may be the best simple form while it keeps its character, but a people under a king lacks liberty, which lies not in serving a just master but in serving none. The last king, that unjust master, prospered for a time in war and building.

* * * quinque et sexaginta annis antiquior, quod erat xxxviii 42
(lacuna) five and sixty by-years older because it-was thirty-nine
 ante primam Olympiadem condita. Et antiquissimus ille
before the-first Olympiad founded and most-ancient that
 Lycurgus eadem vidit fere. Itaque ista aequabilitas atque hoc
Lycurgus the-same-things saw nearly and-so that equality and this
 triplex rerum publicarum genus videtur mihi commune nobis
threefold of-things public kind seems to-me common to-us
 cum illis populis fuisse. Sed, quod proprium est in nostra
with those peoples to-have-been but what peculiar is in our

re publica, quo nihil possit esse praeclarius, id persequar,
thing public than-which nothing can to-be more-glorious that I-will-pursue
 si potero, subtilius; quod erit eius modi, nihil ut tale ulla
if I-shall-be-able more-precisely which will-be of-that kind nothing that such any
 in re publica reperiatur. Haec enim, quae adhuc exposui,
in thing public may-be-found these-things for which so-far I-have-set-out
 ita mixta fuerunt et in hac civitate et in Lacedaemoniorum
so mixed have-been both in this state and in that-of-the-Lacedaemonians
 et in Karthaginensium, ut temperata nullo fuerint modo.
and in that-of-the-Carthaginians that tempered in-no they-were way

- 43 Nam in qua re publica est unus aliquis perpetua potestate,
for in which thing public is one someone with-perpetual power
 praesertim regia, quamvis in ea sit et senatus, ut tum
especially royal although in it there-be both a-senate as then
 fuit Romae, cum erant reges, ut Spartae Lycurgi legibus,
there-was at-Rome when there-were kings as at-Sparta of-Lycurgus by-the-laws
 et ut sit aliquod etiam populi ius, ut fuit apud
and even-if there-be some also of-the-people right as there-was among
 nostros reges, tamen illud excellit regium nomen, neque
our kings still that stands-out royal name nor
 potest eius modi res publica non regnum et esse et
can of-that kind thing public not a-kingship both to-be and
 vocari. Ea autem forma civitatis mutabilis maxime est
to-be-called that moreover form of-state changeable most is
 hanc ob causam, quod unius vitio praecipitata in
this on-account-of reason because of-one by-the-fault hurled-down into
 perniciosissimam partem facillime decidit. Nam ipsum regale
the-most-ruinous part most-easily falls for itself royal
 genus civitatis non modo non est reprehendendum, sed haud
kind of-state not only not is to-be-censured but not
 scio an reliquis simplicibus longe anteponendum, si ullum
I-know whether to-the-other simple-kinds far to-be-preferred if any

probarem simplex rei publicae genus, sed ita, quoad

I-were-approving simple of-the-thing public kind but so as-long-as

statum suum retinet. Is est autem status, ut unius

condition its-own it-keeps that is moreover the-condition that of-one

perpetua potestate et iustitia omnique sapientia regatur salus

by-perpetual power and justice and-all wisdom be-ruled the-safety

et aequabilitas et otium civium. Desunt omnino ei

and equality and leisure of-the-citizens are-lacking altogether to-that

populo multa, qui sub rege est, in primisque libertas, quae

people many-things which under a-king is in and-the-first liberty which

non in eo est, ut iusto utamur domino, sed ut nullo ***

not in that is that a-just we-have master but that no (lacuna)

*** ferebant. Etenim illi iniusto domino atque acerbo

(lacuna) they-bore for-indeed that unjust master and harsh

aliquam diu in rebus gerundis prospera fortuna comitata

for-some while in affairs to-be-managed favorable fortune accompanied

est. Nam et omne Latium bello devicit et Suessam

has for both all Latium in-war he-conquered and Suessa

Pometiam, urbem opulentam refertamque, cepit et maxima

Pometia a-city wealthy and-well-stocked took and with-greatest

auri argentique praeda locupletatus votum patris Capitolii

of-gold and-of-silver booty enriched the-vow of-(bis)-father of-the-Capitol

aedificatione persolvit et colonias deduxit et institutis

by-the-building he-fulfilled and colonies led-out and by-the-customs

eorum, a quibus ortus erat, dona magnifica quasi

of-those from whom sprung he-was gifts magnificent as-it-were

libamenta praedarum Delphos ad Apollinem misit.

first-offerings of-spoils to-Delphi to Apollo he-sent

Here the cycle turns, and its course must be learned, for the heart of political wisdom is to see where each state is tending. Tarquin, stained with the murder of a good king, wished to be feared and grew insolent with victory and wealth. When his elder son violated Lucretia and she killed herself, Lucius Brutus, a private citizen, freed Rome from its yoke, teaching that no one is a private man where liberty is at stake. The Tarquins were exiled; a king had become a master, whom the Greeks call a tyrant.

- 45 Hic ille iam vertetur orbis, cuius naturalem motum atque
here that now will-be-turned cycle whose natural motion and
 circuitum a primo discite agnoscere. Id enim est caput
revolution from the-first learn to-recognize that for is the-head
 civilis prudentiae, in qua omnis haec nostra versatur oratio,
of-civil prudence in which all this our is-engaged speech
 videre itinera flexusque rerum publicarum, ut, cum sciatis,
to-see the-paths and-turns of-things public so-that when you-know
 quo quaeque res inclinet, retinere aut ante possitis
whither each thing inclines to-hold-back or beforehand you-can
 occurrere. Nam rex ille, de quo loquor, primum optimi
to-meet-it for king that about whom I-speak first of-an-excellent
 regis caede maculatus integra mente non erat, et cum
king with-the-murder stained sound of-mind not was and since
 metueret ipse poenam sceleris sui summam, metui se
be-feared himself punishment of-crime his-own the-utmost to-be-feared himself
 volebat; deinde victoriis divitiisque subnixus exultabat insolentia
he-wished then by-victories and-by-riches propped he-exulted with-insolence
 neque suos mores regere poterat neque suorum libidines.
neither his-own morals to-rule he-could nor of-his-own-people the-lusts

Itaque cum maior eius filius Lucretiae, Tricipitini filiae, 46
and-so when the-elder his son to-Lucretia of-Tricipitinus daughter
 Conlatini uxori, vim attulisset mulierque pudens et nobilis
of-Collatinus wife violence had-offered and-the-woman modest and noble
 ob illam iniuriam sese ipsa morte multavisset, tum
on-account-of that wrong herself she-herself by-death had-punished then
 vir ingenio et virtute praestans, L. Brutus, depulit a
a-man in-talent and virtue outstanding Lucius Brutus drove-off from
 civibus suis iniustum illud durae servitutis iugum. Qui cum
citizens his unjust that of-harsh slavery yoke who though
 privatus esset, totam rem publicam sustinuit primusque
a-private-man he-was the-whole thing public upheld and-first
 in hac civitate docuit in conservanda civium libertate esse
in this state taught in preserving of-citizens liberty to-be
 privatum neminem. Quo auctore et principe concitata civitas
a-private-man no-one whom as-leader and as-chief roused the-state
 et hac recenti querella Lucretiae patris ac propinquorum
and by-this recent complaint of-Lucretia of-the-father and of-kinsmen
 et recordatione superbiae Tarquinii multarumque iniuriarum
and by-the-memory of-the-arrogance of-Tarquinius and-of-many wrongs
 et ipsius et filiorum exulem et regem ipsum et liberos
both of-himself and of-(his)-sons in-exile both the-king himself and children
 eius et gentem Tarquiniorum esse iussit.
his and the-clan of-the-Tarquins to-be ordered

Videtisne igitur, ut de rege dominus extiterit uniusque 47
do-you-see therefore how from a-king a-master arose and-of-one
 vitio genus rei publicae ex bono in deterrimum
by-the-fault the-kind of-the-thing public from good into worst
 conversum sit? Hic est enim dominus populi, quem
turned has-been this is for the-master of-the-people whom
 Graeci tyrannum vocant; nam regem illum volunt esse,
the-Greeks tyrant call for king him they-wish to-be

qui consulit ut parens populo conservatque eos, quibus
 who looks-after like a-parent the-people and-preserves those over-whom
 est praepositus, quam optima in condicione vivendi,
 he-is set as good-as-possible in condition of-living
 sane bonum, ut dixi, rei publicae genus, sed tamen
 a-truly good as I-said of-the-thing public kind but still
 inclinatum et quasi pronum ad perniciosissimum statum.
 inclined and as-it-were sloping to the-most-ruinous condition

XVI • THE TYRANT AND THE GUARDIAN

A king turned unjust becomes a tyrant, a beast in human form who wants no fellowship of law with anyone. The Greeks reserve the name for an unjust king, but the Romans called every sole ruler a king, and so accused Spurius Cassius, Marcus Manlius, and Spurius Maelius of seeking kingship. Even beside a senate, royal power overshadows all, and liberty merely tasted inflames the desire for more. Against the tyrant Scipio sets his opposite, the good and wise guardian and steward of the commonwealth.

48 Simul atque enim se inflexit hic rex in dominatum
 as-soon as for himself has-bent this king into a-mastery
 iniustiozem, fit continuo tyrannus, quo neque
 more-unjust he-becomes immediately a-tyrant than-whom neither
 taetrius neque foedius nec dis hominibusque invisius
 more-hideous nor fouler nor to-gods and-men more-hateful
 animal ullum cogitari potest; qui quamquam figura est
 animal any to-be-thought can who although in-shape he-is
 hominis, morum tamen inmanitate vastissimas vincit beluas.
 of-a-man of-character still by-the-savagery the-hugest surpasses beasts
 Quis enim hunc hominem rite dixerit, qui sibi cum
 who for this a-man rightly could-call who for-himself with

suis civibus, qui denique cum omni hominum genere
his-own citizens who finally with the-whole of-men race
 nullam iuris communionem, nullam humanitatis societatem
no of-right community no of-humanity partnership
 velit? Sed erit hoc de genere nobis alius aptior dicendi
wishes but will-be this about kind for-us another more-fitting of-speaking
 locus, cum res ipsa admonuerit, ut in eos dicamus,
place when the-matter itself shall-have-prompted that against those we-speak
 qui etiam liberata iam civitate dominationes adpetiverunt.
who even freed now the-state lordships have-sought

Habetis igitur primum ortum tyranni; nam hoc nomen 49
you-have therefore the-first rise of-the-tyrant for this name
 Graeci regis iniusti esse voluerunt; nostri quidem omnes
the-Greeks of-a-king unjust to-be wished ours indeed all
 reges vocitaverunt, qui soli in populos perpetuam potestatem
kings used-to-call who alone over peoples perpetual power
 habent. Itaque et Spurius Cassius et M. Manlius et
held and-so both Spurius Cassius and Marcus Manlius and
 Spurius Maelius regnum occupare voluisse dicti sunt, et
Spurius Maelius the-kingship to-seize to-have-wished said were and
 modo Tib. Gracchus ***

lately Tiberius Gracchus (lacuna)
 *** Lycurgus γέροντας Lacedaemone appellavit, nimis is 50
(lacuna) Lycurgus elders at-Lacedaemon called too he
 quidem paucos, xxviii, quos penes summam consilii
indeed few twenty-eight whom in-the-bands-of the-supremacy of-counsel
 voluit esse, cum imperii summam rex teneret; ex quo
he-wished to-be while of-command the-supremacy the-king held from which
 nostri idem illud secuti atque interpretati, quos senes ille
our-people the-same that having-followed and translated whom old-men he
 appellavit, nominaverunt senatum, ut iam Romulum patribus
called named the-senate as already that-Romulus fathers

lectis fecisse diximus; tamen excellit atque eminet vis,
chosen to-have-done we-have-said still stands-out and towers the-force
 potestas nomenque regium. Inperti etiam populo potestatis
the-power and-the-name royal impart even to-the-people of-power
 aliquid, ut et Lycurgus et Romulus; non satiariis
something as both Lycurgus and Romulus not you-will-have-sated
 eum libertate, sed incenderis cupiditate libertatis, cum
it with-liberty but you-will-have-inflamed with-desire of-liberty when
 tantum modo potestatem gustandi feceris; ille quidem
only merely the-power of-tasting you-shall-have-given that indeed
 semper inpendebit timor, ne rex, quod plerumque evenit,
always will-hang-over fear lest the-king which usually happens
 exsistat iniustus. Est igitur fragilis ea fortuna populi, quae
turn-out unjust is therefore fragile that fortune of-a-people which
 posita est in unius, ut dixi antea, vel voluntate vel moribus.
placed is in of-one as I-said before either the-will or the-character

51 Quare prima sit haec forma et species et origo tyranni
therefore first let-be this form and appearance and origin of-the-tyrant
 inventa nobis in ea re publica, quam auspicato Romulus
found by-us in that thing public which with-auspices-taken Romulus
 condiderit, non in illa, quam, ut perscripsit Plato, sibi
founded not in that which as has-written-out Plato for-himself
 ipse Socrates tripertito illo in sermone depinxit, ut,
himself Socrates threefold that in conversation painted so-that
 quem ad modum Tarquinius, non novam potestatem nactus,
in-what to manner Tarquinius not a-new power having-got
 sed, quam habebat, usus iniuste totum genus hoc regiae
but which he-had having-used unjustly the-whole kind this of-royal
 civitatis everterit; sit huic oppositus alter, bonus et sapiens
state overturned let-be to-this opposed another good and wise
 et peritus utilitatis dignitatisque civilis quasi tutor et
and skilled in-the-advantage and-in-the-dignity civil as-it-were guardian and

procurator rei publicae; sic enim appelletur, quicumque
 steward of-the-thing public so for let-be-called whoever
 erit rector et gubernator civitatis. Quem virum facite ut
 will-be ruler and pilot of-the-state which man see-to-it that
 agnoscatis; is est enim, qui consilio et opera civitatem
 you-recognize he is for who by-counsel and by-effort the-state
 tueri potest. Quod quoniam nomen minus est adhuc
 to-protect can which since name less is yet
 tritum sermone nostro saepiusque genus eius hominis erit
 worn in-talk our and-more-often the-kind of-that man will-be
 in reliqua nobis oratione tractandum * * *
 in the-remaining by-us speech to-be-treated (lacuna)

XVII · THE RIGHT OF APPEAL

Plato imagined a city to be wished for rather than hoped for; Scipio will trace the causes of public good and ill in a real one. After some two hundred and forty years of kings, Rome hated the royal name as much as it had once missed Romulus. The innocent Collatinus was exiled on suspicion of kinship, the other Tarquins for their name; Publius Valerius lowered the fasces before the assembly, moved his house below the Velia, and carried the centuriate assembly's first law, forbidding execution or flogging against appeal. Appeal had existed even under the kings.

* * * sas requisivit civitatemque optandam magis quam 52
 (lacuna) (fragment) he-sought and-a-state to-be-wished-for rather than
 sperandam, quam minimam potuit, non quae posset esse,
 to-be-hoped-for as small-as he-could not which could to-be
 sed in qua ratio rerum civilium perspici posset, effecit.
 but in which the-principle of-things civil to-be-seen could he-produced
 Ego autem, si modo consequi potuero, rationibus eisdem,
 I however if only to-attain I-shall-be-able by-principles the-same

quas ille vidit, non in umbra et imagine civitatis, sed in
which he saw not in the-shadow and image of-a-state but in
 amplissima re publica enitar, ut cuiusque et boni publici
the-greatest thing public I-will-strive that of-each both of-good public
 et mali causam tamquam virgula videar attingere. Iis enim
and of-evil the-cause as-if with-a-rod I-may-seem to-touch those for
 regiis quadraginta annis et ducentis paulo cum interregnis
royal forty years and two-hundred a-little with interregna
 fere amplius praeteritis expulsoque Tarquinio tantum odium
about more passed and-expelled Tarquinius so-much hatred
 populum Romanum regalis nominis tenuit, quantum tenuerat
the-people Roman of-royal name held as-much-as had-held
 post obitum vel potius excessum Romuli desiderium. Itaque
after the-death or rather the-departure of-Romulus longing and-so
 ut tum carere rege, sic pulso Tarquinio nomen regis
as then to-do-without a-king so driven-out Tarquinius the-name of-king
 audire non poterat. Hic facultatem cum ***

to-hear not it-could here the-opportunity when (lacuna)

Itaque illa praeclara constitutio Romuli cum ducentos annos
and-so that splendid constitution of-Romulus when two-hundred years
 et viginti fere firma mansisset ***

and twenty about firm had-remained (lacuna)

53 *** lex illa tota sublata est. Hac mente tum nostri maiores

(lacuna) law that entire removed was with-this mind then our ancestors

et Conlatinum innocentem suspicione cognationis expulerunt

both Collatinus innocent on-suspicion of-kinship drove-out

et reliquos Tarquinius offensione nominis; eademque mente

and the-other Tarquins by-the-offense of-the-name and-the-same mind

P. Valerius et fasces primus demitti iussit, cum dicere

Publius Valerius both the-fasces first to-be-lowered ordered when to-speak

in contione coepisset, et aedis suas detulit sub Veliam,

in the-assembly he-had-begun and house his moved-down below the-Velia

posteaquam, quod in excelsiore loco Veliae coepisset
after because in a-higher spot of-the-Velia he-had-begun
 aedificare eo ipso, ubi rex Tullus habitaverat, suspicionem
to-build at-that very-spot where king Tullus had-lived the-suspicion
 populi sensit moveri; idemque, in quo fuit Publicola
of-the-people he-felt to-be-stirred and-the-same-man in which he-was Publicola
 maxime, legem ad populum tulit eam, quae centuriatis
most a-law to the-people brought that which in-the-centuriate
 comitiis prima lata est, ne quis magistratus civem Romanum
assemblies first carried was lest any magistrate a-citizen Roman
 adversus provocationem necaret neve verberaret.

against appeal should-kill nor should-flog

Provocationem autem etiam a regibus fuisse declarant 54

appeal moreover even from kings to-have-been declare
 pontificii libri, significant nostri etiam augurales, itemque
pontifical books indicate our also augural and-likewise
 ab omni iudicio poenaeque provocari licere indicant xii
from every judgment and-penalty to-be-appealed to-be-allowed show twelve
 tabulae conpluribus legibus; et quod proditum memoriae est,
tables in-several laws and that handed-down to-memory is
 xviros, qui leges scripserint, sine provocatione creatos,
that-the-decemvirs who laws wrote without appeal created
 satis ostenderit reliquos sine provocatione magistratus non
sufficiently shows the-other without appeal magistrates not
 fuisse; Luciique Valerii Potiti et M. Horatii Barbati,
to-have-been and-of-Lucius Valerius Potitus and Marcus Horatius Barbatus
 hominum concordiae causa sapienter popularium, consularis
of-men of-concord for-the-sake wisely popular consular
 lex sanxit, ne qui magistratus sine provocatione crearetur;
law ordained lest any magistrate without appeal should-be-created

neque vero leges Porciae, quae tres sunt trium Porciorum,
 nor indeed the-laws Porcian which three are of-three Porcii
 ut scitis, quicquam praeter sanctionem attulerunt novi.
 as you-know anything besides a-penalty-clause brought new

XVIII • THE SENATE'S COMMONWEALTH

Publicola removed the axes from the fasces and had the lictors attend the consuls in alternate months. For a time the senate governed a free people: little was done through the people, the consuls held royal power for a year, and assemblies needed the senators' approval. The dictatorship followed soon after. But a liberated people naturally claims more, and a state stays stable only if magistrates, leading men, and people each hold a fair share. The plebs, burdened by debt, seceded, and tribunes were created, like the Spartan ephors.

- 55 Itaque Publicola lege illa de provocatione perlata statim
 and-so Publicola law that about appeal carried immediately
 securis de fascibus demi iussit postridieque sibi
 the-axes from the-fasces to-be-removed ordered and-the-next-day for-himself
 collegam Sp. Lucretium subrogavit suosque ad eum, quod
 as-colleague Spurius Lucretius elected-in-place and-bis-own to him because
 erat maior natu, lictores transire iussit instituitque primus,
 he-was greater in-age lictors to-go-over ordered and-established first
 ut singulis consulibus alternis mensibus lictores praerent,
 that before-single consuls in-alternate months lictors should-go-before
 ne plura insignia essent inperii in libero populo quam
 lest more insignia there-be of-command in a-free people than
 in regno fuissent. Haud mediocris hic, ut ego quidem
 in the-kingship there-had-been not ordinary this-man as I indeed
 intellego, vir fuit, qui modica libertate populo data facilius
 understand man was who moderate liberty to-the-people given more-easily

tenuit auctoritatem principum. Neque ego haec nunc
held the-authority of-the-leading-men nor I these-things now
sine causa tam vetera vobis et tam obsoleta decanto,
without cause so old to-you and so outworn harp-on
sed inlustribus in personis temporibusque exempla hominum
but illustrious in persons and-times examples of-men
rerumque definio, ad quae reliqua oratio derigatur mea.
and-of-things I-mark-out to which the-remaining speech may-be-directed my
Tenuit igitur hoc in statu senatus rem publicam 56
held therefore this in condition the-senate the-thing public
temporibus illis, ut in populo libero pauca per populum,
in-times those that in a-people free few-things through the-people
pleraque senatus auctoritate et instituto ac more gererentur,
most-things of-the-senate by-authority and by-institution and custom were-managed
atque uti consules potestatem haberent tempore dumtaxat
and that the-consuls a-power had in-time only
annuam, genere ipso ac iure regiam. Quodque erat ad
yearly in-kind itself and in-right royal and-what was for
optinendam potentiam nobilium vel maximum, vehementer
keeping the-power of-the-nobles perhaps the-greatest vigorously
id retinebatur, populi comitia ne essent rata, nisi ea
that was-maintained of-the-people the-assemblies lest they-be valid unless them
patrum adprobavisset auctoritas. Atque his ipsis temporibus
of-the-fathers had-approved the-authority and in-these very times
dictator etiam est institutus decem fere annis post primos
a-dictator also was instituted ten about years after the-first
consules, T. Larcus, novumque id genus imperii visum est
consuls Titus Larcus and-new that kind of-command seemed has
et proximum similitudini regiae. Sed tamen omnia summa
and nearest to-the-likeness royal but still all-things highest
cum auctoritate a principibus cedente populo tenebantur,
with authority by the-leading-men yielding the-people were-held

magnaeque res temporibus illis a fortissimis viris summo
and-great deeds in-times those by the-bravest men with-supreme
 imperio praeditis, dictatoribus atque consulibus, belli gerebantur.
command endowed dictators and consuls of-war were-done

- 57 Sed id, quod fieri natura rerum ipsa cogebat, ut plusculum
but that which to-happen the-nature of-things itself compelled that a-little-more
 sibi iuris populus adscisceret liberatus a regibus, non
for-itself of-right the-people should-claim freed from kings not
 longo intervallo, sexto decimo fere anno, Postumo
after-a-long interval in-the-sixth (and-)tenth about year Postumus
 Cominio Sp. Cassio consulibus consecutus est; in quo defuit
Cominius Spurius Cassius consuls attained has in which was-lacking
 fortasse ratio, sed tamen vincit ipsa rerum publicarum natura
perhaps reason but still conquers itself of-things public the-nature
 saepe rationem. Id enim tenetote, quod initio dixi, nisi
often reason that for keep-in-mind which at-the-beginning I-said unless
 aequabilis haec in civitate compensatio sit et iuris et officii et
balanced this in the-state equalization be both of-right and of-duty and
 muneris, ut et potestatis satis in magistratibus et auctoritatis
of-function so-that both of-power enough in the-magistrates and of-authority
 in principum consilio et libertatis in populo sit, non posse
in of-the-leading-men the-council and of-liberty in the-people there-be not to-be-able
 hunc incommutabilem rei publicae conservari statum.
this unchangeable of-the-thing public to-be-preserved condition

- 58 Nam cum esset ex aere alieno commota civitas, plebs
for when was from money of-others disturbed the-state the-plebs
 montem sacrum prius, deinde Aventinum occupavit. Ac ne
the-hill sacred first then the-Aventine occupied and not
 Lycurgi quidem disciplina tenuit illos in hominibus Graecis
of-Lycurgus even the-discipline held those in men Greek
 frenos; nam etiam Spartae regnante Theopompo sunt item
bridles for even at-Sparta reigning Theopompus were likewise

quinque, quos illi ephoros appellant, in Creta autem decem,
 five whom they ephors call in Crete moreover ten
 qui cosmoē vocantur, ut contra consulare imperium tribuni
 who cosmoi are-called as against consular command tribunes
 pl., sic illi contra vim regiam constituti.
 of-the-plebs so those against force royal established

XIX · DEBTS, TRIBUNES, AND DECEMVIRS

The ancestors might have relieved the debtors, as Solon did; neglecting this cost the senate its strength when two tribunes were created, though the leading men kept great authority through virtue and service. A quaestor had Spurius Cassius put to death for seeking kingship. Laws on fines followed, and the consuls and tribunes resigned so that ten men with supreme and unappealable power could write laws. The first decemvirs wrote ten tables justly; their successors were less praised, though Gaius Julius honored the right of appeal.

†Fuerat fortasse aliqua ratio maioribus nostris in illo aere 59
 there-had-been perhaps some method for-ancestors our in that money
 alieno medendi, quae neque Solonem Atheniensem non longis
 of-others of-remedying which neither Solon the-Athenian not long
 temporibus ante fugerat neque post aliquanto nostrum senatum,
 times before had-escaped nor after somewhat our senate
 cum sunt propter unius libidinem omnia nexa civium liberata
 when were because-of of-one the-lust all the-bonds of-citizens released
 nectierque postea desitum; semperque huic generi, cum plebes
 and-to-be-bound afterward ceased and-always for-this kind when the-plebs
 publica calamitate inpendiis debilitata deficeret, salutis omnium
 by-public calamity by-expenses weakened failed of-safety of-all
 causa aliqua sublevatio et medicina quaesita est. Quo
 for-the-sake some relief and remedy sought was which

tum consilio praetermisso causa populo nata est, duobus
then counsel neglected a-reason for-the-people born was two
tribunis plebis per seditionem creatis ut potentia senatus
tribunes of-the-plebs through sedition created that the-power of-the-senate
atque auctoritas minueretur; quae tamen gravis et magna
and authority should-be-lessened which still weighty and great
remanebat sapientissimis et fortissimis et armis et consilio
remained the-wisest and bravest both by-arms and by-counsel
civitatem tuentibus, quorum auctoritas maxime florebat, quod,
the-state protecting whose authority most flourished because
cum honore longe antecellerent ceteris, voluptatibus erant
though in-honor far they-surpassed the-rest in-pleasures they-were
inferiores nec pecuniis ferme superiores; eoque erat cuiusque
inferior nor in-wealth generally superior and-by-that was of-each
gratior in re publica virtus, quod in rebus privatis
more-welcome in the-thing public virtue because in affairs private
diligentissime singulos cives opera, consilio, re tuebantur.
most-diligently individual citizens by-effort by-counsel by-means they-protected
60 Quo in statu rei publicae Sp. Cassium de occupando
which in condition of-the-thing public Spurius Cassius about seizing
regno molientem, summa apud populum gratia florentem,
kingship scheming highest with the-people in-favor flourishing
quaestor accusavit, eumque, ut audistis, cum pater in ea
the-quaestor accused and-him as you-have-heard when (his)-father in that
culpa esse conperisse se dixisset, cedente populo morte
guilt to-be to-have-found himself had-said yielding the-people with-death
mactavit. Gratumque etiam illam legem quarto circiter
punished and-welcome also that law in-the-fourth about
et quinquagesimo anno post primos consules de multa
and fiftieth year after the-first consuls about fine
et sacramento Sp. Tarpeius et A. Aternius consules
and deposit Spurius Tarpeius and Aulus Aternius consuls

comitiis centuriatis tulerunt. Annis postea xx ex eo, quod
in-assemblies centuriate carried in-years after twenty from that that

L. Papirius P. Pinarius censores multis dicendis vim
Lucius Papirius Publius Pinarius censors by-fines imposed a-mass

armentorum a privatis in publicum averterant, levis
of-cattle from private-men into public-ownership had-diverted a-light

aestumatio pecudum in multa lege C. Iulii P.
assessment of-livestock in fine by-the-law of-Gaius Julius of-Publius

Papirii consulum constituta est.

Papirius of-the-consuls established was

Sed aliquot ante annis, cum summa esset auctoritas in 61
but some before years when highest was authority in

senatu populo patiente atque parente, inita ratio est, ut et
the-senate the-people allowing and obeying entered a-plan was that both

consules et tribuni pl. magistratu se abdicarent,
consuls and tribunes of-the-plebs from-office themselves should-resign

atque ut xviri maxima potestate sine provocatione
and that decemvirs with-greatest power without appeal

crearentur, qui et summum imperium haberent et leges
should-be-created who both supreme command should-have and laws

scriberent. Qui cum x tabulas summa legum aequitate
should-write who when ten tables with-highest of-laws fairness

prudentialque conscripsissent, in annum posterum decemviros
and-prudence had-drawn-up for year next decemvirs

alios subrogaverunt, quorum non similiter fides nec iustitia
others elected-in-place whose not similarly good-faith nor justice

laudata. Quo tamen e collegio laus est illa eximia
praised which however from college the-praise is that outstanding

C. Iulii, qui hominem nobilem, L. Sestium, cuius in
of-Gaius Julius who a-man noble Lucius Sestius whose in

cubiculo efossum esse se praesente mortuum diceret,
bedroom dug-up to-have-been himself being-present a-corpse he-said

cum ipse potestatem summam haberet, quod decemvirum
though himself power supreme he-had because of-the-decemvirs
 sine provocatione esset, vades tamen poposcit, quod se
without appeal he-was sureties still demanded because himself
 legem illam praeclaram neglecturum negaret, quae de capite
law that splendid about-to-disregard he-denied which about the-life
 civis Romani nisi comitiis centuriatis statui vetaret.
of-a-citizen Roman except in-assemblies centuriate to-be-decided forbade

XX • THE FALL OF THE DECENVIRS

In the third year the decemvirs kept their office, and with no tribunes, no other magistrates, and no appeal, the commonwealth belonged wholly to the leading men. A state so unbalanced among its orders could not last. The decemvirs added two tables of unjust laws, among them a ban on marriage between plebeians and patricians, and ruled with lust and greed. When Verginius killed his daughter in the forum to save her from one of them, the army abandoned its war and occupied the Sacred Mount and the Aventine.

62 Tertius est annus xviralis consecutus, cum iidem essent
the-third has year decemviral followed when the-same-men were
 nec alios subrogare voluissent. In hoc statu rei
nor others to-elect-in-place had-wished in this condition of-the-thing
 publicae, quem dixi iam saepe non posse esse
public which I-have-said already often not to-be-able to-be
 diuturnum, quod non esset in omnis ordines civitatis
lasting because not it-was toward all orders of-the-state
 aequabilis, erat penes principes tota res publica
equal was in-the-hands-of the-leading-men the-whole thing public
 praepositis xviris nobilissimis, non oppositis tribunis pl.,
set-over decemvirs most-noble not set-against tribunes of-the-plebs

nullis aliis adiunctis magistratibus, non provocatione ad

no other joined magistrates not appeal to

populum contra necem et verbera relictā.

the-people against death and lashes left

Ergo horum ex iniustitia subito exorta est maxima perturbatio 63

therefore of-these from the-injustice suddenly arisen has the-greatest disorder

et totius commutatio rei publicae; qui duabus tabulis

and of-the-whole change of-the-thing public who two tables

iniquarum legum additis, quibus, etiam quae diiunctis populis

of-unjust laws added in-which even which to-separate peoples

tribui solent conubia, haec illi ut ne plebei cum

to-be-granted are-wont intermarriages these they that not for-the-plebs with

patribus essent, inhumanissima lege sanxerunt, quae postea

the-fathers they-should-be by-a-most-inhuman law ordained which afterward

plebei scito Canuleio abrogata est, libidinoseque omni

of-the-plebs by-the-decree Canuleian repealed was and-licentious in-all

imperio et acerbe et avare populo praefuerunt. Nota scilicet

command both harshly and greedily over-the-people they-presided known of-course

illa res et celebrata monumentis plurimis litterarum, cum

that affair and made-famous in-records very-many of-letters when

Decimus quidam Verginius virginem filiam propter unius ex

Decimus a-certain Verginius (his)-maiden daughter because-of of-one of

illis xviris intemperiem in foro sua manu interemisisset

those decemvirs the-lawlessness in the-forum with-his-own hand had-killed

ac maerens ad exercitum, qui tum erat in Algidio, confugisset,

and grieving to the-army which then was on Algidus had-fled

milites bellum illud, quod erat in manibus, reliquisset

the-soldiers the-war that which was in hand to-have-abandoned

et primum montem sacrum, sicut erat in simili causa

and first the-hill sacred as had-been in a-like case

antea factum, deinde Aventinum armatos insedissee ***

before done then the-Aventine armed to-have-occupied (lacuna)

dictatore L. Quinctio dicto.

dictator Lucius Quinctius named

*** maiores nostros et probavisse maxime et retinuisse

(lacuna) that-ancestors our both to-have-approved most and to-have-kept

sapientissime iudico.

most-wisely I-judge

XXI · TUBERO'S OBJECTION

Scipio pauses, and Tuberо objects that he has praised Rome's constitution when Laelius asked about every constitution, without showing by what discipline, customs, and laws such a state can be founded or kept. Scipio answers that he has defined three acceptable forms, three corrupt ones opposed to them, and a best form mixed from the first three. Rome served not to define the best but to show it at work in the greatest of states; to seek the ideal without any example, one must use an image drawn from nature.

64 Cum ea Scipio dixisset silentioque omnium reliqua
 when those-things Scipio had-said and-in-silence of-all the-remaining
 eius expectaretur oratio, tum Tuberо: Quoniam nihil ex te,
 his was-awaited speech then Tuberо since nothing from you
 Africane, hi maiores natu requirunt, ex me audies, quid in
 Africanus these greater in-age seek from me you-shall-hear what in
 oratione tua desiderem. Sane, inquit Scipio, et libenter quidem.
 speech your I-miss certainly says Scipio and gladly indeed
 Tum ille: Laudavisse mihi videris nostram rem publicam, cum
 then he to-have-praised to-me you-seem our thing public though
 ex te non de nostra, sed de omni re publica quaesisset
 from you not about ours but about every thing public had-asked
 Laelius. Nec tamen didici ex oratione tua, istam ipsam
 Laelius nor yet have-I-learned from speech your that very

rem publicam, quam laudas, qua disciplina, quibus moribus
thing public which you-praise by-what training by-what morals
 aut legibus constituere vel conservare possimus.

or by-laws to-establish or to-preserve we-may-be-able

Hic Africanus: Puto nobis mox de instituendis et 65

here Africanus I-think for-us soon about establishing and

conservandis civitatibus aptiorem, Tubero, fore

preserving states more-fitting Tubero to-be-about-to-be

disserundi locum; de optimo autem statu equidem

of-discussing occasion about the-best moreover constitution for-my-part

arbitrabar me satis respondisse ad id, quod quaesierat

I-thought that-I sufficiently to-have-answered to that which had-asked

Laelius. Primum enim numero definieram genera civitatum

Laelius first for by-number I-had-defined the-kinds of-states

tria probabilia, perniciose autem tribus illis totidem contraria,

three acceptable ruinous moreover to-three those as-many opposite

nullumque ex eis unum esse optimum, sed id praestare

and-none of them single to-be best but that to-excel

singulis, quod e tribus primis esset modice temperatum.

single-ones which from three first was moderately blended

Quod autem exemplo nostrae civitatis usus sum, non ad 66

that moreover the-example of-our state used I-have not for

definiendum optimum statum valuit (nam id fieri potuit

defining the-best constitution availed for that to-be-done could

sine exemplo), sed ut civitate maxima reapse cerneretur

without example but that in-a-state the-greatest in-reality it-might-be-seen

quale esset id, quod ratio oratioque describeret. Sin

of-what-sort was that which reason and-speech described but-if

autem sine ullius populi exemplo genus ipsum exquiris

moreover without of-any people example the-kind itself you-seek

optimi status, naturae imagine utendum est nobis, quoniam

of-the-best constitution of-nature the-image to-be-used is by-us since

tu hanc imaginem urbis et populi ni ***

you this image of-the-city and of-the-people (fragment) (lacuna)

XXII • THE STATESMAN AND CONCORD

After a gap, Scipio likens the prudent statesman to an elephant driver steering his beast lightly, though the mind tames a harder beast, and rarely: savage anger, greedy desire, grief, and fear. The statesman must study himself and be a mirror to his citizens. As music blends unlike notes, a state blends its orders into concord, which needs justice. Nothing said holds, Scipio says, unless they prove that no commonwealth can be governed without the highest justice. They adjourn.

67 *** quem iam dudum quaero et ad quem cupio pervenire.

(lacuna) whom now long I-seek and to whom I-desire to-come

L. Prudentem fortasse quaeris? Tum ille: Istum ipsum.

the-prudent-man perhaps you-seek then he that very-one

L. Est tibi ex eis ipsis, qui adsunt, bella copia, vel

there-is for-you from those very who are-present a-fine supply even

ut a te ipso ordiare. Tum Scipio: Atque utinam ex

that from you yourself you-may-begin then Scipio and would-that from

omni senatu pro rata parte esset! Sed tamen est ille

the-whole senate in fixed proportion there-were but still is he

prudens, qui, ut saepe in Africa vidimus, immani et

prudent who as often in Africa we-saw on-a-monstrous and

vastae insidens beluae coerces et regit beluam, quocumque

huge sitting beast restrains and directs the-beast wherever

vult, levi admonitu non actu inflectit illam feram.

he-wishes by-a-light prompting not by-force he-turns that wild-beast

L. Novi et, tibi cum essem legatus, saepe vidi.

I-know and for-you when I-was legate often I-saw

s. Ergo ille Indus aut Poenus unam coercet beluam,
therefore that Indian or Carthaginian one restrains beast
 et eam docilem et humanis moribus adsuetam; at vero
and that teachable and to-human ways accustomed but indeed
 ea, quae latet in animis hominum quaeque pars animi
that which lies-hidden in the-minds of-men and-which part of-the-soul
 mens vocatur, non unam aut facilem ad subigendum frenat
the-mind is-called not one or easy for subduing it-bridles
 et domat, si quando id efficit, quod perraro potest.
and tames if ever that it-accomplishes which very-rarely it-can
 Namque et illa tenenda est ferox ***

for both that to-be-held is fierce (lacuna)
 quae sanguine alitur, quae in omni crudelitate sic exultat, 68
which on-blood is-fed which in every cruelty so exults
 ut vix hominum acerbis funeribus satietur. cupido autem
that scarcely of-men by-bitter deaths it-is-sated to-the-greedy moreover
 et expetenti et lubricinoso et volutabundo in voluptatibus.
and to-the-grasping and to-the-lustful and to-the-wallowing in pleasures
 quartaque anxietudo prona ad luctum et maerens semperque
and-the-fourth anxiety inclined to grief and mourning and-always
 ipsa se sollicitans. esse autem angore, esse miseria
it-itself itself tormenting to-be moreover with-anguish to-be with-misery
 adflictas aut abiectas timiditate et ignavia. Ut auriga
afflicted or cast-down by-timidty and cowardice as a-charioteer
 indoctus e curru trahitur, opteritur, laniatur, eliditur.

unskilled from the-chariot is-dragged is-trampled is-mangled is-crushed
 *** dici possit. Tum Laelius: Video iam, illum, quem 69
(lacuna) to-be-said could then Laelius I-see now that whom
 expectabam, virum cui praeicias officio et muneri.
I-was-awaiting man whom you-may-put-over duty and function
 Huic scilicet, Africanus, uni paene (nam in hoc fere
over-this-one of-course Africanus alone almost for in this nearly

uno sunt cetera), ut numquam a se ipso intuendo
one-thing are the-rest that never from him himself examining
 contemplandoque discedat, ut ad imitationem sui
and-contemplating he-may-depart that to imitation of-himself
 vocet alios, ut sese splendore animi et vitae suae
he-may-summon others that himself by-the-splendor of-soul and of-life his-own
 sicut speculum praebeat civibus. Ut enim in fidibus aut
as a-mirror he-may-offer to-the-citizens as for in strings or
 tibiis atque ut in cantu ipso ac vocibus concentus est
pipes and as in song itself and voices a-harmony is
 quidam tenendus ex distinctis sonis, quem inmutatum
certain to-be-kept from distinct sounds which altered
 aut discrepantem aures eruditae ferre non possunt, isque
or discordant ears trained to-bear not can and-that
 concentus ex dissimillimarum vocum moderatione concors
harmony from of-most-unlike voices by-the-regulation concordant
 tamen efficitur et congruens, sic ex summis et infimis et
still is-made and agreeing so from the-highest and the-lowest and
 mediis interiectis ordinibus ut sonis moderata ratione civitas
middle interposed orders as by-sounds regulated by-reason the-state
 consensu dissimillimorum concinit; et quae harmonia
by-the-agreement of-most-unlike harmonizes and what harmony
 a musicis dicitur in cantu, ea est in civitate concordia,
by musicians is-called in song that is in the-state concord
 artissimum atque optimum omni in re publica vinculum
the-tightest and best every in thing public bond
 incolumitatis, eaque sine iustitia nullo pacto esse potest.
of-safety and-it without justice in-no way to-be can

70 *** plenam esse iustitiae. Tum Scipio: Adsentior vero
(lacuna) full to-be of-justice then Scipio I-agree indeed
 renuntioque vobis nihil esse, quod adhuc de re publica
and-I-declare to-you nothing to-be which so-far about the-thing public

dictum putemus aut quo possimus longius progredi, nisi
said we-may-think or whither we-can further to-advance unless
 erit confirmatum non modo falsum illud esse, sine
it-shall-be establisbed not only false that to-be without
 iniuria non posse, sed hoc verissimum esse, sine summa
injustice not to-be-able but this most-true to-be without the-highest
 iustitia rem publicam geri nullo modo posse. Sed, si
justice the-thing public to-be-managed in-no way to-be-able but if
 placet, in hunc diem hactenus; reliqua (satis enim multa
it-pleases for this day thus-für the-rest enough for many-things
 restant) differamus in crastinum. Cum ita placuisset, finis
remain let-us-postpone to tomorrow when so it-had-pleased an-end
 disputandi in eum diem factus est.
of-discussing for that day made was

BOOK III

I • SPEECH, NUMBER, AND THE STATESMAN

The book opens in a gap, among reason's gifts to mankind: it divided the confused sounds of early men into words that bound them together, found a few letters to record every sound, and discovered number, which first led men to study the heavens. Philosophers deserve honor as teachers of virtue, but the art of governing peoples is no less worthy. Best are men like Scipio, Laelius, and Philus, who joined ancestral custom to Socratic learning; if one path must be chosen, the statesman's is the more glorious.

1

(lacuna)

*** et vehiculis tarditati, eademque cum accepisset homines 3

(lacuna) and by-vehicles to-slowness and-the-same when it-had-received men

inconditis vocibus inchoatum quiddam et confusum sonantes,

with-unformed voices unfinished something and confused sounding

incidit has et distinxit in partis et ut signa quaedam sic verba

it-cut these and divided into parts and as signs certain so words

rebus inpressit hominesque antea dissociatos iucundissimo inter

on-things it-stamped and-men before separated by-the-most-pleasant among

se sermonis vinclo conligavit. A simili etiam mente vocis,

themselves of-speech bond it-bound by like also mind of-the-voice

qui videbantur infiniti, soni paucis notis inventis sunt omnes

which seemed infinite sounds by-few marks invented have all

signati et expressi, quibus et conloquia cum absentibus

been-marked and expressed by-which both conversations with the-absent

et indicia voluntatum et monumenta rerum praeteritarum

and indications of-wishes and records of-things past

tenerentur. Accessit eo numerus, res cum ad vitam

might-be-held there-was-added to-that number a-thing as-much for life

necessaria, tum una inmutabilis et aeterna; quae prima inpulit
necessary so alone unchangeable and eternal which first impelled
 etiam, ut suspiceremus in caelum nec frustra siderum motus
also that we-should-look-up into the-sky nor in-vain of-the-stars the-motions
 intueremur dinumerationibusque noctium ac dierum ***

we-should-watch and-by-the-counting of-nights and of-days (lacuna)

- 4 *** quorum animi altius se extulerunt et aliquid
(lacuna) whose minds higher themselves raised and something
 dignum dono, ut ante dixi, deorum aut efficere aut
worthy of-the-gift as before I-said of-the-gods either to-accomplish or
 excogitare potuerunt. Quare sint nobis isti, qui de
to-devise were-able therefore let-be for-us those-men who about
 ratione vivendi disserunt, magni homines, ut sunt, sint
the-method of-living discourse great men as they-are let-them-be
 eruditi, sint veritatis et virtutis magistri, dum modo
learned let-them-be of-truth and of-virtue teachers provided only
 sit haec quaedam, sive a viris in rerum publicarum
it-be this a-certain whether by men in of-things public
 varietate versatis inventa sive etiam in istorum otio ac
the-variety engaged discovered or even in of-those-men the-leisure and
 litteris tractata res, sicut est, minime quidem contemnenda,
letters handled a-thing as it-is by-no-means indeed to-be-despised
 ratio civilis et disciplina populorum, quae perficit in bonis
the-method civil and discipline of-peoples which achieves in good
 ingeniis, id quod iam persaepe perfecit, ut incredibilis
talents that which already very-often it-has-achieved that incredible
 quaedam et divina virtus existeret.

a-certain and divine virtue should-arise

- 5 Quodsi quis ad ea instrumenta animi, quae natura
but-if anyone to those instruments of-mind which by-nature
 quaeque civilibus institutis habuit, adiungendam sibi etiam
and-which by-civil institutions he-had to-be-added for-himself also

doctrinam et uberiores rerum cognitionem putavit, ut ii
learning and a-richer of-things knowledge thought as those
 ipsi, qui in horum librorum disputatione versantur, nemo
very-men who in of-these books the-discussion are-engaged no-one
 est, quin eos anteferre omnibus debeat. Quid enim potest
is but-that them to-put-before all ought what for can
 esse praeclarius, quam cum rerum magnarum tractatio atque
to-be more-glorious than when of-things great the-handling and
 usus cum illarum artium studiis et cognitione coniungitur?
practice with of-those arts the-studies and knowledge is-joined
 aut quid P. Scipione, quid C. Laelio, quid
or what than-Publius Scipio what than-Gaius Laelius what
 L. Philo perfectius cogitari potest? qui, ne quid
than-Lucius Philus more-perfect to-be-conceived can who lest anything
 praetermitterent, quod ad summam laudem clarorum virorum
they-should-omit which to the-highest praise of-illustrious men
 pertineret, ad domesticum maiorumque morem etiam hanc
pertained to the-native and-of-the-ancestors custom also this
 a Socrate adventiciam doctrinam adhibuerunt.

from Socrates foreign learning applied

Quare qui utrumque voluit et potuit, id est ut cum
therefore who both wished and was-able that is that as-much
 maiorum institutis, tum doctrina se instrueret, ad laudem
of-the-ancestors by-institutions so by-learning himself should-equip for praise
 hunc omnia consecutum puto. Sin altera est utra
this-man all-things to-have-attained I-think but-if one-or-the-other is of-the-two
 via prudentiae deligenda, tamen, etiamsi cui videbitur
way of-prudence to-be-chosen still even-if to-someone shall-seem
 illa in optimis studiis et artibus quieta vitae ratio beatior,
that in the-best pursuits and arts quiet of-life method happier

6

haec civilis laudabilior est certe et inlustrior, ex qua
this civil more-praiseworthy is certainly and more-illustrious from which
 vita sic summi viri ornantur, ut vel M'. Curius,
life so the-highest men are-honored as either Manius Curius

quem nemo ferro potuit superare nec auro,
whom no-one with-steel could overcome nor with-gold

vel * * *

or (lacuna)

II · PHILUS TAKES THE CASE FOR INJUSTICE

Philosophers nourished nature's principles with words, statesmen with institutions and laws, and Rome has bred more men worthy of the highest praise, if not wise in the strict sense. After a gap, Philus protests that his friends hand him the defense of wickedness. Laelius teases that he may seem to believe it, though Philus is a model of old honesty known for arguing both sides. Philus complies, since justice is worth more than gold, and will voice Carneades' arguments for them to answer.

7 * * * fuisse sapientiam, tamen hoc in ratione utriusque
(lacuna) to-have-been wisdom still this in the-method of-each
 generis interfuit, quod illi verbis et artibus aluerunt naturae
kind differed that they by-words and arts nourished of-nature
 principia, hi autem institutis et legibus. Pluris vero haec
the-beginnings these however by-institutions and laws more indeed this
 tulit una civitas, si minus sapientis, quoniam id nomen
bore one state if not wise-men since that name
 illi tam restricte tenent, at certe summa laude dignos,
they so strictly keep at-least certainly of-highest praise worthy
 quoniam sapientium praecepta et inventa coluerunt. Atque
since of-the-wise the-precepts and discoveries they-cultivated and

etiam, quot et sunt laudandae civitates et fuerunt, quoniam
also how-many both are praiseworthy states and have-been since
 id est in rerum natura longe maximi consilii, constituere
that is in of-things the-nature by-far of-greatest counsel to-establish
 eam rem publicam, quae possit esse diuturna, si singulos
that thing public which can to-be lasting if single-men
 numeremus in singulas, quanta iam reperiatur virorum
we-count for single-states how-great already may-be-found of-men
 excellentium multitudo! Quodsi aut Italiae Latium aut eiusdem
outstanding a-multitude but-if either of-Italy Latium or of-the-same
 Sabinam aut Volscam gentem, si Samnium, si Etruriam,
the-Sabine or Volscian nation if Samnium if Etruria
 si magnam illam Graeciam conlustrare animo voluerimus, si
if great that Greece to-survey in-mind we-shall-wish if
 deinde Assyrios, si Persas, si Poenos, si haec ***
then the-Assyrians if the-Persians if the-Carthaginians if these (lacuna)
 *** cati. Et Philus: Praeclaram vero causam ad me
(lacuna) (fragment) and Philus a-splendid indeed case to me
 defertis, cum me improbitatis patrociniū suscipere voltis.
you-bring when me of-wickedness the-defense to-undertake you-wish
 Atqui id tibi, inquit Laelius, verendum est, si ea
and-yet that for-you says Laelius to-be-feared is if those-things
 dixeris, quae contra iustitiam dici solent, ne sic etiam
you-say which against justice to-be-said are-wont lest so also
 sentire videre, cum et ipse sis quasi unicum
to-think you-may-seem since both yourself you-are as-it-were a-unique
 exemplum antiquae probitatis et fidei neque sit ignota
example of-ancient uprightness and good-faith nor is unknown
 consuetudo tua contrarias in partis disserendi, quod ita
habit your opposite on sides of-arguing because so
 facillume verum inveniri putes. Et Philus: Heia vero,
most-easily the-truth to-be-found you-think and Philus come-now indeed

inquit, geram morem vobis et me oblinam sciens;
he-says I-will-bear compliance for-you and myself I-will-besmeat knowingly
 quod quoniam, qui aurum quaerunt, non putant sibi
which since who gold seek not think for-themselves
 recusandum, nos, cum iustitiam quaeramus, rem multo omni
to-be-refused we since justice we-seek a-thing much than-all
 auro cariorem, nullam profecto molestiam fugere debemus.
gold dearer no surely trouble to-flee we-ought
 Atque utinam, quem ad modum oratione sum usus
and would-that in-what to manner speech I-am about-to-use
 aliena, sic mihi ore uti liceret alieno! Nunc ea
another's so for-me a-mouth to-use it-were-allowed another's now those-things
 dicenda sunt L. Furio Philo, quae Carneades, Graecus
to-be-said are by-Lucius Furius Philus which Carneades a-Greek
 homo et consuetus, quod commodum esset, verbis ***
man and accustomed what convenient was in-words (lacuna)
 9 ut Carneadi respondeatis, qui saepe optimas causas ingenii
that to-Carneades you-may-reply who often the-best causes of-talent
 calumnia ludificari solet.
by-trickery to-make-sport-of is-wont

III • NO JUSTICE BY NATURE

Justice looks outward, the most generous of virtues, born for others rather than itself, and great philosophers raised it high, though their case defeated their talent. Philus argues that right is a civil convention, not a natural one: if it were natural, just and unjust would be the same for all, like hot and cold. Yet a traveler over the earth would find the Egyptians worshipping a bull, the Greeks setting human images in temples, and the Persians thinking this impious, which is why Xerxes burned the temples of Athens.

Iustitia foras spectat et proiecta tota est atque eminet. 11

justice outward looks and projected wholly is and stands-out

Quae virtus praeter ceteras totam se ad alienas porrigit

which virtue beyond the-others wholly itself to others' stretches-out

utilitatis atque explicat.

interests and unfolds

*** et reperiret et tueretur, alter autem de ipsa 12

(lacuna) both might-discover and might-defend the-other moreover about itself

iustitia quattuor implevit sane grandis libros. Nam ab

justice four filled truly great books for from

Chrysippo nihil magnum nec magnificum desideravi, qui

Chrysippus nothing great nor magnificent I-expected who

suo quodam more loquitur, ut omnia verborum

in-his-own certain manner speaks so-that all-things of-words

momentis, non rerum ponderibus examinet. Illorum fuit

by-the-moments not of-things by-the-weights he-weighs of-those it-was

heroum eam virtutem, quae est una, si modo est, maxime

heroes that virtue which is alone if only it-is most

munifica et liberalis, et quae omnis magis quam sepe

bountiful and generous and which all-men more than itself

diligit, aliis nata potius quam sibi, excitare iacentem et

loves for-others born rather than for-itself to-raise lying-low and

in illo divino solio non longe a sapientia conlocare.

on that divine throne not far from wisdom to-place

Nec vero illis aut voluntas defuit (quae enim iis scribendi 13

nor indeed to-them either the-will was-lacking what for for-them of-writing

alia causa aut quod omnino consilium fuit?) aut ingenium,

other cause or what at-all purpose was or talent

quo omnibus praestiterunt; sed eorum et voluntatem et

by-which all they-excelled but their both will and

copiam causa vicit. Ius enim, de quo quaerimus, civile est

abundance the-case overcame right for about which we-inquire civil is

aliquod, naturale nullum; nam si esset, ut calida et frigida, ut
some natural none for if it-were as hot and cold as
 amara et dulcia, sic essent iusta et iniusta eadem omnibus.

bitter and sweet so would-be just and unjust the-same for-all

- 14 Nunc autem, si quis illo Pacuviano ‘invehens alitum
now however if anyone in-that Pacuvian riding of-winged
 anguim curru’ multas et varias gentis et urbes despicere
of-snakes chariot many and various nations and cities to-look-down-on
 et oculis conlustrare possit, videat primum in illa
and with-eyes to-survey could he-would-see first in that
 incorrupta maxime gente Aegyptiorum, quae plurimorum
unspoiled most nation of-the-Egyptians which of-very-many
 saeculorum et eventorum memoriam litteris continet, bovem
ages and of-events the-memory in-writings preserves an-ox
 quendam putari deum, quem Apim Aegyptii nominant,
certain to-be-thought a-god whom Apis the-Egyptians name
 multaue alia portenta apud eosdem et cuiusque generis
and-many other monsters among the-same and of-every kind
 beluas numero consecratas deorum; deinde Graeciae, sicut
beasts in-the-number consecrated of-the-gods then of-Greece as
 apud nos, delubra magnifica humanis consecrata simulacris,
among us shrines magnificent with-human consecrated images
 quae Persae nefaria putaverunt; eamque unam ob
which the-Persians impious thought and-that one on-account-of
 causam Xerses inflammari Atheniensium fana iussisse
reason Xerxes to-be-set-afire of-the-Athenians the-temples to-have-ordered
 dicitur, quod deos, quorum domus esset omnis hic mundus,
is-said because the-gods whose home was all this universe
 inclusos parietibus contineri nefas esse duceret.
shut-in by-walls to-be-confined wrong to-be be-thought

Philip and Alexander later made war to avenge those temples. Many peoples have thought human sacrifice pious; Cretans and Aetolians honor brigandage; Rome forbids the peoples beyond the Alps to plant olives and vines, which is called prudent, not just. Laws change even within one city, as the Voconian law on women's inheritance shows. If justice means obeying laws, which laws? Virtue admits no such inconstancy, so there is no natural right. Pythagoras and Empedocles even extend right to animals.

Post autem cum Persis et Philippus, qui cogitavit, 15
afterward moreover with the-Persians both Philip who planned
 et Alexander, qui gessit, hanc bellandi causam inferebat,
and Alexander who carried-out this of-warring cause alleged
 quod vellet Graeciae fana poenire; quae ne reficienda
that he-wished of-Greece the-temples to-avenge which not to-be-rebuilt
 quidem Graii putaverunt, ut esset posteris ante os
even the-Greeks thought that there-might-be for-posterity before the-face
 documentum Persarum sceleris sempiternum. Quam multi,
a-proof of-the-Persians of-crime everlasting how many
 ut Tauri in Axino, ut rex Aegypti Busiris, ut Galli,
as the-Tauri on the-Euxine as the-king of-Egypt Busiris as the-Gauls
 ut Poeni, homines immolare et pium et dis
as the-Carthaginians men to-sacrifice both pious and to-the-gods
 immortalibus gratissimum esse duxerunt! Vitae vero instituta
immortal most-pleasing to-be thought of-life indeed the-customs
 sic distant, ut Cretes et Aetoli latrocinari honestum
so differ that the-Cretans and Aetolians to-plunder honorable
 putent, Lacedaemonii suos omnes agros esse dictitarint,
think the-Lacedaemonians their-own all lands to-be kept-saying
 quos spiculo possent attingere. Athenienses iurare etiam
which with-a-spear they-could touch the-Athenians to-swear even

publice solebant omnem suam esse terram, quae oleam
publicly were-wont all their-own to-be land which the-olive
 frugesve ferret; Galli turpe esse ducunt frumentum manu
grain-or bore the-Gauls base to-be think grain by-band
 quaerere, itaque armati alienos agros demetunt;
to-get and-so armed others' fields they-reap

- 16 nos vero iustissimi homines, qui Transalpinas gentis oleam
we indeed most-just men who Transalpine nations the-olive
 et vitem serere non sinimus, quo pluris sint nostra
and the-vine to-plant not allow so-that of-more-value may-be our
 oliveta nostraeque vineae; quod cum faciamus, prudenter
olive-groves and-our vineyards which when we-do prudently
 facere dicimur, iuste non dicimur, ut intellegatis
to-act we-are-said justly not we-are-said so-that you-may-understand
 discrepare ab aequitate sapientiam. Lycurgus autem, ille
to-differ from fairness wisdom Lycurgus moreover that
 legum optumarum et aequissumi iuris inventor, agros
of-laws best and of-most-fair right the-inventor the-lands
 locupletium plebi ut servitio colendos dedit.
of-the-rich to-the-commons as to-a-slave-class to-be-tilled gave

- 17 Genera vero si velim iuris, institutorum, morum
the-kinds indeed if I-should-wish of-law of-institutions of-manners
 consuetudinumque describere, non modo in tot gentibus
and-of-customs to-describe not only among so-many nations
 varia, sed in una urbe, vel in hac ipsa, milliens
various but in one city even in this very a-thousand-times
 mutata demonstrarem, ut hic iuris noster interpretes alia
changed I-could-show so-that this of-law our interpreter other
 nunc Manilius iura dicat esse de mulierum legatis et
now Manilius laws may-say to-be about of-women legacies and
 hereditatibus, alia solitus sit adulescens dicere nondum
inheritances other accustomed he-was a-young-man to-say not-yet

Voconia lege lata; quae quidem ipsa lex utilitatis virorum

the-Voconian law carried which indeed itself law of-the-advantage of-men

gratia rogata in mulieres plena est iniuriae. Cur enim

for-the-sake proposed toward women full is of-injustice why for

pecuniam non habeat mulier? cur virgini Vestali sit

money not may-have a-woman why to-a-maiden Vestal there-may-be

heres, non sit matri suae? cur autem, si pecuniae

an-beir not may-be to-mother her-own why moreover if of-money

modus statuendus fuit feminis, P. Crassi filia posset

a-limit to-be-set was for-women of-Publius Crassus the-daughter could

habere, si unica patri esset, aeris milliens salva

to-have if the-only-one to-(her)-father she-were of-bronze a-hundred-million safe

lege, mea triciens non posset ***

the-law my three-million not could (lacuna)

*** sanxisset iura nobis, et omnes isdem et iidem non 18

(lacuna) had-ordained laws for-us and all the-same and the-same not

alias aliis uterentur. Quaero autem, si iusti hominis et si

at-other-times other would-use I-ask moreover if of-a-just man and if

boni est viri parere legibus, quibus? an quaecumque erunt?

of-a-good is man to-obey laws which or whatever there-shall-be

At nec inconstantiam virtus recipit, nec varietatem natura

but neither inconsistency virtue admits nor variety nature

patitur, legesque poena, non iustitia nostra comprobantur;

allows and-the-laws by-penalty not by-justice our are-approved

nihil habet igitur naturale ius; ex quo illud efficitur, ne

nothing has therefore natural right from which that follows not

iustos quidem esse natura. An vero in legibus varietatem

the-just even to-be by-nature or indeed in laws variety

esse dicunt, natura autem viros bonos eam iustitiam sequi,

to-be they-say by-nature however men good that justice to-follow

quae sit, non eam, quae putetur? esse enim hoc boni viri

which is not that which is-thought to-be for this of-a-good man

et iusti, tribuere id cuique, quod sit quoque dignum.

and just to-render that to-each which is of-each worthy

19 Ecquid ergo primum mutis tribuemus beluis? non enim

anything then first to-dumb shall-we-render beasts not for

mediocres viri, sed maximi et docti, Pythagoras et

ordinary men but the-greatest and learned Pythagoras and

Empedocles, unam omnium animantium condicionem iuris

Empedocles one of-all living-things condition of-right

esse denuntiant clamantque inexpiabilis poenas impendere

to-be proclaim and-cry-out inexpressible penalties to-hang-over

illis, a quibus violatum sit animal. Scelus est igitur

those by whom harmed has-been a-living-thing a-crime it-is therefore

nocere bestiae, quod scelus qui velit ***

to-harm a-beast which crime who would-wish (lacuna)

V · JUSTICE, THE CHILD OF WEAKNESS

After a gap, Philus unmasks the forms of rule: tyrants prefer the name of king, a faction calls itself the best men, and license passes for liberty. The mixed constitution is a bargain struck from mutual fear, for justice is born of weakness, not nature. A pirate tells his questioner he harries the sea as the questioner harries the world. Wisdom bids a state enlarge its power, justice bids it spare others, and Philus asks whether Rome grew great by justice or by wisdom.

23 *** Sunt enim omnes, qui in populum vitae necisque

(lacuna) are for all who over the-people of-life and-of-death

potestatem habent, tyranni, sed se Iovis optimi nomine

the-power have tyrants but themselves of-Jupiter best by-the-name

malunt reges vocari. Cum autem certi propter divitias

prefer kings to-be-called when moreover certain-men because-of riches

aut genus aut aliquas opes rem publicam tenent, est factio,
or birth or some resources the-thing public hold it-is a-faction
 sed vocantur illi optimates. Si vero populus plurimum potest
but are-called they the-best-men if indeed the-people most has-power
 omniaque eius arbitrio reguntur, dicitur illa libertas, est vero
and-all-things by-its judgment are-ruled is-called that liberty is indeed
 licentia. Sed cum alius alium timet, et homo hominem et
license but when one another fears both man man and
 ordo ordinem, tum quia sibi nemo confidit, quasi pactio
order order then because in-himself no-one trusts as-it-were a-compact
 fit inter populum et potentis; ex quo existit id, quod
is-made between the-people and the-powerful from which arises that which
 Scipio laudabat, coniunctum civitatis genus; etenim iustitiae
Scipio praised combined of-state kind for-indeed of-justice
 non natura nec voluntas, sed inbecillitas mater est. Nam
not nature nor will but weakness the-mother is for
 cum de tribus unum est optandum, aut facere iniuriam nec
when of three one is to-be-chosen either to-do wrong and-not
 accipere aut et facere et accipere aut neutrum, optimum
to-receive or both to-do and to-receive or neither best
 est facere, impune si possis, secundum nec facere nec
is to-do-it with-impunity if you-can second neither to-do nor
 pati, miserrimum digladiari semper tum faciendis, tum
to-suffer most-wretched to-fight-to-the-death always now in-doing now
 accipiendis iniuriis. Ita qui primum illud adsequi ***
in-receiving wrongs so who first that to-attain (lacuna)
 Nam cum quaereretur ex eo, quo scelere impulsus mare
for when it-was-asked of him by-what crime driven the-sea
 haberet infestum uno myoparone, 'Eodem', inquit, 'quo
he-held infested with-one pirate-galley by-the-same he-says by-which
 tu orbem terrae.'
you the-orb of-the-earth

24 *** omni *** tote. Sapientia iubet augere opes,
 (lacuna) all (lacuna) (fragment) wisdom bids to-increase resources
 amplificare divitias, proferre finis (unde enim esset illa
 to-enlarge riches to-extend boundaries whence for would-be that
 laus in summorum imperatorum incisa monimentis: finis
 praise on of-the-greatest commanders carved monuments the-boundaries
 imperii propagavit, nisi aliquid de alieno accessisset?),
 of-empire he-extended unless something from another's had-been-added
 imperare quam plurimis, frui voluptatibus, pollere,
 to-rule as most-possible to-enjoy pleasures to-be-powerful
 regnare, dominari; iustitia autem praecipit parcere omnibus,
 to-reign to-lord-it justice however instructs to-spare all
 consulere generi hominum, suum cuique reddere, sacra,
 to-look-after the-race of-men his-own to-each to-render sacred
 publica, aliena non tangere. Quid igitur efficitur, si sapientiae
 public others' not to-touch what therefore follows if wisdom
 pareas? divitiae, potestates, opes, honores, imperia, regna
 you-obey riches powers resources honors commands kingdoms
 vel privatis vel populis. Sed quoniam de re publica
 either for-private-men or for-peoples but since about the-thing public
 loquimur, sunt inlustriora, quae publice fiunt, quoniamque
 we-speak are more-illustrious what publicly is-done and-since
 eadem est ratio iuris in utroque, de populi sapientia
 the-same is the-principle of-right in each about of-the-people wisdom
 dicendum puto. Ut iam omittam alios, noster hic populus,
 to-be-spoken I-think that now I-may-pass-over others our this people
 quem Africanus hesterno sermone a stirpe repetivit, cuius
 which Africanus in-yesterday's conversation from the-root traced whose
 imperio iam orbis terrae tenetur, iustitia an sapientia est
 by-empire now the-orb of-the-earth is-held by-justice or by-wisdom is
 e minimo omnium maximus factus? ***
 from least of-all greatest made (lacuna)

*** praeter Arcadas et Atheniensis, qui, credo, timentes 25
 (lacuna) except the-Arcadians and the-Athenians who I-believe fearing
 hoc interdictum iustitiae ne quando existeret, commenti sunt
 this injunction of-justice lest ever it-should-appear invented have
 se de terra tamquam hos ex arvis musculos extitisse.
 themselves from the-earth like these from fields little-mice to-have-sprung-up

VI · THE JUST MAN TORTURED

Some defend justice because the good live free of fear while the wicked are haunted by thoughts of punishment. Philus answers with a test: suppose the best man is thought a criminal and is seized, blinded, and exiled, while the worst is honored and enriched as the best; who would hesitate which to be? What holds for men holds for peoples, and no state is so foolish that it would not rather rule unjustly than serve justly. Philus recalls the Numantine treaty: Mancinus showed honor, Pompeius prudence.

Ad haec illa dici solent primum ab iis, qui 26
 to these-things those-things to-be-said are-wont first by those who
 minime sunt in disserendo mali, qui in ea causa eo plus
 by-no-means are in arguing bad who in that case by-that more
 auctoritatis habent, quia, cum de viro bono quaeritur, quem
 of-authority have because when about a-man good it-is-inquired whom
 apertum et simplicem volumus esse, non sunt in disputando
 open and straightforward we-wish to-be not they-are in debating
 vafri, non veteratores, non malitiosi; negant enim sapientem
 crafty not old-hands not malicious they-deny for that-the-wise-man
 idcirco virum bonum esse, quod eum sua sponte ac per
 for-this-reason a-man good to-be because him of-its-own accord and by
 se bonitas et iustitia delectet, sed quod vacua metu, cura,
 itself goodness and justice delights but because free from-fear from-care

sollicitudine, periculo vita bonorum virorum sit, contra
from-anxiety from-danger the-life of-good men is on-the-other-hand
 autem improbis semper aliqui scrupus in animis haereat,
however for-the-wicked always some sharp-stone in minds sticks
 semper iis ante oculos iudicia et supplicia versentur;
always to-them before the-eyes trials and punishments hover
 nullum autem emolumentum esse, nullum iniustitia partum
no moreover gain to-be no by-injustice acquired
 praemium tantum, semper ut timeas, semper ut adesse,
reward so-great always that you-should-fear always that to-be-at-hand
 semper ut impendere aliquam poenam putes, damna * * *
always that to-hang-over some punishment you-think losses (lacuna)
 Quaero, si duo sint, quorum alter optimus vir, aequissimus,
I-ask if two there-be of-whom one best man most-fair
 summa iustitia, singulari fide, alter insigni scelere et
of-highest justice of-singular good-faith the-other of-notorious crime and
 audacia, et si in eo sit errore civitas, ut bonum illum virum
audacity and if in that be error the-state that good that man
 sceleratum, facinorosum, nefarium putet, contra autem,
criminal villainous abominable it-thinks on-the-other-hand however
 qui sit improbissimus, existimet esse summa probitate ac
who is most-wicked it-judges to-be of-highest uprightness and
 fide, proque hac opinione omnium civium bonus ille vir
good-faith and-for this opinion of-all citizens good that man
 vexetur, rapiatur, manus ei denique adferantur, effodiantur
is-barassed is-seized hands on-him finally are-laid are-gouged-out
 oculi, damnetur, vinciat, uratur, exterminetur egeat,
eyes be-is-condemned is-bound is-burned is-banished is-in-want
 27 postremo iure etiam optimo omnibus miserrimus esse
finally by-right even the-best to-all most-wretched to-be
 videatur, contra autem ille improbus laudetur, colatur,
seems on-the-other-hand however that wicked-man is-praised is-courted

ab omnibus diligatur, omnes ad eum honores, omnia imperia,
by all is-loved all to him honors all commands

omnes opes, omnes undique copiae conferantur, vir

all resources all from-everywhere supplies are-gathered a-man

denique optimus omnium existimatione et dignissimus omni

finally best of-all by-the-estimate and most-worthy of-every

fortuna optima iudicetur, quis tandem erit tam demens,

fortune best is-judged who pray will-be so mad

qui dubitet, utrum se esse malit?

who would-doubt which-of-the-two himself to-be he-would-prefer

Quod in singulis, idem est in populis: nulla est tam stulta 28

what in individuals the-same is in peoples no is so foolish

civitas, quae non iniuste imperare malit quam servire iuste.

state which not unjustly to-command would-prefer than to-serve justly

Nec vero longius abibo. Consul ego quaesivi, cum vos mihi

nor indeed further will-I-go consul I inquired when you to-me

essetis in consilio, de Numantino foedere. Quis ignorabat

were in council about the-Numantine treaty who did-not-know

Q. Pompeium fecisse foedus, eadem in causa esse

that-Quintus Pompeius to-have-made a-treaty the-same in position to-be

Mancinum? alter, vir optimus, etiam suasit rogationem me ex

Mancinus the-one a-man best even urged the-bill me from

senatus consulto ferente, alter acerrime se defendit. Si

of-the-senate decree bringing-forward the-other most-fiercely himself defended if

pudor quaeritur, si probitas, si fides, Mancinus haec attulit,

modesty is-sought if uprightness if good-faith Mancinus these-things brought

si ratio, consilium, prudentia, Pompeius antistat. Utrum ***

if reason counsel prudence Pompeius stands-ahead which (lacuna)

The company presses Laelius to take his part, as he promised the day before. Laelius judges the case against justice unfit for the young. True law is right reason in agreement with nature, constant and everlasting; no senate or people can release us from it, it is one law for all nations with god its author, and whoever disobeys it flees himself. A state should be eternal and dies no natural death. A just war must be declared, and Rome won its empire defending allies.

- 32 Non graverer, Laeli, nisi et hos velle putarem et ipse
not I-would-be-reluctant Laelius unless both these to-wish I-thought and myself
 cuperem te quoque aliquam partem huius nostri sermonis
I-desired you also some part of-this our conversation
 attingere, praesertim cum heri ipse dixeris te nobis
to-take-up especially since yesterday yourself you-said that-you for-us
 etiam superfuturum. Verum id quidem fieri non
even about-to-be-more-than-enough but that indeed to-happen not
 potest; ne desis, omnes te rogamus. sed iuventuti nostrae
can lest you-fail all you we-ask but by-youth our
 minime audiendus; quippe, si ita sensit, ut loquitur, est homo
by-no-means to-be-heard for if so he-felt as he-speaks he-is a-man
 impurus; sin aliter, quod malo, oratio est tamen immanis.
foul but-if otherwise which I-prefer the-speech is still monstrous
- 33 Est quidem vera lex recta ratio naturae congruens, diffusa in
there-is indeed true law right reason with-nature agreeing spread among
 omnes, constans, sempiterna, quae vocet ad officium iubendo,
all constant everlasting which calls to duty by-commanding
 vetando a fraude deterreat; quae tamen neque probos
by-forbidding from wrongdoing deters which still neither the-upright
 frustra iubet aut vetat nec improbos iubendo aut vetando
in-vain commands or forbids nor the-wicked by-commanding or forbidding
 movet. Huic legi nec obrogari fas est neque derogari
moves to-this law neither to-be-overridden lawful it-is nor to-be-subtracted

ex hac aliquid licet neque tota abrogari potest, nec vero
from this anything it-is-allowed nor whole to-be-repealed can nor indeed
 aut per senatum aut per populum solvi hac lege
either through the-senate or through the-people to-be-released from-this law
 possumus, neque est quaerendus explanator aut interpret eius
can-we nor is to-be-sought an-expounder or interpreter of-it
 alius, nec erit alia lex Romae, alia Athenis, alia nunc, alia
other nor will-be one law at-Rome another at-Athens one now another
 posthac, sed et omnes gentes et omni tempore una lex et
hereafter but both all nations and at-all time one law both
 sempiterna et immutabilis continebit, unusque erit communis
everlasting and unchangeable will-hold and-one will-be common
 quasi magister et imperator omnium deus, ille legis huius
as-it-were master and commander of-all god he of-law this
 inventor, disceptator, lator; cui qui non parebit, ipse se
the-discoverer arbiter proposer whom who not will-obey he-himself himself
 fugiet ac naturam hominis aspernatus hoc ipso luet maximas
will-flee and the-nature of-man having-spurned by-this very will-pay the-greatest
 poenas, etiamsi cetera supplicia, quae putantur, effugerit.
penalties even-if the-other punishments which are-thought he-shall-have-escaped
 nullum bellum suscipi a civitate optima nisi aut pro
no war to-be-undertaken by a-state best except either for
 fide aut pro salute.
good-faith or for safety

Sed his poenis quas etiam stultissimi sentiunt, egestate, 34
but from-these penalties which even the-most-foolish feel poverty
 exilio, vinculis, verberibus, elabuntur saepe privati oblata
exile chains lashes escape often private-men offered
 mortis celeritate, civitatibus autem mors ipsa poena est,
of-death by-the-speed for-states however death itself a-penalty is
 quae videtur a poena singulos vindicare; debet enim
which seems from penalty individuals to-set-free ought for

constituta sic esse civitas, ut aeterna sit. Itaque nullus

established so to-be a-state that eternal it-may-be and-so no

interitus est rei publicae naturalis ut hominis, in quo

destruction is of-the-thing public natural as of-a-man in whom

mors non modo necessaria est, verum etiam optanda

death not only necessary is but also to-be-wished-for

persaepe. Civitas autem cum tollitur, deletur, extinguitur,

very-often a-state however when it-is-removed is-destroyed is-extinguished

simile est quodam modo, ut parva magnis conferamus,

like it-is in-a-certain way that small-things to-great we-may-compare

ac si omnis hic mundus intereat et concidat.

as if all this universe should-perish and collapse

Illa iniusta bella sunt, quae sunt sine causa suscepta. Nam

those unjust wars are which are without cause undertaken for

extra ulciscendi aut propulsandorum hostium causam bellum

outside of-avenging or of-repelling enemies the-cause war

geri iustum nullum potest. Nullum bellum iustum

to-be-waged just no can no war just

habetur nisi denuntiatum, nisi indictum, nisi repetitis rebus.

is-held unless announced unless declared unless reclaimed the-goods

Noster autem populus sociis defendendis terrarum iam

our moreover people by-allies being-defended of-lands now

omnium potitus est.

all gained-mastery has

Nature gives rule to the best for the good of the weak, as god rules man and the soul the body. Rule differs: the soul governs the body as a king his citizens, and curbs desire as a master breaks a slave. Virtue wants honor as its only reward, yet consoles itself when denied it. Pyrrhus always tempted Fabricius, and the Samnites Curius, who refused their gifts. Laelius fears that Tiberius Gracchus' neglect of the allies' rights may turn Rome's rule from right to force.

Cur igitur deus homini, animus imperat corpori, ratio libidini 36
 why therefore god to-man the-soul commands to-the-body reason to-lust
 ceterisque vitiosis animi partibus?

and-to-the-other faulty of-the-soul parts

An non cernimus optimo cuique dominatum ab ipsa natura 37

or not do-we-see to-the-best each the-mastery by itself nature

cum summa utilitate infirmorum datum? Cur igitur deus

with the-highest benefit of-the-weak given why therefore god

homini, animus imperat corpori, ratio libidini iracundiaeque

to-man the-soul commands to-the-body reason to-lust and-to-anger

et ceteris vitiosis eiusdem animi partibus? Sed et

and to-the-other faulty of-the-same soul parts but both

imperandi et serviendi sunt dissimilitudines cognoscendae.

of-commanding and of-serving are differences to-be-learned

Nam ut animus corpori dicitur imperare, dicitur etiam

for as the-soul to-the-body is-said to-command it-is-said also

libidini, sed corpori ut rex civibus suis aut parens liberis,

to-lust but to-the-body as a-king to-citizens his-own or a-parent to-children

libidini autem ut servis dominus, quod eam coercet et

to-lust however as to-slaves a-master because it it-restrains and

frangit, sic regum, sic imperatorum, sic magistratum, sic

breaks so of-kings so of-commanders so of-magistrates so

patrum, sic populorum imperia civibus sociisque praesunt

of-fathers so of-peoples the-commands over-citizens and-allies preside

ut corporibus animus, domini autem servos ita fatigant,
as over-bodies the-soul masters however slaves so wear-down
 ut optima pars animi, id est sapientia, eiusdem animi
as the-best part of-the-soul that is wisdom of-the-same soul
 vitiosas imbecillasque partes, ut libidines, ut iracundias, ut
the-faulty and-weak parts as lusts as angers as
 perturbationes ceteras. ut filiis imperari corporis membris
disturbances the-other as to-sons to-be-commanded of-the-body to-the-limbs
 propter oboediendi facilitatem, vitiosas vero animi partes
because-of of-obeying readiness the-faulty however of-the-soul parts
 ut servos asperiore imperio coerceri? Est enim genus
as slaves by-harsher command to-be-restrained there-is for a-kind
 iniustae servitutis, cum ii sunt alterius, qui sui possunt
of-unjust slavery when those are another's who their-own can
 esse; cum autem ii famulantur ***
to-be when however those serve (lacuna)

39 in quibus adsentior sollicitam et periculosam iustitiam non
in which I-agree anxious and dangerous justice not
 esse sapientis.

to-be of-a-wise-man

40 Vult plane virtus honorem, nec est virtutis ulla alia merces
wishes plainly virtue honor nor is of-virtue any other reward
 ***. Quam tamen illa accipit facile, exigit non acerbe ***.
(lacuna) which still it accepts easily exacts not harshly (lacuna)
 Huic tu viro quas divitias obicies? quae imperia? quae
to-this you man what riches will-you-offer what commands what
 regna? qui ista putat humana, sua bona divina iudicat
kingdoms who those-things thinks human his-own goods divine judges
 ***. Sed si aut ingrati universi aut invidi multi aut inimici
(lacuna) but if either ungrateful all or envious many or enemies
 potentes suis virtutem praemiis spoliunt, ne illa se multis
powerful of-its-own virtue rewards despoil truly it itself with-many

solaciis oblectat maximeque suo decore se ipsa sustentat.

consolations delights and-most by-its-own beauty itself it-itself sustains

Quorum non corpora sunt in caelum elata; neque enim natura

of-whom not the-bodies were into heaven raised nor for nature

pateretur, ut id, quod esset e terra, nisi in terra maneret.

would-allow that that which was from earth except on earth should-remain

Numquam viri fortissimi fortitudinis, inpigritatis, patientiae

never men bravest of-courage of-energy of-endurance

*** Pyrrhi videlicet largitas Fabricio aut Samnitiū copiae

(lacuna) of-Pyrrhus clearly the-lavishness to-Fabritius or of-the-Samnites the-wealth

Curio defuerunt. Cuius etiam focum Cato ille noster, cum

to-Curius were-lacking whose even hearth Cato that our when

venerat ad se in Sabinos, ut ex ipso audiebamus,

he-had-come to his-own-place in the-Sabine-country as from himself we-used-to-hear

visere solebat, apud quem sedens ille Samnitiū, quondam

to-visit was-wont at which sitting he of-the-Samnites once

hostiū, tum iam clientiū suorum, dona repudiaverat.

enemies then already clients his-own the-gifts had-rejected

*** Asia Ti. Gracchus, perseveravit in civibus, sociorum 41

(lacuna) Asia Tiberius Gracchus persisted among citizens of-the-allies

nominisque Latini iura neglexit ac foedera. Quae si

and-of-the-name Latin the-rights disregarded and treaties which if

consuetudo ac licentia manare coeperit latius imperiūque

habit and license to-spread shall-have-begun more-widely and-empire

nostrum ad vim a iure traduxerit, ut, qui adhuc

our to force from right shall-have-transferred so-that who till-now

voluntate nobis oboediunt, terrore teneantur, etsi nobis, qui

willingly us obey by-terror be-held although for-us who

id aetatis sumus, evigilatum fere est, tamen de posteris

that of-age are watched-out nearly it-has-been still about descendants

nostris et de illa immortalitate rei publicae sollicitor, quae
 our and about that immortality of-the-thing public I-am-anxious which
 poterat esse perpetua, si patriis viveretur institutis et moribus.
 could to-be perpetual if by-ancestral one-lived institutions and customs

IX · NO COMMONWEALTH UNDER A TYRANT

All praise Laelius, and Scipio most of all. After a gap, Scipio revises his definition: where one man's cruelty oppresses all, there is no bond of law and no people, so the state is not a faulty commonwealth but none. Syracuse under Dionysius, for all its harbors and temples, was none. Laelius agrees that a faction's rule is no commonwealth either, as at Athens under the Thirty and at Rome under the decemvirs, when the people acted to recover what was theirs.

42 Quae cum dixisset Laelius, etsi omnes, qui aderant,
 which when had-said Laelius although all who were-present
 significabant ab eo se esse admodum delectatos,
 indicated by him themselves to-have-been greatly delighted
 tamen praeter ceteros Scipio quasi quodam gaudio elatus:
 still beyond the-others Scipio as-it-were with-a-certain joy carried-away
 Multas tu quidem, inquit, Laeli, saepe causas ita defendisti,
 many you indeed he-says Laelius often cases so have-defended
 ut ego non modo tecum Servium Galbam, collegam nostrum,
 that I not only with-you Servius Galba colleague our
 quem tu, quoad vixit, omnibus anteponebas, verum ne
 whom you as-long-as he-lived to-all preferred but not
 Atticorum quidem oratorum quemquam aut suavitate ***.
 of-the-Attic even orators anyone either in-charm (lacuna)

43 *** reportare. Ergo illam rem populi, id est rem
 (lacuna) to-bring-back therefore that thing of-the-people that is the-thing
 publicam, quis diceret tum, cum crudelitate unius oppressi
 public who would-call then when by-the-cruelty of-one oppressed

essent universi, neque esset unum vinculum iuris nec
were all nor was one bond of-right nor
 consensus ac societas coetus, quod est populus? Atque
agreement and partnership of-the-gathering which is a-people and
 hoc idem Syracusis. Urbs illa praeclara, quam ait Timaeus
this same at-Syracuse city that splendid which says Timaeus
 Graecarum maxumam, omnium autem esse pulcherrimam,
of-Greek greatest of-all moreover to-be most-beautiful
 arx visenda, portus usque in sinus oppidi et ad
the-citadel worth-seeing the-harbors right into the-recesses of-the-town and to
 urbis crepidines infusi, viae latae, porticus, templa, muri
of-the-city the-foundations flowing-in streets broad colonnades temples walls
 nihilo magis efficiebant, Dionysio tenente ut esset illa res
by-nothing more brought-about Dionysius holding that was that thing
 publica; nihil enim populi et unius erat populus ipse. Ergo
public nothing for of-the-people and of-one was the-people itself therefore
 ubi tyrannus est, ibi non vitiosam, ut heri dicebam, sed, ut
where a-tyrant is there not a-faulty-one as yesterday I-was-saying but as
 nunc ratio cogit, dicendum est plane nullam esse rem publicam.
now reason compels to-be-said is plainly none to-be thing public
 Praeclare quidem dicis, Laelius; etenim video iam, quo
splendidly indeed you-speak Laelius for-indeed I-see already whither
 pergat oratio.

is-going the-speech

s. Vides igitur ne illam quidem, quae tota sit in factionis
you-see therefore not that even which wholly is in of-a-faction
 potestate, posse vere dici rem publicam.

the-power to-be-able truly to-be-called a-thing public

L. Sic plane iudico.

so plainly I-judge

S. Et rectissime quidem iudicas; quae enim fuit tum
and most-rightly indeed you-judge what for was then
 Atheniensium res, cum post magnum illud Peloponnesiacum
of-the-Athenians thing when after great that Peloponnesian
 bellum triginta viri illi urbi iniustissime praefuerunt?
war thirty men those over-the-city most-unjustly presided
 num aut vetus gloria civitatis aut species praeclara oppidi
surely-not either old glory of-the-state or appearance splendid of-the-town
 aut theatrum, gymnasia, porticus aut propylaea nobilia aut
or theater gymnasia colonnades or gateways famous or
 arx aut admiranda opera Phidiae aut Piraeus ille magnificus
citadel or admirable works of-Phidias or Piraeus that magnificent
 rem publicam efficiebat? Minime vero, Laelius, quoniam
a-thing public produced by-no-means indeed Laelius since
 quidem populi res non erat.

indeed of-the-people thing not it-was
 S. Quid? cum decemviri Romae sine provocatione fuerunt
what when the-decemvirs at-Rome without appeal were

tertio illo anno, cum vindicias amisisset ipsa libertas?
in-the-third that year when (its)-claim had-lost itself liberty

L. Populi nulla res erat, immo vero id populus egit, ut
of-the-people no thing was nay indeed that the-people did that
 rem suam recuperaret.

thing its-own it-might-recover

Scipio asks whether a state is a commonwealth when the multitude controls everything, and Laelius denies it most of all: a crowd not held together by agreement about law is as much a tyrant as one man, and more monstrous. Mummius prefers good aristocrats to a king, and even a king to a free people. Scipio doubts it matters whether wisdom rules in one or several, if one pictures a king like Romulus. For popular rule he cites Rhodes, where the same citizens took turns as plebeians and senators.

s. Venio nunc ad tertium genus illud, in quo esse videbuntur 45

I-come now to third kind that in which to-be will-seem
 fortasse angustiae. Cum per populum agi dicuntur et
perhaps difficulties when through the-people to-be-done are-said and
 esse in populi potestate omnia, cum, de quocumque volt,
to-be in of-the-people power all-things when on whomever it-wishes
 supplicium sumit multitudo, cum agunt, rapiunt, tenent,
punishment takes the-multitude when they-drive-off they-seize they-hold
 dissipant, quae volunt, potesne tum, Laeli, negare rem esse
they-scatter what they-wish can-you then Laelius to-deny the-thing to-be
 illam publicam? cum populi sint omnia, quoniam quidem
that public when of-the-people are all-things since indeed
 populi esse rem volumus rem publicam. Tum Laelius:
of-the-people to-be the-thing we-wish the-thing public then Laelius
 Ac nullam quidem citius negaverim esse rem publicam, quam
and none indeed sooner would-I-deny to-be a-thing public than
 istam, quae tota *** non placuit Syracusis fuisse rem
that which wholly (lacuna) not it-seemed-good at-Syracuse to-have-been a-thing
 publicam neque Agrigenti neque Athenis, cum essent tyranni,
public nor at-Agrigentum nor at-Athens when there-were tyrants
 nec hic, cum decemviri; nec video, qui magis in multitudinis
nor here when the-decemvirs nor do-I-see how more in of-the-multitude

dominatu rei publicae nomen appareat, quia primum
the-domination of-the-thing public the-name may-appear because first
 mihi populus non est, ut tu optime definisti, Scipio, nisi
to-me a-people not is as you best defined Scipio unless
 qui consensu iuris continetur, sed est tam tyrannus iste
which by-agreement of-right is-held-together but is as-much a-tyrant that
 conventus, quam si esset unus, hoc etiam taetrior, quia nihil
assembly as if it-were one by-this even more-hideous because nothing
 ista, quae populi speciem et nomen imitatur, immanius
than-that which of-the-people the-appearance and name imitates more-monstrous
 belua est. Nec vero convenit, cum furiosorum bona legibus
beast is nor indeed is-it-fitting when of-madmen the-goods by-laws
 in adgnatorum potestate sint, quod eorum iam ***
in of-kinsmen the-power are because their now (lacuna)

46 *** dici possint, cur illa sit res publica resque
(lacuna) to-be-said can why that should-be a-thing public and-thing
 populi, quae sunt dicta de regno. Et multo etiam magis,
of-the-people which were said about kingship and by-much even more
 inquit Mummius; nam in regem potius cadit domini
says Mummius for on a-king rather falls of-a-master
 similitudo, quod est unus; plures vero boni in qua re
the-likeness because he-is one many but good-men in which thing
 publica rerum potentiuntur, nihil poterit esse illa beatius.
public of-affairs will-be-masters nothing will-be-able to-be than-that more-blessed
 Sed tamen vel regnum malo quam liberum populum; id
but still even kingship I-prefer than a-free people that
 enim tibi restat genus vitiosissimae rei publicae tertium.
for to-you remains the-kind of-the-most-faulty thing public third

47 Hic Scipio: Adgnosco, inquit, tuum morem istum, Spuri,
here Scipio I-recognize says your habit that Spurius
 aversum a ratione populi; et quamquam potest id lenius
turned-away from the-method of-the-people and although can that more-gently

ferri, quam tu soles ferre, tamen adsentior nullum esse
to-be-borne than you are-accustomed to-bear still I-agree none to-be
 de tribus his generibus, quod sit probandum minus. Illud
of three these kinds which should-be to-be-approved less that
 tamen non adsentior tibi, praestare regi optimates; si
still not I-agree with-you to-excel over-the-king the-best-men if
 enim sapientia est, quae gubernet rem publicam, quid tandem
for wisdom it-is which steers the-thing public what pray
 interest, haec in unone sit an in pluribus? Sed errore quodam
does-it-matter this in whether-one be or in several but by-error a-certain
 fallimur ita disputando; cum enim optumates appellantur,
we-are-deceived so by-arguing when for the-best-men are-named
 nihil potest videri praestabilius; quid enim optumo melius
nothing can to-seem more-excellent what for than-the-best better
 cogitari potest? cum autem regis est facta mentio, occurrit
to-be-thought can when however of-a-king is made mention occurs
 animis rex etiam iniustus. Nos autem de iniusto rege nihil
to-minds a-king even unjust we however about an-unjust king nothing
 loquimur nunc, cum de ipsa regali re publica quaerimus.
speak now when about the-very royal thing public we-inquire
 Quare cogitato Romulum aut Pompilium aut Tullium regem,
wherefore think-of Romulus or Pompilius or Tullus the-king
 fortasse non tam illius te rei publicae paenitebit.

perhaps not so-much of-that you thing public it-will-cause-regret

M. Quam igitur relinquis populari rei publicae laudem? 48

what therefore do-you-leave to-the-popular thing public praise

S. Tum ille: Quid? tibi tandem, Spuri, Rhodiorum, apud

then he what to-you pray Spurius of-the-Rhodians among

quos nuper fuimus una, nullane videtur esse res publica?

whom lately we-were together none seems to-be a-thing public

M. Mihi vero videtur, et minime quidem vituperanda.

to-me indeed it-seems and least indeed to-be-blamed

s. Recte dicis; sed, si meministi, omnes erant iidem tum de
rightly you-say but if you-remember all were the-same now of
 plebe, tum senatores vicissitudinesque habebant, quibus mensibus
the-plebs now senators and-alternations they-had in-which months
 populari munere fungerentur, quibus senatorio; utrobique
popular duty they-might-perform in-which senatorial on-both-sides
 autem conventicium accipiebant, et in theatro et in curia
however the-assembly-fee they-received both in the-theater and in the-senate-house
 res capitalis et reliquas omnis iudicabant iidem; tantum
cases capital and remaining all judged the-same so-much
 poterat tantique erat, quanti multitudo, senatus ***
could and-of-so-much-worth was of-as-much the-multitude the-senate (lacuna)

BOOK IV

I • FRAGMENTS ON EDUCATION

Book IV is fragmentary. The mind sees the future and remembers the past, and a savage mind in human form is worse than a beast's shape. Scipio praises how wisely the orders, ages, classes, and cavalry were arranged, though many now foolishly want a largess returning the horses. The Romans fixed no law for training freeborn boys, and the Greek way is absurd, with nakedness in the gymnasia and licensed love affairs. Laelius says Scipio would rather wrestle with famous peoples than with Plato.

Atque ipsa mens ea, quae futura videt, praeterita
and itself the-mind those-things which future sees past
meminit.

remembers

Etenim, si nemo est quin emori malit quam converti
for-indeed if no-one is who-not to-die would-prefer than to-be-changed
in aliquam figuram bestiae, quamvis hominis mentem
into some shape of-a-beast although of-a-man the-mind
sit habiturus, quanto est miserius in hominis figura
be-be about-to-have by-how-much is-it more-wretched in of-a-man shape
animo esse efferato! Mihi quidem tanto videtur, quanto
with-a-mind to-be made-savage to-me indeed by-so-much it-seems by-as-much
praestabilior est animus corpore.

more-excellent is the-mind than-the-body

se non putare idem esse arietis et P. Africani bonum.
himself not to-think the-same to-be of-a-ram and Publius Africanus the-good
eademque obiectu suo umbram noctemque efficiat
and-the-same by-interposition its-own shadow and-night should-produce
cum ad numerum dierum aptam, tum ad laborum quietem.
as-much for the-count of-days suited so for of-labors rest

Cumque autumnō terra se ad concipiendās fruges patefecerit,

and-when in-autumn the-earth itself for conceiving crops has-opened

hieme ad †concupiendās relaxarit, aestiva maturitate alia

in-winter for conceiving has-loosened by-summer ripeness some

mitigaverit, alia torruerit.

has-softened others has-scorched

cum adhibent in pecuda pastores.

when they-use on cattle shepherds

2 *** gratiam. Quam commode ordines discripti, aetates,

(lacuna) favor how conveniently the-orders distributed ages

classes, equitatus, in quo suffragia sunt etiam senatus, nimis

classes the-cavalry in which votes are even of-the-senate too

multis iam stulte hanc utilitatem tolli cupientibus, qui

many now foolishly this advantage to-be-removed desiring who

novam largitionem quaerunt aliquo plebei scito reddendorum

new largess seek by-some of-the-plebs decree of-returning

equorum.

of-horses

3 Considerate nunc, cetera quam sint provisā sapienter ad illam

consider now the-rest how are provided wisely for that

civium beate et honeste vivendi societatem; ea est enim prima

of-citizens happily and honorably of-living partnership that is for the-first

causa coeundi, et id hominibus effici ex re publica

cause of-coming-together and that for-men to-be-effected from the-thing public

debet partim institutis, alia legibus. Principio disciplinam

ought partly by-institutions otherwise by-laws in-the-first-place training

puerilem ingenuis, de qua Graeci multum frustra laborarunt,

boys' for-the-freeborn about which the-Greeks much in-vain labored

et in qua una Polybius noster hospes nostrorum institutorum

and in which alone Polybius our guest of-our institutions

neglegentiam accusat, nullam certam aut destinatam legibus aut

the-neglect accuses none fixed or appointed by-laws or

publice expositam aut unam omnium esse voluerunt. Nam ***

publicly set-forth or one of-all to-be they-wished for (lacuna)

ad militiam euntibus dari solitos esse custodes, a

to military-service to-those-going to-be-given accustomed to-be guardians by

quibus primo anno regantur.

whom in-the-first year they-might-be-ruled

non modo ut Spartae, rapere ubi pueri et clepere discunt.

not only as at-Sparta to-snatch where boys and to-steal learn

opprobrio fuisse adolescentibus, si amatores non haberent.

for-a-reproach to-have-been to-young-men if lovers not they-had

*** nudari puberem. Ita sunt alte repetita quasi

(lacuna) to-be-stripped a-youth so are deeply sought-back as-it-were

fundamenta quaedam verecundiae. Iuventutis vero exercitatio

foundations certain of-modesty of-youth but the-exercise

quam absurda in gymnasiis! quam levis epheborum illa

how absurd in gymnasia how light of-the-ephebes that

militia! quam contrectationes et amores soluti et liberi!

military-service how fondlings and loves loose and free

mitto apud Eleos et Thebanos, apud quos in amore

I-pass-over among the-Eleans and Thebans among whom in love

ingenuorum libido etiam permissam habet et solutam

of-the-freeborn lust even permitted has and loose

licentiam; Lacedaemonii ipsi, cum omnia concedunt in

license the-Lacedaemonians themselves when all-things they-allow in

amore iuvenum praeter stuprum, tenui sane muro

love of-young-men except debauchery with-a-thin truly wall

dissaeipiunt id, quod excipiunt; complexus enim concubitusque

they-fence-off that which they-except embraces for and-lyings-together

permittunt palliis interiectis. Hic Laelius: Praeclare intellego,

they-permit with-cloaks put-between here Laelius clearly I-understand

Scipio, te in iis Graeciae disciplinis, quas reprehendis, cum

Scipio that-you in those of-Greece trainings which you-censure with

populis nobilissimis malle quam cum tuo Platone luctari,

peoples most-noble to-prefer than with your Plato to-wrestle

quem ne attingis quidem, praesertim cum ***

whom not you-touch even especially since (lacuna)

II · THE CENSOR AND MODESTY

Plato went further than Lycurgus in making all property common, and Scipio would send him from his imagined city as Plato sends Homer, garlanded and anointed. The censor's judgment brings only a blush, and so is called ignominy. A censor should teach husbands to govern their wives. Rome should not be both ruler and tax-gatherer of the world. The law's precise language is admired, burial is held sacred, and a strong people cannot easily be resisted if granted too little right.

5 et noster Plato magis etiam quam Lycurgus, omnia qui
and our Plato more even than Lycurgus all-things who
 prorsus iubet esse communia, ne quis civis propriam aut
utterly orders to-be common lest any citizen private or
 suam rem ullam queat dicere. Ego vero eodem, quo
his-own thing any could say I indeed to-the-same-place whither
 ille Homerum redimitum coronis et delibutum unguentis
he Homer wreathed with-garlands and anointed with-perfumes
 emittit ex ea urbe, quam sibi ipse fingit.
sends-out from that city which for-himself himself fashions

6 Censoris iudicium nihil fere damnato nisi ruborem
of-the-censor the-judgment nothing almost to-the-condemned except a-blush
 offert. Itaque, ut omnis ea iudicatio versatur tantum modo
brings and-so as all that judging turns only just
 in nomine, animadversio illa ignominia dicta est. Horum
on the-name the-censure that ignominy called was of-these

†in severitatem dicitur inhorruisse primum civitas. Nec vero
into severity is-said to-have-bristled at-first the-state nor indeed

mulieribus praefectus praeponatur, qui apud Graecos creari
over-women a-prefect should-be-set who among the-Greeks to-be-created
 solet, sed sit censor, qui viros doceat moderari uxoribus.
is-wont but let-there-be a-censor who husbands may-teach to-govern (their)-wives

Ita magnam habet vim disciplina verecundiae; carent temeto
so great has force the-training of-modesty lack strong-wine

omnes mulieres. Atque etiam si qua erat famosa, ei
all women and even if any was notorious to-her
 cognati osculum non ferebant. Itaque a petendo petulantia,
kinsmen a-kiss not gave and-so from asking wantonness

a procando, id est poscendo, procacitas nominata est.
from wooing that is demanding impudence named was

Nolo enim eundem populum imperatorem et portitorem 7
I-am-unwilling for the-same people commander and tollgatherer

esse terrarum. Optimum autem et in privatis familiis et
to-be of-the-lands best however both in private households and

in re publica vectigal duco esse parsimoniam. Fides
in the-thing public revenue I-hold to-be thrift good-faith

enim nomen ipsum mihi videtur habere, cum fit, quod
for the-name itself to-me seems to-have when is-done what

dicitur. In cive excelso atque homine nobili blanditiam,
is-said in a-citizen lofty and a-man noble flattery

adsentationem, ambitionem †meam esse levitatis.
flawning canvassing my to-be of-levity

Admiror, nec rerum solum, sed verborum etiam elegantiam. 8
I-admire not of-things only but of-words also the-elegance

Si iurgant, inquit. Benivolorum concertatio, non lis
if they-quarrel it-says of-well-wishers a-dispute not a-lawsuit

inimicorum, iurgium dicitur ***. Iurgare igitur lex putat
of-enemies a-quarrel is-called (lacuna) to-quarrel therefore the-law thinks

inter se vicinos, non litigare. eosdem terminos hominum
among themselves neighbors not to-go-to-law the-same limits of-men
 curae atque vitae, sic pontificio iure sanctitudo sepulturae.
to-care and to-life so by-pontifical law the-sanctity of-burial
 quod insepultos reliquissent eos, quos e mari propter
because unburied they-had-left those whom from the-sea on-account-of
 vim tempestatis excipere non potuissent, innocentes
the-force of-the-storm to-take-up not they-had-been-able innocent-men
 necaverint. nec in hac dissensione suscepi populi causam,
they-put-to-death nor in this dissension I-took-up of-the-people the-cause
 sed bonorum. Non enim facile valenti populo resistitur, si
but of-the-good not for easily to-a-strong people is-it-resisted if
 aut nihil iuris impertias aut parum. Cui quidem utinam
either nothing of-right you-grant or too-little to-whom indeed would-that
 vere fideliter ꝑabundiente auguraverim.
truly faithfully abounding I-might-have-augured

III • POETS AND THE STAGE

When the people's applause joins the poets, what darkness and desires they spread! The Romans held acting disgraceful and had the censors remove actors from their tribes. Greek comedy spared no one, not demagogues like Cleon, which might be borne, nor Pericles, which was as unfitting as if Plautus had mocked the Scipios. The Twelve Tables rightly made defamatory songs a capital crime, since our lives should be judged by magistrates and courts, not poets. Yet Athens sent the tragic actor Aristodemus as envoy to Philip.

Ad quos cum accessit clamor et adprobatio populi quasi 9
to whom when has-come the-clamor and approval of-the-people as-it-were
 magni cuiusdam et sapientis magistri, quas illi obducunt
of-a-great certain and wise teacher what those draw-over
 tenebras, quos invehunt metus, quas inflammant cupiditates!
darkness what bring-in fears what inflame desires
 Cum artem ludicram scaenamque totam in probro ducerent, 10
since the-art theatrical and-the-stage whole in disgrace they-held
 genus id hominum non modo honore civium reliquorum carere,
kind that of-men not only the-honor of-citizens other to-lack
 sed etiam tribu moveri notatione censoria voluerunt.
but also from-the-tribe to-be-removed by-mark censorial they-wished
 Numquam comoediae, nisi consuetudo vitae pateretur, 11
never comedies unless the-custom of-life allowed
 probare sua theatris flagitia potuissent. * * * quem
to-make-acceptable their-own to-theaters disgraces could-have (lacuna) whom
 illa non adtigit vel potius quem non vexavit? cui pepercit?
it not touched or rather whom not harassed whom spared
 Esto, populares homines improbos, in re publica seditiosos,
be-it-so popular men wicked in the-thing public seditious
 Cleonem, Cleophontem, Hyperbolum laesit. Patiamur, etsi
Cleon Cleophon Hyperbolus it-wounded let-us-allow although
 eius modi cives a censore melius est quam a poeta
of-that kind citizens by a-censor better it-is than by a-poet
 notari; sed Periclen, cum iam suae civitati maxima
to-be-branded but Pericles when already his-own state with-the-greatest
 auctoritate plurimos annos domi et belli praevisset, violari
authority very-many years at-home and at-war he-had-headed to-be-abused
 versibus, et eos agi in scaena non plus decuit, quam
by-verses and them to-be-performed on the-stage not more was-fitting than

si Plautus noster voluisset aut Naevius Publio et Gnaeo

if Plautus our had-wished or Naevius to-Publius and Gnaeus

Scipioni aut Caecilius Marco Catoni male dicere ***

Scipio or Caecilius to-Marcus Cato ill to-speak (lacuna)

12 Nostrae contra duodecim tabulae cum perpaucas

our on-the-contrary twelve tables although very-few

res capite sanxissent, in his hanc quoque sancientiam

things by-death had-sanctioned among these this also to-be-sanctioned

putaverunt, si quis occentavisset sive carmen condidisset,

they-thought if anyone had-sung-abuse or a-song had-composed

quod infamiam faceret flagitiumve alteri. Praeclare; iudiciis

which infamy should-bring disgrace-or to-another splendidly to-judgments

enim magistratum, disceptationibus legitimis propositam

for of-magistrates to-hearings lawful exposed

vitam, non poetarum ingeniis, habere debemus nec probrum

life not of-poets to-the-talents to-have we-ought nor reproach

audire nisi ea lege, ut respondere liceat et iudicio

to-hear except on-that law that to-reply it-be-allowed and in-court

defendere. *** veteribus displicuisse Romanis vel laudari

to-defend (lacuna) to-the-old to-have-displeased Romans either to-be-praised

quemquam in scaena vivum hominem vel vituperari.

anyone on the-stage living man or to-be-blamed

13 Aeschines Atheniensis, vir eloquentissimus, cum adulescens

Aeschines Athenian a-man most-eloquent when as-a-young-man

tragoedias actitavisset, rem publicam capessivit, et

tragedies had-often-acted the-thing public took-up and

Aristodemum, tragicum item actorem, maximis de rebus pacis

Aristodemus tragic likewise actor greatest about matters of-peace

et belli legatum ad Philippum Athenienses saepe miserunt.

and of-war as-envoy to Philip the-Athenians often sent

BOOK V

I • ANCIENT CUSTOMS AND MEN

Book V is also fragmentary. Cicero quotes Ennius: the Roman state stands on ancient customs and men, and neither could have founded or kept so great an empire without the other. But his generation received the commonwealth like a fine painting fading with age and did not even preserve its outlines. The customs are forgotten for want of men, and Rome keeps the commonwealth in name while it has lost the reality by its own vices. Of old the kings gave judgment themselves, and Numa's peace fostered law and religion.

Moribus antiquis res stat Romana virisque,

on-customs ancient the-thing stands Roman and-men

1

quem quidem ille versum vel brevitatem vel veritate

which indeed he verse whether by-brevity or by-truth

tamquam ex oraculo mihi quodam esse effatus videtur.

as-if from an-oracle to-me a-certain to-have uttered seems

Nam neque viri, nisi ita morata civitas fuisset, neque

for neither the-men unless so mannered the-state had-been nor

mores, nisi hi viri praefuissent, aut fundare aut tam diu

the-customs unless these men had-presided either to-found or so long

tenere potuissent tantam et tam fuse lateque imperantem

to-hold could-have so-great and so widely and-broadly ruling

rem publicam. Itaque ante nostram memoriam et mos

the-thing public and-so before our memory both custom

ipse patrius praestantes viros adhibebat, et veterem morem

itself ancestral outstanding men employed and the-old custom

ac maiorum instituta retinebant excellentes viri.

and of-the-ancestors institutions retained excellent men

- 2 Nostra vero aetas cum rem publicam sicut picturam
our but age although the-thing public like a-painting
 accepisset egregiam, sed iam evanescentem vetustate, non
had-received remarkable but now fading with-age not
 modo eam coloribus eisdem, quibus fuerat, renovare
only it with-colors the-same with-which it-had-been to-renew
 neglexit, sed ne id quidem curavit, ut formam saltem
neglected but not that even took-care that the-form at-least
 eius et extrema tamquam liniamenta servaret. Quid enim
its and outermost as-it-were outlines it-might-preserve what for
 manet ex antiquis moribus, quibus ille dixit rem stare
remains of ancient customs on-which he said the-thing to-stand
 Romanam? quos ita oblivione obsoletos videmus, ut non
Roman which so by-oblivion worn-out we-see that not
 modo non colantur, sed iam ignorentur. Nam de viris
only not they-are-practiced but now they-are-unknown for about the-men
 quid dicam? Mores enim ipsi interierunt virorum penuria,
what shall-I-say customs for themselves have-perished of-men through-lack
 cuius tanti mali non modo reddenda ratio nobis, sed etiam
of-which so-great evil not only to-be-rendered account by-us but also
 tamquam reis capitis quodam modo dicenda causa
as-if defendants on-a-capital-charge in-a-certain way to-be-pleaded the-case
 est. Nostris enim vitiis, non casu aliquo, rem publicam
is by-our for vices not by-chance some the-thing public
 verbo retinemus, re ipsa vero iam pridem amisimus.
in-word we-retain in-the-thing itself but now long-ago we-have-lost
- 3 nihil esse tam regale quam explanationem aequitatis, in qua
nothing to-be so royal as the-explanation of-equity in which
 iuris erat interpretatio, quod ius privati petere solebant
of-law was the-interpretation which right private-men to-seek were-accustomed
 a regibus, ob easque causas agri arvi et arbusti
from kings on-account-of and-these reasons lands arable and planted

et pascui lati atque uberes definiebantur, qui essent regii
and pasture broad and rich were-marked-out which should-be royal
 colerenturque sine regum opera et labore, ut eos nulla
and-might-be-tilled without of-kings work and labor so-that them no
 privati negotii cura a populorum rebus abduceret. Nec vero
private business care from of-peoples affairs might-draw-away nor indeed
 quisquam privatus erat disceptator aut arbiter litis, sed omnia
anyone private was umpire or arbiter of-a-suit but all-things
 conficiebantur iudiciis regiis. Et mihi quidem videtur Numa
were-settled by-judgments royal and to-me indeed it-seems Numa
 noster maxime tenuisse hunc morem veterem Graeciae regum.
our most to-have-held this custom old of-Greece of-kings
 Nam ceteri, etsi hoc quoque munere fungebantur, magnam
for the-others although this also duty performed great
 tamen partem bella gesserunt et eorum iura coluerunt; illa
still part wars waged and their laws cultivated that
 autem diuturna pax Numae mater huic urbi iuris et religionis
however long-lasting peace of-Numa mother to-this city of-law and of-religion
 fuit, qui legum etiam scriptor fuisset, quas scitis extare,
was who of-laws also writer had-been which you-know to-survive
 quod quidem huius civis proprium, de quo agimus ***
which indeed of-this citizen proper about whom we-treat (lacuna)
 sed tamen ut bono patri familias colendi, aedificandi,
but still as for-a-good father of-household of-tilling of-building
 ratiocinandi quidam usus opus est.
of-reckoning some practice need is

The statesman is like a bailiff who knows his land: he should study law and its sources without burying himself in opinions and reading, using law as a pilot uses astronomy. He will foster the shame that keeps citizens from wrong as well as fear of punishment does, and a good life rests on lawful marriage, legitimate children, and household gods. As a pilot aims at a safe voyage, he aims at a happy life for his citizens, one strong, rich, glorious, and honorable.

5 *** radicum seminumque cognoscere num te offendet?

(lacuna) of-roots and-seeds to-know surely-not you will-offend

M. Nihil, si modo opus extabit.

nothing if only the-work will-show

S. Num id studium censes esse vilici?

surely-not that pursuit do-you-think to-be of-a-bailiff

M. Minime; quippe cum agri culturam saepissime opera

by-no-means inasmuch-as when of-the-field cultivation very-often the-work

deficiat.

fails

S. Ergo, ut vilicus naturam agri novit, dispensator

therefore as the-bailiff the-nature of-the-land knows the-steward

litteras scit, uterque autem se a scientiae delectatione ad

letters knows each however himself from of-knowledge the-delight to

efficiendi utilitatem refert, sic noster hic rector studuerit

of-accomplishing the-usefulness brings-back so our this ruler will-have-studied

sane iuri et legibus cognoscendis, fontis quidem earum

surely law and laws to-be-known the-sources indeed of-them

utique perspexerit, sed se responsitando et lectitando

by-all-means will-have-examined but himself by-giving-opinions and by-reading-much

et scriptitando ne impediatur, ut quasi dispensare rem

and by-writing-much not let-him-binder so-that as-it-were to-manage the-thing

publicam et in ea quodam modo vilicare possit, summi

public and in it in-a-certain way to-be-bailiff he-may-be-able of-the-highest

iuris peritissimus, sine quo iustus esse nemo potest, civilis
law most-skilled without which just to-be no-one can civil
 non inperitus, sed ita, ut astrorum gubernator, physicorum
not unskilled but so as of-stars the-pilot of-natural-things
 medicus; uterque enim illis ad artem suam utitur, sed se a
the-physician each for those for art his-own uses but himself from
 suo munere non inpedi. Illud autem videbit hic vir ***
his-own duty not binds that however will-see this man (lacuna)
 *** civitatibus, in quibus expetunt laudem optumi et decus, 6
(lacuna) states in which seek praise the-best and honor
 ignominiam fugiunt ac dedecus. Nec vero tam metu poenaeque
ignominy they-flee and dishonor nor indeed so-much by-fear and-penalty
 terrentur, quae est constituta legibus, quam verecundia, quam
they-are-deterred which is established by-laws as by-modesty which
 natura homini dedit quasi quendam vituperationis non iniustae
nature to-man gave as-it-were a-certain of-censure not unjust
 timorem. Hanc ille rector rerum publicarum auxit opinionibus
fear this that ruler of-things public increased by-opinions
 perfecitque institutis et disciplinis, ut pudor civis non minus
and-perfected by-institutions and trainings so-that shame citizens not less
 a delictis arceret quam metus. Atque haec quidem ad
from offenses might-keep than fear and these-things indeed to
 laudem pertinent, quae dici latius uberiusque potuerunt.
praise pertain which to-be-said more-widely and-more-fully could-have
 Ad vitam autem usumque vivendi ea discripta ratio est iustis 7
for life moreover and-practice of-living that arranged method was by-lawful
 nuptiis, legitimis liberis, sanctis penatium deorum Larumque
marriages legitimate children by-sacred of-the-Penates gods and-of-the-Lares
 familiarium sedibus, ut omnes et communibus commodis et
household seats so-that all both common advantages and
 suis uterentur, nec bene vivi sine bona re publica posset
their-own might-use nor well to-be-lived without a-good thing public could

nec esse quicquam civitate bene constituta beatius. Quocirca

nor to-be anything than-a-state well constituted more-blessed wherefore

permirum mihi videri solet, quae sit tanta doc ***

very-strange to-me to-seem is-wont what be so-great (fragment) (lacuna)

8 Ut enim gubernatori cursus secundus, medico salus,

as for to-the-pilot a-voyage favorable to-the-physician health

imperatorii victoria, sic huic moderatori rei publicae beata

to-the-commander victory so to-this governor of-the-thing public blessed

civium vita proposita est, ut opibus firma, copiis locuples,

of-citizens life set-before is that in-resources strong in-wealth rich

gloria ampla, virtute honesta sit; huius enim operis maximi

in-glory ample in-virtue honorable it-be of-this for work greatest

inter homines atque optimi illum esse perfectorem volo. Et ubi

among men and best him to-be the-accomplisher I-wish and where

est, quod et vestrae litterae illum laudant patriae rectorem,

is what both your writings that praise of-the-fatherland ruler

qui populi utilitati magis consulat quam voluntati?

who of-the-people to-the-advantage more consults than to-the-will

III · GLORY AND ELOQUENCE

The leading man must be nourished by glory, for the ancestors did great deeds from love of it, and the state stands while honor is paid its leader. Courage is greatness of soul and contempt of death and pain; Marcellus was fierce, Maximus deliberate. The statesman should cultivate brevity. Since nothing should be so incorruptible as a vote or a verdict, why punish the man who bribes a judge with money but praise the one who sways him with eloquence, which can corrupt even an honest judge? Mummius heartily agrees.

alendum esse gloria *** maiores suos multa mira 9
to-be-nourished to-be by-glory (lacuna) ancestors their many wonderful
 atque praeclara gloriae cupiditate fecisse. principem civitatis
and splendid of-glory by-desire to-have-done the-leader of-the-state
 gloria esse alendum, et tam diu stare rem publicam,
by-glory to-be to-be-nourished and so long to-stand the-thing public
 quam diu ab omnibus honor principi exhiberetur. Tum
as long by all honor to-the-leader should-be-shown then
 virtute, labore, industria tueretur summi viri indolem,
by-virtue labor industry he-would-guard of-the-biggest man the-nature
 nisi nimis animose ferox natura illum nescio quo ***
unless too spiritedly fierce nature him I-know-not whither (lacuna)
 quae virtus fortitudo vocatur, in qua est magnitudo animi,
which virtue courage is-called in which is greatness of-soul
 mortis dolorisque magna contemptio.
of-death and-of-pain great contempt

Marcellus ut acer et pugnax, Maximus ut consideratus et 10
Marcellus as keen and combative Maximus as deliberate and
 lentus. orbi terrarum comprehensos *** quod molestiis
slow to-the-orb of-lands comprehended (lacuna) because with-the-troubles
 senectutis suae vestras familias impertire posset.
of-old-age his-own your households to-share he-could
 ut Menelao Laconi quaedam fuit suaviloquens iucunditas 11
as to-Menelaus the-Laconian a-certain there-was sweet-spoken pleasantness
 *** breviloquentiam in dicendo colat. Cumque
(lacuna) brevity in speaking let-him-cultivate and-since
 nihil tam incorruptum esse debeat in re publica quam
nothing so incorrupt to-be ought in the-thing public as
 suffragium, quam sententia, non intellego, cur, qui ea pecunia
the-vote as the-verdict not I-understand why who those with-money
 corruerit, poena dignus sit, qui eloquentia, laudem
has-corrupted of-punishment worthy should-be who by-eloquence praise

etiam ferat. Mihi quidem hoc plus mali facere videtur,

even should-carry-off to-me indeed by-this more of-evil to-do seems

qui oratione, quam qui pretio iudicem corrumpit, quod

who by-speech than who by-a-price a-judge corrupts because

pecunia corrumpere pudentem nemo potest, dicendo potest.

with-money to-corrupt a-modest-man no-one can by-speaking can

Quae cum Scipio dixisset, admodum probans Mummius;

which when Scipio had-said greatly approving Mummius

erat enim odio †quorum rhetorum inbutus * * * tum

he-was for with-hatred of-whom of-rhetoricians steeped (lacuna) then

in optimam segetem praeclara essent sparsa semina.

in the-best crop-land splendid would-have-been sown seeds

BOOK VI

I • THE STATESMAN'S FORESIGHT

Book VI too is fragmentary. The statesman's prudence takes its name from foresight, and he must always be armed against what disturbs the state; in civil discord, where the good prevail, citizens should be weighed, not counted. Lusts drive men to every crime. Fragments recall the colleagues Claudius and Gracchus, the firm marriages of the ancestors, and Laelius on the pontiffs' ladles. A man who revived on his pyre is set against Epicurean mockery. Divine virtue desires lasting rewards, and Laelius asks what they are.

Totam igitur expectas prudentiam huius rectoris, quae ipsum 1
 whole therefore you-expect the-prudence of-this ruler which itself
 nomen hoc nacta est ex providendo. Quam ob rem
 name this got has from foreseeing which on-account-of reason
 se comparet hic civis ita necesse est, ut sit contra
 himself should-prepare this citizen so necessary it-is that he-be against
 haec, quae statum civitatis permovent, semper armatus.
 these-things which the-condition of-the-state disturb always armed
 Eaque dissensio civium, quod seorsum eunt alii ad alios,
 and-that dissension of-citizens because apart go some to others
 seditio dicitur. Et vero in dissensione civili, cum boni plus
 sedition is-called and indeed in dissension civil when the-good more
 quam multi valent, expendendos civis, non numerandos
 than the-many avail to-be-weighed the-citizens not to-be-counted
 puto. Graves enim dominae cogitationum lubricitates infinita
 I-think heavy for mistresses of-thoughts lusts limitless
 quaedam cogunt atque imperant, quae quia nec expleri
 certain-things compel and command which because neither to-be-filled
 nec satiari ullo modo possunt, ad omne facinus impellunt
 nor to-be-sated in-any way can to every crime drive

eos, quos inlecebris suis incenderunt. qui contuderit
those whom by-allurements their-own they-have-inflamed who shall-have-crushed
 eius vim et ecfrenatam illam ferociam.

its force and unbridled that ferocity

- 2 Quod quidem eo fuit maius, quia, cum causa pari
which indeed by-this was greater because although in-case equal
 collegae essent, non modo invidia pari non erant, sed etiam
colleagues they-were not only in-odium equal not they-were but even
 Claudii invidiam Gracchi caritas deprecabatur. Qui †numero
of-Claudius the-odium of-Gracchus the-affection averted who in-number
 optumatum et principum optulit is vocibus et gravitatis
of-the-best-men and of-the-leaders offered he by-voices and of-gravity
 suae liquit illum tristem et plenum dignitatis sonum. ut,
his-own left that stern and full of-dignity sound so-that
 quem ad modum scribit ille, cotidiano in forum mille
in-what to manner writes he daily into the-forum a-thousand
 hominum cum palliis conchylio tinctis descenderent. in his,
of-men with cloaks with-purple dyed came-down among these
 ut meministis, concursu levissimae multitudinis et aere
as you-remember by-the-concourse of-the-most-fickle multitude and by-bronze
 congesto funus desubito esset ornatum. Firmiter enim maiores
beaped-up the-funeral suddenly was adorned firmly for ancestors
 nostri stabilita matrimonia esse voluerunt. Oratio Laelii, quam
our established marriages to-be wished the-speech of-Laelius which
 omnes habemus in manibus, quam simpuvia pontificum dis
all we-have in hands how the-ladles of-the-pontiffs to-the-gods
 immortalibus grata sint Samiaeque, ut is scribit, capudines.
immortal pleasing are and-Samian as he writes bowls

- 3 *** qui rogo impositus revixisset multaue de inferis
(lacuna) who on-the-pyre placed had-revived and-many-things about the-dead
 secreta narrasset *** haec, quae de animae immortalitate
secret had-told (lacuna) these-things which about of-the-soul immortality

dicerentur caeloque, non somniantium philosophorum esse
were-said and-heaven not of-dreaming philosophers to-be
 commenta nec fabulas incredibiles, quas Epicurei derident,
inventions nor tales incredible which the-Epicureans mock
 sed prudentium coniecturas.

but of-prudent-men conjectures

ut eum lusisse potius quam †quod id verum esse 4
that him to-have-jested rather than because that true to-be
 adfirmet dicere voluisse.

he-affirms to-say to-have-wished

Sed quamquam sapientibus conscientia ipsa factorum egregiorum 8

but although for-the-wise the-consciousness itself of-deeds remarkable

amplissimum virtutis est praemium, tamen illa divina virtus
the-fullest of-virtue is reward still that divine virtue

non statuas plumbo inhaerentes nec triumphos arescentibus
not statues to-lead clinging nor triumphs with-withering

laureis, sed stabiliora quaedam et viridiora praemiorum genera
laurels but more-stable certain and greener of-rewards kinds

desiderat. Quae tandem ista sunt, inquit Laelius? Tum Scipio:

desires what pray those are says Laelius then Scipio

Patimini me, quoniam tertium diem iam feriat sumus ***

allow me since third day now on-holiday we-are (lacuna)

Scipio tells of a dream. Arriving in Africa as a military tribune, he visited King Masinissa, who wept for joy at seeing a Scipio and talked late into the night of the elder Africanus. That night the elder Africanus appeared to him in sleep, in the form he knew from his portrait mask. From a starry height he showed him Carthage and foretold that Scipio would destroy it as consul within two years, triumph, serve as censor and envoy, destroy Numantia, and find the state disturbed by the policies of Africanus' grandson.

- 9 Cum in Africam venissem M'. Manilio consuli ad
when into Africa I-had-come to-Manius Manilius the-consul to
 quartam legionem tribunus, ut scitis, militum, nihil mihi
the-fourth legion tribune as you-know of-soldiers nothing to-me
 fuit potius, quam ut Masinissam convenirem regem, familiae
was preferable than that Masinissa I-might-meet the-king to-family
 nostrae iustis de causis amicissimum. Ad quem ut veni,
our just for reasons most-friendly to whom when I-came
 complexus me senex conlacrimavit aliquantoque post
having-embraced me the-old-man wept and-somewhat after
 suspexit ad caelum et: Grates, inquit, tibi ago, summe Sol,
looked-up to heaven and thanks he-says to-you I-give highest Sun
 vobisque, reliqui Caelites, quod, ante quam ex hac vita
and-to-you remaining heavenly-ones that before than from this life
 migro, conspicio in meo regno et his tectis P. Cornelium
I-depart I-behold in my kingdom and these roofs Publius Cornelius
 Scipionem, cuius ego nomine ipso recreor; itaque numquam
Scipio of-whom I by-the-name itself am-refreshed and-so never
 ex animo meo discedit illius optimi atque invictissimi viri
from mind my departs of-that best and most-invincible man
 memoria. Deinde ego illum de suo regno, ille me de
the-memory then I him about his kingdom he me about

nostra re publica percontatus est, multisque verbis ultro
our thing public questioned has and-many words thither
 citroque habitis ille nobis consumptus est dies.

and-bither having-been-had that for-us consumed was day

Post autem apparatu regio accepti sermonem in multam 10

afterward moreover with-splendor royal received the-conversation into much

noctem produximus, cum senex nihil nisi de Africano

night we-prolonged while the-old-man nothing except about Africanus

loqueretur omniaque eius non facta solum, sed etiam dicta

spoke and-all-things his not deeds only but also sayings

meminisset. Deinde, ut cubitum discessimus, me et de

remembered then when to-bed we-departed me both from

via fessum, et qui ad multam noctem vigilassem,

the-journey tired and who to much night had-stayed-awake

artior quam solebat somnus complexus est. Hic mihi (credo

closer than it-was-wont sleep embraced has here to-me I-believe

equidem ex hoc, quod eramus locuti; fit enim fere,

indeed from this which we-had spoken it-happens for commonly

ut cogitationes sermonesque nostri pariant aliquid in somno

that thoughts and-conversations our produce something in sleep

tale, quale de Homero scribit Ennius, de quo videlicet

such as about Homer writes Ennius about whom evidently

saepissime vigilans solebat cogitare et loqui) Africanus

very-often waking he-was-wont to-think and to-speak Africanus

se ostendit ea forma, quae mihi ex imagine eius

himself showed in-that form which to-me from the-portrait of-him

quam ex ipso erat notior; quem ubi agnovi, equidem

than from himself was better-known whom when I-recognized indeed

cohorruui, sed ille: Ades, inquit, animo et omitte timorem,

I-shuddered but he be-present he-says with-mind and let-go fear

Scipio, et, quae dicam, trade memoriae.

Scipio and what I-shall-say hand-over to-memory

- 11 Videsne illam urbem, quae parere populo Romano coacta per
do-you-see that city which to-obey the-people Roman compelled through
 me renovat pristina bella nec potest quiescere? (ostendebat
me renews former wars nor can be-at-rest he-was-pointing-out
 autem Karthaginem de excelso et pleno stellarum illustri et
moreover Carthage from a-lofty and full of-stars bright and
 claro quodam loco) ad quam tu oppugnandam nunc venis
clear certain place to which you to-be-attacked now come
 paene miles. Hanc hoc biennio consul evertes, eritque
almost a-soldier this in-this two-year-span as-consul you-will-overtrow and-will-be
 cognomen id tibi per te partum, quod habes adhuc a
surname that for-you through yourself gained which you-have so-far from
 nobis hereditarium. Cum autem Karthaginem deleveris,
us inherited when moreover Carthage you-shall-have-destroyed
 triumphum egeris censorque fueris et obieris legatus
a-triumph have-celebrated and-censor have-been and have-visited as-envoy
 Aegyptum, Syriam, Asiam, Graeciam, deligere iterum
Egypt Syria Asia Greece you-will-be-chosen again
 consul absens bellumque maximum conficies, Numantiam
consul absent and-war greatest you-will-finish Numantia
 excindes. Sed cum eris curru in Capitolium invectus,
you-will-raze but when you-will-be in-a-chariot into the-Capitol borne
 offendes rem publicam consiliis perturbatam nepotis mei.
you-will-find the-thing public by-the-plans disturbed of-grandson my

When Scipio has lived seven times eight years, two perfect numbers, the state will turn to him, and he must set it in order as dictator if he escapes his kinsmen's hands. Laelius cries out, and Scipio bushes them lest they wake him. Africanus promises a place in heaven to all who preserve, help, or enlarge their country. Scipio asks whether the dead live: they alone live, freed from the body's prison, and what men call life is death. His father Paullus embraces him.

Hic tu, Africane, ostendas oportebit patriae lumen animi, 12
here you Africanus should-show it-will-be-needful to-the-fatherland the-light of-mind
ingenii consiliiue tui. Sed eius temporis ancipitem video
of-talent and-of-counsel your but of-that time two-headed I-see
quasi fatorum viam. Nam cum aetas tua septenos octiens
as-it-were of-the-fates the-way for when age your seven-each eight-times
solis anfractus reditusque converterit, duoque ii numeri,
of-the-sun circuits and-returns shall-have-turned and-two these numbers
quorum uterque plenus alter altera de causa habetur, circuitu
of-which each full the-one a-different for reason is-held by-circuit
naturali summam tibi fatalem confecerint, in te unum atque
natural the-sum for-you fated shall-have-completed on you alone and
in tuum nomen se tota convertet civitas, te senatus, te omnes
to your name itself whole will-turn the-state you the-senate you all
boni, te socii, te Latini intuebuntur, tu eris unus, in quo
good-men you the-allies you the-Latins will-look-to you will-be one on whom
nitatur civitatis salus, ac, ne multa, dictator rem publicam
may-rest of-the-state the-safety and lest many-things as-dictator the-thing public
constituas oportet, si impias propinquorum manus
you-should-set-in-order it-is-needful if the-impious of-kinsmen hands
effugeris. Hic cum exclamasset Laelius ingemuissentque
you-shall-have-escaped here when had-cried-out Laelius and-bad-groaned

vehementius ceteri, leniter arridens Scipio: St! quaeso, inquit,

more-vehemently the-rest gently smiling Scipio bush I-pray says

ne me e somno excitetis, et parumper audite cetera.

lest me from sleep you-rouse and for-a-little hear the-rest

13 Sed quo sis, Africane, alacrior ad tutandam rem

but so-that you-may-be Africanus more-eager for guarding the-thing

publicam, sic habeto: omnibus, qui patriam conservaverint,

public thus bold for-all who the-fatherland have-preserved

adiuverint, auxerint, certum esse in caelo definitum locum,

helped increased fixed to-be in heaven marked-out a-place

ubi beati aevo sempiterno fruuntur; nihil est enim illi

where blessed an-age everlasting they-may-enjoy nothing is for to-that

principi deo, qui omnem mundum regit, quod quidem in

chief god who all the-universe rules which indeed on

terris fiat, acceptius quam concilia coetusque hominum

earth is-done more-acceptable than councils and-gatherings of-men

iure sociati, quae civitates appellantur; harum rectores et

by-law associated which states are-called of-these the-rulers and

conservatores hinc profecti huc revertuntur.

preservers hence having-set-out hither return

14 Hic ego, etsi eram perterritus non tam mortis metu

here I although I-was terrified not so-much of-death by-fear

quam insidiarum a meis, quaesivi tamen, viveretne

as of-plots from my-own I-asked still whether-be-was-living

ipse et Paulus pater et alii, quos nos extinctos arbitraremur.

himself and Paulus father and others whom we extinguished thought

Immo vero, inquit, hi vivunt, qui e corporum vinculis

nay indeed he-says these live who from of-bodies the-chains

tamquam e carcere evolaverunt, vestra vero, quae dicitur,

as-if from a-prison have-flown-out your but which is-called

vita mors est. Quin tu aspicias ad te venientem Paulum

life death is why-not you look-at to you coming Paulus

patrem? Quem ut vidi, equidem vim lacrimarum profudi,
father whom when I-saw indeed a-flood of-tears I-poured-out
 ille autem me complexus atque osculans flere prohibebat.
he however me having-embraced and kissing to-weep forbade

IV · THE BODY'S GUARDHOUSE

Scipio asks why he should linger on earth, and Paullus answers that unless the god whose temple is the universe frees him from the body's custody, the way here is shut. Men were made to watch over the earth, their souls drawn from the eternal fires of the stars, and to leave life unbidden deserts a duty god assigned. Justice and duty, above all toward the fatherland, are the road to heaven and the Milky Way. From there the earth seems so small that Scipio is ashamed of Rome's empire, a mere point of it.

Atque ego ut primum fletu represso loqui posse coepi, 15
and I as first with-weeping restrained to-speak to-be-able began
 Quaeso, inquam, pater sanctissime atque optime, quoniam haec
I-pray I-say father most-holy and best since this
 est vita, ut Africanum audio dicere, quid moror in terris? quin
is life as Africanus I-hear to-say why do-I-linger on earth why-not
 huc ad vos venire propero? Non est ita, inquit ille. Nisi enim
hither to you to-come I-hasten not is so says he unless for
 deus is, cuius hoc templum est omne, quod conspicias, istis te
god that whose this temple is all which you-behold from-those you
 corporis custodiis liberaverit, huc tibi aditus patere non potest.
of-the-body guardhouses shall-have-freed hither to-you access to-lie-open not can
 Homines enim sunt hac lege generati, qui tuerentur illum
men for are by-this law begotten who should-guard that
 globum, quem in hoc templo medium vides, quae terra dicitur,
globe which in this temple in-the-middle you-see which earth is-called

iisque animus datus est ex illis sempiternis ignibus, quae
and-to-them a-soul given has-been from those everlasting fires which
sidera et stellas vocatis, quae globosae et rotundae, divinis
constellations and stars you-call which spherical and round with-divine
animatae mentibus, circulos suos orbesque conficiunt celeritate
animated minds circles their and-orbits complete with-speed
mirabili. Quare et tibi, Publi, et piis omnibus retinendus
wonderful wherefore both by-you Publius and by-the-dutiful all to-be-retained
animus est in custodia corporis nec iniussu eius, a
the-soul is in the-guardhouse of-the-body nor without-the-order of-him by
quo ille est vobis datus, ex hominum vita migrandum est,
whom it is to-you given from of-men life to-be-departed is
ne munus humanum adsignatum a deo defugisse videamini.
lest the-duty human assigned by god to-have-shirked you-may-seem

16 Sed sic, Scipio, ut avus hic tuus, ut ego, qui te
but thus Scipio as grandfather this your as I who you
genui, iustitiam cole et pietatem, quae cum magna in
begot justice cultivate and dutifulness which as-much great toward
parentibus et propinquis, tum in patria maxima est; ea
parents and kinsmen so toward the-fatherland greatest is that
vita via est in caelum et in hunc coetum eorum, qui iam
life the-way is into heaven and into this gathering of-those who already
vixerunt et corpore laxati illum incolunt locum, quem vides,
have-lived and from-the-body released that inhabit place which you-see
(erat autem is splendidissimo candore inter flammās circus
was moreover it with-most-brilliant whiteness among the-flames a-circle
elucens) quem vos, ut a Graiis accepistis, orbem lacteum
shining-out which you as from the-Greeks you-have-received circle milky
nuncupatis; ex quo omnia mihi contemplanti praeclara cetera
name from which all-things to-me contemplating splendid the-rest
et mirabilia videbantur. Erant autem eae stellae, quas
and wonderful seemed there-were moreover those stars which

numquam ex hoc loco vidimus, et eae magnitudines omnium,
never from this place we-have-seen and those magnitudes of-all
 quas esse numquam suspicati sumus, ex quibus erat ea minima,
which to-be never suspected we-have of which was that smallest
 quae ultima a caelo, citima a terris luce lucebat aliena.
which farthest from heaven nearest from the-earth with-light shone another's
 Stellarum autem globi terrae magnitudinem facile vincebant.
of-the-stars moreover the-globes of-the-earth the-size easily surpassed
 Iam ipsa terra ita mihi parva visa est, ut me imperii
now itself the-earth so to-me small seemed has that me of-empire
 nostri, quo quasi punctum eius attingimus, paeniteret.
our by-which as-it-were a-point of-it we-touch it-shamed

V • THE NINE SPHERES AND THEIR MUSIC

Africanus shows him nine spheres: the outermost heaven, the supreme god, holding the fixed stars; beneath it the spheres of Saturn, Jupiter, Mars, the sun, which is the mind and ruler of the universe, Venus, Mercury, and the moon; and at the center the motionless earth. Below the moon all is mortal except human souls. The spheres' motion makes a harmony of seven distinct notes, which learned men have imitated on strings. Deafened by it, human ears cannot hear it, like people living by the Nile's cataracts.

Quam cum magis intuerer, Quaeso, inquit Africanus, 17
which when more I-was-gazing-at I-pray says Africanus
 quousque humi defixa tua mens erit? Nonne aspicias, quae
how-long on-the-ground fixed your mind will-be do-not you-see what
 in templa veneris? Novem tibi orbibus vel potius globis
into temples you-have-come nine for-you by-circles or rather by-globes
 conexa sunt omnia, quorum unus est caelestis, extumus,
joined are all-things of-which one is the-heavenly outermost

qui reliquos omnes complectitur, summus ipse deus arcens
which remaining all embraces highest himself god confining
 et continens ceteros; in quo sunt infixi illi, qui volvuntur,
and holding-together the-rest in which are fixed those which revolve
 stellarum cursus sempiterni; cui subiecti sunt septem,
of-the-stars courses everlasting to-which subjected are seven
 qui versantur retro contrario motu atque caelum; ex
which turn backward with-contrary motion to heaven of
 quibus unum globum possidet illa, quam in terris Saturniam
which one globe possesses that which on earth Saturn's
 nominant. Deinde est hominum generi prosperus et salutaris
they-name then is of-men to-the-race prosperous and healthful
 ille fulgor, qui dicitur Iovis; tum rutilus horribilisque
that brightness which is-called of-Jupiter then the-ruddy and-dreadful
 terris, quem Martium dicitis; deinde subter mediam fere
to-the-lands which of-Mars you-call next below the-middle almost
 regionem sol obtinet, dux et princeps et moderator
region the-sun holds leader and chief and governor
 luminum reliquorum, mens mundi et temperatio, tanta
of-lights remaining mind of-the-universe and regulation of-such
 magnitudine, ut cuncta sua luce lustret et compleat.
magnitude that all-things its-own with-light it-lights-up and fills
 Hunc ut comites consequuntur Veneris alter, alter Mercurii
this as companions follow of-Venus one the-other of-Mercury
 cursus, in infimoque orbe luna radiis solis accensa
course in and-lowest orbit the-moon by-the-rays of-the-sun kindled
 convertitur. Infra autem iam nihil est nisi mortale et
revolves below moreover now nothing is except mortal and
 caducum praeter animos munere deorum hominum generi
perishable besides souls by-the-gift of-the-gods of-men to-the-race
 datos, supra lunam sunt aeterna omnia. Nam ea, quae est
given above the-moon are eternal all-things for that which is

media et nona, tellus, neque movetur et infima est, et
middle and ninth the-earth neither is-moved and lowest is and
 in eam feruntur omnia nutu suo pondera.

into it are-borne all by-inclination their-own weights

Quae cum intuerer stupens, ut me recepi, Quid? hic, 18

which when I-was-gazing-at astounded when myself I-recovered what this
 inquam, quis est, qui complet aures meas tantus et tam

I-say what is which fills ears my so-great and so

dulcis sonus? Hic est, inquit, ille, qui intervallis disiunctus

sweet sound this is he-says that which by-intervals separated

inparibus, sed tamen pro rata parte ratione distinctis

unequal but still in fixed proportion by-ratio distinguished

impulsu et motu ipsorum orbium efficitur et acuta cum

by-the-impulse and motion of-the-very orbs is-produced and high-notes with

gravibus temperans varios aequabiliter concentus efficit; nec

low-notes blending various evenly harmonies produces nor

enim silentio tanti motus incitari possunt, et natura fert,

for in-silence so-great motions to-be-set-going can and nature brings

ut extrema ex altera parte graviter, ex altera autem acute

that the-extremes from one side low from the-other however high

sonent. Quam ob causam summus ille caeli stellifer

sound which on-account-of cause highest that of-heaven star-bearing

cursus, cuius conversio est concitatio, acuto et excitato

course whose revolution is swifter with-a-high and roused

movetur sono, gravissimo autem hic lunaris atque infimus;

is-moved sound with-the-lowest however this lunar and lowest

nam terra nona immobilis manens una sede semper haeret

for the-earth ninth immovable remaining in-one seat always clings

complexa medium mundi locum. Illi autem octo cursus,

embracing the-middle of-the-universe place those however eight courses

in quibus eadem vis est duorum, septem efficiunt distinctos

in which the-same force is of-two seven produce distinguished

intervallis sonos, qui numerus rerum omnium fere nodus
by-intervals sounds which number of-things all almost the-knot
 est; quod docti homines nervis imitati atque cantibus
is which learned men with-strings having-imitated and with-songs
 aperuerunt sibi reditum in hunc locum, sicut alii, qui
have-opened for-themselves a-return into this place as others who
 praestantibus ingeniis in vita humana divina studia coluerunt.
with-outstanding talents in life human divine pursuits have-cultivated

- 19 Hoc sonitu oppletae aures hominum obsurduerunt; nec est
with-this sound filled-up the-ears of-men have-gone-deaf nor is
 ullus hebetior sensus in vobis, sicut, ubi Nilus ad illa, quae
any duller sense in you as where the-Nile at those which
 Catadupa nominantur, praecipitat ex altissimis montibus,
Catadupa are-named rushes-down from highest mountains
 ea gens, quae illum locum adcolit, propter magnitudinem
that race which that place dwells-by on-account-of the-magnitude
 sonitus sensu audiendi caret. Hic vero tantus est totius
of-the-sound the-sense of-hearing lacks this indeed so-great is of-the-whole
 mundi incitatissima conversione sonitus, ut eum aures
universe by-most-rapid revolution sound that it the-ears
 hominum capere non possint, sicut intueri solem adversum
of-men to-take-in not can as to-look-at the-sun facing
 nequitis, eiusque radiis acies vestra sensusque vincitur. Haec
you-cannot and-of-it by-the-rays sight your and-sense is-overcome these-things
 ego admirans referebam tamen oculos ad terram identidem.
I wondering-at was-bringing-back still eyes to earth again-and-again

Seeing Scipio still gaze at the earth, Africanus urges him to look always to heaven and despise human things. What fame can he win? Men live in scattered patches, cut off from one another; the earth is girdled by frozen and scorched zones, and of the two habitable zones the southern has nothing to do with his race. The whole inhabited land is a small island in the Ocean, itself small despite its great name. Has any Roman's name crossed the Caucasus or the Ganges, and how long will men speak of us?

Tum Africanus: Sentio, inquit, te sedem etiam nunc 20
 then Africanus I-perceive says that-you the-seat even now
 hominum ac domum contemplari; quae si tibi parva, ut
 of-men and home to-contemplate which if to-you small as
 est, ita videtur, haec caelestia semper spectato, illa humana
 it-is so seems these heavenly-things always look-at those human
 contemnit. Tu enim quam celebritatem sermonis hominum
 despise you for what renown of-talk of-men
 aut quam expetendam consequi gloriam potes? Vides habitari
 or what to-be-sought to-attain glory can you-see to-be-inhabited
 in terra raris et angustis in locis et in ipsis quasi
 on earth scattered and narrow in places and in the-very as-it-were
 maculis, ubi habitatur, vastas solitudines interiectas, eosque,
 spots where it-is-inhabited vast wastes lying-between and-those
 qui incolunt terram, non modo interruptos ita esse, ut nihil
 who inhabit the-earth not only cut-off so to-be that nothing
 inter ipsos ab aliis ad alios manare possit, sed partim
 among themselves from some to others to-flow can but partly
 obliquos, partim transversos, partim etiam adversos stare
 slanting partly crosswise partly even opposite to-stand
 vobis; a quibus expectare gloriam certe nullam potestis.
 to-you from whom to-expect glory surely none you-can

- 21 Cernis autem eandem terram quasi quibusdam redimitam
you-see moreover the-same earth as-it-were with-certain wreathed
 et circumdatam cingulis, e quibus duos maxime inter se
and surrounded belts of which two most among themselves
 diversos et caeli verticibus ipsis ex utraque parte subnixos
different and of-heaven on-the-poles themselves from either side propped
 obriguisse pruina vides, medium autem illum et maximum
to-have-stiffened with-frost you-see middle however that and greatest
 solis ardore torreri. Duo sunt habitabiles, quorum australis
of-the-sun by-the-heat to-be-scorched two are habitable of-which southern
 ille, in quo qui insistunt, adversa vobis urgent vestigia, nihil
that in which who stand opposite to-you press footprints nothing
 ad vestrum genus; hic autem alter subiectus aquiloni, quem
to your race this however other lying-under the-north-wind which
 incolitis, cerne quam tenui vos parte contingat. Omnis enim
you-inhabit see how thin you by-a-part it-touches all for
 terra, quae colitur a vobis, angustata verticibus, lateribus
the-land which is-inhabited by you narrowed at-the-poles at-the-sides
 latior, parva quaedam insula est circumfusa illo mari, quod
broader small certain island is poured-around by-that sea which
 Atlanticum, quod magnum, quem Oceanum appellatis in
Atlantic which great which Ocean you-call on
 terris, qui tamen tanto nomine quam sit parvus, vides.
earth which still with-so-great name how it-is small you-see
- 22 Ex his ipsis cultis notisque terris num aut tuum aut
from these very inhabited and-known lands surely-not either your or
 cuiusquam nostrum nomen vel Caucasum hunc, quem cernis,
of-any of-us name either Caucasus this which you-see
 transcendere potuit vel illum Gangem tranare? Quis in reliquis
to-climb-over could or that Ganges to-swim-across who in remaining
 orientis aut obeuntis solis ultimis aut aquilonis austrive
of-the-rising or of-the-setting sun farthest or of-the-north of-the-south-or

partibus tuum nomen audiet? quibus amputatis cernis profecto
parts your name will-bear which cut-off you-see surely
 quantis in angustiis vestra se gloria dilatari velit. Ipsi
how-great in straits your itself glory to-be-spread may-wish themselves
 autem, qui de nobis loquuntur, quam loquuntur diu?
moreover who about us speak how will-they-speak long

VII • THE GREAT YEAR

Even if later generations wished to hand down each Roman's praises, the floods and fires that come at fixed times would cut them off, and those born earlier said nothing of us. Men measure the year by the sun, but the true year ends only when all the stars return to their places, and not a twentieth of it has passed since Romulus' soul entered heaven; human glory scarcely reaches a small part of that year. Let virtue draw Scipio to true honor by its own charms, since others' talk is hemmed in and soon forgotten.

Quin etiam si cupiat proles illa futurorum hominum 23
nay even if should-desire progeny that of-future men
 deinceps laudes unius cuiusque nostrum a patribus acceptas
in-succession the-praises of-one each of-us from fathers received
 posteris prodere, tamen propter eluviones exustionesque
to-posterity to-hand-down still on-account-of floods and-conflagrations
 terrarum, quas accidere tempore certo necesse est, non modo
of-lands which to-befall at-a-time fixed necessary it-is not only
 aeternam, sed ne diuturnam quidem gloriam adsequi possumus.
eternal but not long-lasting even glory to-attain we-can
 Quid autem interest ab iis, qui postea nascentur, sermonem
what moreover does-it-matter by those who afterward will-be-born talk
 fore de te, cum ab iis nullus fuerit, qui ante nati sunt?
to-be-about-to-be about you when by those none has-been who before born are

24 qui nec pauciores et certe meliores fuerunt viri, praesertim
who not fewer and surely better were men especially
 cum apud eos ipsos, a quibus audiri nomen nostrum
since among those very by whom to-be-heard name our
 potest, nemo unius anni memoriam consequi possit. Homines
can no-one of-one year the-memory to-attain can men
 enim populariter annum tantum modo solis, id est unius
for popularly the-year only merely of-the-sun that is of-one
 astri, reditu metiuntur; cum autem ad idem, unde semel
star by-the-return measure when however to the-same whence once
 profecta sunt, cuncta astra redierint eandemque totius
set-out have all stars shall-have-retained and-the-same of-the-whole
 caeli discriptionem longis intervallis rettulerint, tum
heaven arrangement at-long intervals shall-have-brought-back then
 ille vere vertens annus appellari potest; in quo vix dicere
that truly turning year to-be-called can in which scarcely to-say
 audeo quam multa hominum saecula teneantur. Namque ut
I-dare how many of-men ages are-held for as
 olim deficere sol hominibus exstinguique visus est, cum
once to-fail the-sun to-men and-to-be-extinguished seemed has when
 Romuli animus haec ipsa in templa penetravit, quandoque
of-Romulus the-soul these very into temples entered whenever
 ab eadem parte sol eodemque tempore iterum defecerit,
from the-same part the-sun and-at-the-same time again shall-have-failed
 tum signis omnibus ad principium stellisque revocatis
then with-constellations all to the-beginning and-stars recalled
 expletum annum habeto; cuius quidem anni nondum
completed the-year hold of-which indeed year not-yet
 vicesimam partem scito esse conversam.
the-twentieth part know to-be turned

Quocirca si reditum in hunc locum desperaveris, in quo 25
wherefore if the-return into this place you-shall-have-despaired-of in which
 omnia sunt magnis et praestantibus viris, quanti tandem
all-things are for-great and outstanding men of-how-much pray
 est ista hominum gloria, quae pertinere vix ad unius anni
is that of-men glory which to-extend scarcely to of-one year
 partem exiguam potest? Igitur alte spectare si voles
part small can therefore on-high to-look if you-will-wish
 atque hanc sedem et aeternam domum contueri, neque
and this seat and eternal home to-gaze-at neither
 te sermonibus vulgi dedideris nec in praemiis
yourself to-the-talk of-the-crowd you-will-have-given nor in rewards
 humanis spem posueris rerum tuarum; suis te oportet
human hope will-have-placed of-affairs your by-its-own you it-is-needful
 inlecebris ipsa virtus trahat ad verum decus, quid de te
allurements itself virtue should-draw to true honor what about you
 alii loquantur, ipsi videant, sed loquentur tamen. Sermo
others may-say themselves let-them-see but they-will-speak still talk
 autem omnis ille et angustiis cingitur iis regionum,
moreover all that both by-straits is-hemmed by-those of-regions
 quas vides, nec umquam de ullo perennis fuit et obruitur
which you-see nor ever about anyone lasting was and is-buried
 hominum interitu et oblivione posteritatis extinguitur.
of-men by-the-death and by-the-forgetfulness of-posterity is-extinguished

Scipio promises to strive harder for such a reward. Africanus tells him that he is not mortal, only his body is: the mind is the man, and it is a god, ruling the body as god rules the universe. What moves itself is eternal, for a first principle of motion can neither be born nor die, and the soul alone moves itself. Let him exercise it in the best cares, those for the fatherland, and it will fly swiftly home; souls enslaved to pleasure wander about the earth for ages. Africanus departs, and Scipio wakes.

- 26 Quae cum dixisset, Ego vero, inquam, Africane, siquidem bene
which when he-had-said I indeed I-say Africanus if-indeed well
 meritis de patria quasi limes ad caeli aditum patet,
to-the-deserving of the-fatherland as-it-were a-path to of-heaven the-entrance lies-open
 quamquam a pueritia vestigiis ingressus patris et tuis
although from boyhood in-the-footsteps having-walked of-father and in-yours
 decori vestro non defui, nunc tamen tanto praemio
to-glory your not I-have-failed now still with-so-great reward
 exposito enitar multo vigilantius. Et ille: Tu vero enitere et
set-out I-shall-strive by-much more-watchfully and be you indeed strive and
 sic habeto, non esse te mortalem, sed corpus hoc; nec enim
thus hold not to-be that-you mortal but body this nor for
 tu is es, quem forma ista declarat, sed mens cuiusque is est
you the-one are whom form that declares but the-mind of-each that is
 quisque, non ea figura, quae digito demonstrari potest. Deum
each not that shape which with-a-finger to-be-pointed-out can a-god
 te igitur scito esse, siquidem est deus, qui viget, qui sentit,
that-you therefore know to-be if-indeed is a-god who flourishes who feels
 qui meminit, qui providet, qui tam regit et moderatur et
who remembers who foresees who as-much rules and governs and
 movet id corpus, cui praepositus est, quam hunc mundum
moves that body over-which set is as this universe

ille princeps deus; et ut mundum ex quadam parte mortalem

that chief god and as the-universe in some part mortal

ipse deus aeternus, sic fragile corpus animus sempiternus movet.

himself god eternal so the-frail body soul everlasting moves

Nam quod semper movetur, aeternum est; quod autem

for what always is-moved eternal is what however

motum adfert alicui, quodque ipsum agitur aliunde,

motion brings to-something and-what itself is-driven from-elsewhere

quando finem habet motus, vivendi finem habeat necesse est.

when an-end has of-motion of-living an-end it-have necessary it-is

Solum igitur, quod sese movet, quia numquam deseritur a

alone therefore what itself moves because never is-deserted by

se, numquam ne moveri quidem desinit; quin etiam ceteris,

itself never not to-be-moved even ceases nay even for-the-rest

quae moventur, hic fons, hoc principium est movendi.

which are-moved this the-spring this the-beginning is of-moving

Principii autem nulla est origo; nam ex principio oriuntur

of-a-beginning however no is origin for from a-beginning arise

omnia, ipsum autem nulla ex re alia nasci potest; nec

all-things itself however no from thing other to-be-born can nor

enim esset id principium, quod gigneretur aliunde; quodsi

for would-be that a-beginning which were-begotten from-elsewhere but-if

numquam oritur, ne occidit quidem umquam. Nam principium

never it-arises not it-perishes even ever for a-beginning

extinctum nec ipsum ab alio renascetur nec ex se aliud

extinguished neither itself from another will-be-reborn nor from itself another

creabit, siquidem necesse est a principio oriri omnia. Ita

will-create since necessary it-is from a-beginning to-arise all-things so

fit, ut motus principium ex eo sit, quod ipsum a se

it-comes-about that of-motion the-beginning from that is which itself by itself

movetur; id autem nec nasci potest nec mori; vel concidat

is-moved that however neither to-be-born can nor to-die or collapse

omne caelum omnisque natura et consistat necesse est nec
all heaven and-all nature and stand-still necessary it-is nor
 vim ullam nanciscatur, qua a primo impulsam moveatur.

force any obtain by-which from the-first impelled it-may-be-moved

28 Cum pateat igitur aeternum id esse, quod a se ipso moveatur,
since it-is-plain therefore eternal that to-be which by it itself is-moved
 quis est, qui hanc naturam animis esse tributam neget?

who is who this nature to-souls to-be granted would-deny

Inanimum est enim omne, quod pulsu agitur externo; quod

soulless is for everything which by-a-push is-driven external what

autem est animal, id motu cietur interiore et suo; nam

however is a-living-thing that by-motion is-stirred inner and its-own for

haec est propria natura animi atque vis; quae si est una ex

this is proper the-nature of-the-soul and force which if it-is alone of

omnibus, quae sese moveat, neque nata certe est et aeterna est.

all which itself moves neither born surely is and eternal is

29 Hanc tu exerce optimis in rebus! sunt autem optimae

this you exercise best in things are moreover the-best

curae de salute patriae, quibus agitur et exercitatus

cares about the-safety of-the-fatherland by-which driven and exercised

animus velocius in hanc sedem et domum suam pervolabit;

the-soul more-swiftly into this seat and home its-own will-fly

idque ocius faciet, si iam tum, cum erit inclusus

and-that sooner it-will-do if already then when it-will-be shut-up

in corpore, eminebit foras et ea, quae extra erunt,

in the-body it-will-project outside and those-things which outside will-be

contemplans quam maxime se a corpore abstrahet.

contemplating as most itself from the-body will-draw-away

Namque eorum animi, qui se corporis voluptatibus

for of-those the-souls who themselves of-the-body to-pleasures

dediderunt earumque se quasi ministros praebuerunt

have-given and-of-them themselves as-it-were servants have-offered

impulsuque libidinum voluptatibus oboedientium deorum et
and-by-the-impulse of-lusts to-pleasures obedient of-gods and
 hominum iura violaverunt, corporibus elapsi circum terram
of-men the-laws have-violated from-bodies slipped-out around earth
 ipsam volutantur nec hunc in locum nisi multis exagitati
itself roll-about nor this into place unless for-many harried-about
 saeculis revertuntur. Ille discessit; ego somno solutus sum.
ages do-they-return he departed I from-sleep released was

CICERO

De Legibus

The Laws



BOOK I

I • THE OAK OF MARIUS

At Arpinum, Atticus recognizes the grove and the oak he has read of in Cicero's poem Marius. Quintus replies that a tree sown by a poet's genius outlives any farmer's, and a Marian oak will stand here while Latin letters speak. Asked whether his verses sowed the oak or the story is true, Cicero answers with questions: did Romulus appear to Proculus Julius, or the North Wind carry off Orithyia near Atticus' house? Some, he says, foolishly demand from a poet the truth of a witness.

ATTICUS. *Lucus quidem ille et haec Arpinatium quercus* 1
the-grove indeed that and this of-the-Arpinates oak
agnoscitur saepe a me lectus in Mario. Si manet illa
is-recognized often by me read-of in the-Marius if remains that
quercus, haec est profecto; etenim est sane vetus.
oak this is assuredly for-indeed it-is truly old

QUINTUS. *Manet vero, Attice noster, et semper manebit; sata*
it-remains indeed Atticus our and always will-remain planted
est enim ingenio. Nullius autem agricolae cultu stirps
it-was for by-genius of-no moreover farmer by-the-tending a-stock
tam diuturna quam poetae versu seminari potest.
so long-lived as of-a-poet by-the-verse to-be-sown can

ATT. *Quo tandem modo, Quinte, aut quale est istuc,*
in-what pray manner Quintus or of-what-sort is that
quod poetae serunt? mihi enim videris fratrem laudando
which poets sow to-me for you-seem (your)-brother by-praising
suffragari tibi.
to-vote for-yourself

2 Q. Sit ita sane; verum tamen, dum Latinae loquentur

let-it-be so certainly but still while Latin will-speak
 litterae, quercus huic loco non deerit, quae Mariana
letters an-oak to-this place not will-be-lacking which Marian
 dicatur, eaque, ut ait Scaevola de fratris mei Mario,
may-be-called and-it as says Scaevola about of-brother my Marius

canescet saeculis innumerabilibus;

will-grow-hoary through-ages countless

nisi forte Athenae tuae sempiternam in arce oleam tenere

unless perhaps Athens your an-everlasting on the-citadel olive to-keep
 potuerunt, aut, quod Homericus Ulixes Deli se proceram
have-been-able or what Homeric Ulysses at-Delos himself tall

et teneram palmam vidisse dixit, hodie monstrant eandem;
and tender a-palm to-have-seen said today they-show the-same

multaque alia multis locis diutius commemoratione manent
and-many other in-many places longer by-remembrance remain

quam natura stare potuerunt. Quare 'glandifera' illa quercus,
than by-nature to-stand have-been-able therefore acorn-bearing that oak

ex qua olim evolavit

from which once flew-forth

nuntia fulva Iovis miranda visa figura,

the-messenger tawny of-Jove wondrous seen in-shape

nunc sit haec. Sed quom eam tempestas vetustasve

now let-be this but when it storm age-or

consumpserit, tamen erit his in locis quercus, quam

shall-have-consumed still there-will-be these in places an-oak which

Marianam quercum vocabunt.

Marian oak they-will-call

ATT. Non dubito id quidem; sed haec iam non ex te, Quinte, 3

not I-doubt that indeed but this now not from you Quintus
quaero, verum ex ipso poeta, tuine versus hanc quercum
I-ask but from the-very poet whether-your verses this oak
severint, an ita factum de Mario, ut scribis, acceperis.
have-sown or so done about Marius as you-write you-have-received

MARCUS. Respondebo tibi equidem, sed non ante quam

I-will-answer to-you for-my-part but not before than
mihi tu ipse responderis, Attice, certen non longe
to-me you yourself shall-have-answered Atticus whether-for-certain not far
a tuis aedibus inambulans post excessum suum Romulus
from your house walking-about after the-departure his Romulus
Proculo Iulio dixerit se deum esse et Quirinum vocari
to-Proculus Julius said himself a-god to-be and Quirinus to-be-called
templumque sibi dedicari in eo loco iusserit, et
and-a-temple to-himself to-be-dedicated in that place ordered and
verumne sit, ut Athenis non longe item a tua illa antiqua
whether-true it-is that at-Athens not far likewise from your that old
domo Orithyiam Aquilo sustulerit; sic enim est traditum.
house Orithyia the-North-Wind carried-off so for it-is handed-down

ATT. Quorsum tandem aut cur ista quaeris? 4

whither pray or why these-things you-ask

M. Nihil sane, nisi ne nimis diligenter inquiras in ea,

nothing truly except lest too carefully you-inquire into those-things
quae isto modo memoriae sint prodita.
which in-that way to-memory have-been handed-down

ATT. Atqui multa quaeruntur in Mario fictane an

and-yet many-things are-asked in the-Marius whether-invented or
vera sint, et a non nullis, quod et in recenti memoria
true are and by not none because both in recent memory
et in Arpinati homine versere, veritas a te postulatur.
and in an-Arpinate man you-are-dealing truth from you is-demanded

M. Et mehercule ego me cupio non mendacem putari; sed
 and by-Hercules I myself desire not a-liar to-be-thought but
 tamen non nulli isti, Tite noster, faciunt imperite, qui in
 still not none those Titus our act ignorantly who in
 isto periculo non ut a poeta, sed ut a teste veritatem
 that trial not as from a-poet but as from a-witness the-truth
 exigant; nec dubito, quin iidem et cum Egeria conlocutum
 demand nor I-doubt but-that the-same both with Egeria conversed
 Numam et ab aquila Tarquinio apicem inpositum putent.
 Numa and by an-eagle to-Tarquinius the-cap placed think

II · A HISTORY OF ROME REQUESTED

Cicero agrees that history aims at truth and poetry at delight, though Herodotus and Theopompus are full of fables. Atticus seizes the moment: Cicero owes Rome a history, a work suited above all to an orator, so that Rome might rival Greece in this too. The Roman historians are thin: the pontiffs' annals are barren, Fabius, Cato, Piso, and Fannius meager, Antipater rough, Clodius and Asellio feeble, Macer impudent, and even Sisenna, the best, childish in imitating Clitarchus.

5 Q. Intellego te, frater, alias in historia leges observandas

I-understand that-you brother some in history laws to-be-observed
 putare, alias in poemate.
 to-think others in a-poem

M. Quippe, quom in illa omnia ad veritatem, Quinte,
 inasmuch-as since in that all-things to truth Quintus
 referantur, in hoc ad delectationem pleraque; quamquam et
 are-referred in this to delight most-things although both
 apud Herodotum, patrem historiae, et apud Theopompum
 in Herodotus the-father of-history and in Theopompus
 sunt innumerabiles fabulae.
 are countless tales

ATT. Teneo, quam optabam, occasionem neque omittam.

I-have which I-was-wishing-for the-opportunity nor will-I-let-slip

M. Quam tandem, Tite?

which pray Titus

ATT. Postulatur a te iam diu vel flagituratur potius historia.

is-requested from you now long or is-demanded rather history

Sic enim putant, te illam tractante effici posse,

thus for they-think with-you it handling to-be-brought-about to-be-able

ut in hoc etiam genere Graeciae nihil cedamus. Atque ut

that in this also kind to-Greece nothing we-yield and that

audias, quid ego ipse sentiam, non solum mihi videris

you-may-hear what I myself think not only to-me you-seem

eorum studiis, qui tuis litteris delectantur, sed etiam

of-those to-the-pursuits who in-your writings delight but also

patriae debere hoc munus, ut ea, quae salva per te est,

to-the-fatherland to-owe this duty that she who saved through you is

per te eundem sit ornata. Abest enim historia litteris

through you the-same be adorned is-absent for history from-literature

nostris, ut et ipse intellego et ex te persaepe audio. Potes

our as both myself I-understand and from you very-often I-hear you-can

autem tu profecto satis facere in ea, quippe quom sit opus,

moreover you surely enough to-do in it inasmuch-as since it-is a-work

ut tibi quidem videri solet, unum hoc oratorium maxime.

as to-you indeed to-seem is-wont one this oratorical most

Quam ob rem adgrederemur, quaesumus, et sume ad 6

which on-account-of reason undertake we-beg and take for

hanc rem tempus, quae est a nostris hominibus adhuc aut

this thing time which is by our men till-now either

ignorata aut relictata. Nam post annalis pontificum maximorum,

unknown or neglected for after the-annals of-the-pontiffs chief

quibus nihil potest esse ieiunius, si aut ad Fabium aut ad

than-which nothing can be more-barren if either to Fabius or to

eum, qui tibi semper in ore est, Catonem, aut ad Pisonem

him who to-you always in mouth is Cato or to Piso

aut ad Fannium aut ad Vennonium venias, quamquam ex

or to Fannius or to Vennonius you-come although of

his alius alio plus habet virium, tamen quid tam

these one than-another more has of-strength still what so

exile quam isti omnes? Fannii autem aetati coniunctus

thin as those all of-Fannius moreover to-the-age joined

Antipater paulo inflavit vehementius habuitque vires agrestis

Antipater a-little blew more-vigorously and-had strength rustic

ille quidem atque horridas sine nitore ac palaestra, sed

he indeed and rough without polish and training but

tamen admonere reliquos potuit, ut adcuratius scriberent.

still to-admonish the-rest he-could that more-carefully they-should-write

Ecce autem successere huic †belli Clodius, Asellio, nihil ad

behold moreover succeeded to-him fine Clodius Asellio nothing to

Coelium, sed potius ad antiquorum languorem et inscitiam.

Coelius but rather to of-the-ancients the-feebleness and clumsiness

7 Nam quid Macrum numerem? cuius loquacitas habet aliquid

for why Macer should-I-count whose loquacity has something

argutiarum, nec id tamen ex illa erudita Graecorum copia,

of-cleverness nor that still from that learned of-the-Greeks abundance

sed ex librariolis Latinis, in orationibus autem multa, sed

but from petty-copyists Latin in speeches moreover much but

inepta elatio, summa inpudentia. Sisenna, eius amicus, omnes

inept exaltation highest impudence Sisenna his friend all

adhuc nostros scriptores, nisi qui forte nondum ediderunt,

till-now our writers except who perhaps not-yet have-published

de quibus existimare non possumus, facile superavit. Is tamen

about whom to-judge not we-can easily surpassed he still

neque orator in numero vestro umquam est habitus et in

neither an-orator in the-number your ever was held and in

historia puerile quiddam consecratur, ut unum Clitarchum
 history childish something pursues so-that one Clitarchus
 neque praeterea quemquam de Graecis legisse videatur,
 nor besides anyone of the-Greeks to-have-read he-seems
 eum tamen velle dumtaxat imitari; quem si adsequi posset,
 him still to-wish only to-imitate whom if to-attain he-could
 aliquantum ab optumo tamen abesset. Quare tuum est
 somewhat from the-best still he-would-be-distant wherefore yours is
 munus hoc, a te expectatur, nisi quid Quinto videtur secus.
 duty this from you is-expected unless anything to-Quintus seems otherwise

III • NO LEISURE FOR HISTORY

Quintus agrees, but he and Cicero differ on where the history should begin: Quintus favors the remotest times, while Cicero wants the history of his own age, and Atticus sides with him, looking to Pompey's glories and Cicero's own memorable year. Cicero answers that history needs free time and an unoccupied mind, and cannot be written in spare hours. Atticus suggests an embassy or some leisured post; Cicero had counted on old age, when he might sit in his chair giving legal opinions.

Q. Mihi vero nihil, et saepe de isto conlocuti sumus. Sed 8
 to-me indeed nothing and often about that talked we-have but
 est quaedam inter nos parva dissensio.
 there-is a-certain between us small disagreement

ATT. Quae tandem?

what pray
 Q. A quibus temporibus scribendi capiat exordium. Ego
 from what times of-writing he-should-take the-beginning I
 enim ab ultimis censeo, quoniam illa sic scripta sunt, ut ne
 for from the-remotest I-judge since those so written are that not

legantur quidem, ipse autem aequalem aetatis suae memoriam

they-are-read even he however contemporary to-age his-own memory

deposcit, ut ea conplectatur, quibus ipse interfuit.

demands that those-things he-embrace in-which himself took-part

ATT. Ego vero huic potius adsentior. Sunt enim maxumae

I indeed with-this-man rather agree there-are for greatest

res in hac memoria atque aetate nostra; tum autem hominis

events in this memory and age our then moreover of-the-man

amicissimi, Cn. Pompeii, laudes inlustrabit, incurret

most-friendly of-Gnaeus Pompey the-praises he-will-set-in-light he-will-run

etiam in illum *** et memorabilem annum suum; quae ab

even into that (lacuna) and memorable year his-own which by

isto malo praedicari quam, ut aiunt, de Remo et Romulo.

him I-prefer to-be-proclaimed than as they-say about Remus and Romulus

M. Intellego equidem a me istum laborem iam diu

I-understand indeed from me that labor now long

postulari, Attice; quem non recusarem, si mihi ullum

to-be-requested Atticus which not I-would-refuse if to-me any

tribueretur vacuum tempus et liberum; neque enim occupata

were-allotted empty time and free nor for with-occupied

opera neque inpedito animo res tanta suscipi potest;

effort nor with-hindered mind a-thing so-great to-be-undertaken can

utrumque opus est, et cura vacare et negotio.

both need is both from-care to-be-free and from-business

9 ATT. Quid? ad cetera, quae scripsisti plura quam quisquam

what as-to the-rest which you-have-written more than anyone

e nostris, quod tibi tandem tempus vacuum fuit concessum?

of our-people what to-you pray time empty was granted

M. Subsiciva quaedam tempora incurrunt, quae ego perire

spare certain times occur which I to-perish

non patior, ut, si qui dies ad rusticandum dati sint, ad

not allow so-that if any days for country-living given are to

eorum numerum adcommodentur, quae scribimus. Historia
their number they-are-fitted which we-write history
 vero nec institui potest nisi praeparato otio nec exiguo
but neither to-be-begun can unless with-prepared leisure nor in-scanty
 tempore absolvi, et ego animi pendere soleo, quom
time to-be-finished and I in-mind to-hang-in-suspense am-wont when
 semel quid orsus sum, si traducor alio, neque tam
once anything begun I-have if I-am-diverted elsewhere nor so
 facile interrupta contexo quam absolvo instituta.
easily things-interrupted I-weave-together as I-finish things-begun

ATT. Legationem aliquam nimirum ista oratio postulat aut
an-embassy some doubtless that speech demands or
 eius modi quampiam cessationem liberam atque otiosam.
of-that kind some respite free and leisured

M. Ego vero aetatis potius vacationi confidebam, quom
I indeed of-age rather to-the-exemption was-trusting since
 praesertim non recusarem, quo minus more patrio sedens
especially not I-would-refuse by-which less by-custom ancestral sitting
 in solio consulentibus responderem senectutisque non
in the-chair to-those-consulting I-might-reply and-of-old-age not
 inertis grato atque honesto fungerer munere. Sic enim
idle pleasing and honorable I-might-perform duty thus for
 mihi liceret et isti rei, quam desideras, et multis
to-me it-would-be-allowed both to-that thing which you-desire and to-many
 uberioribus atque maioribus operae quantum vellem dare.
richer and greater of-effort as-much-as I-wished to-give

10

Atticus fears Cicero will never escape the courts, all the more since he has softened his style toward the mildness of philosophers, as the actor Roscius slowed his rhythms in old age. Quintus thinks the people would welcome Cicero as a giver of legal opinions. Cicero fears it would add labor and rob him of the thought his speeches need. Then why not, Atticus asks, write on civil law in these spare hours, more precisely than others? Cicero agrees to a long conversation, since they are free for the day.

- 11 ATT. Atqui vereor, ne istam causam nemo noscat tibi que
and-yet I-fear lest that excuse no-one recognize and-for-you
 semper dicendum sit, et eo magis, quod te ipse
always to-be-pleaded be and by-this more because yourself you-yourself
 mutasti et aliud dicendi instituisti genus, ut, quem
you-have-changed and another of-speaking have-adopted kind so-that in-what
 ad modum Roscius, familiaris tuus, in senectute numeros in
to manner Roscius friend your in old-age the-rhythms in
 cantu remisera ipsasque tardiores fecerat tibias, sic tu a
song had-slackened and-themselves slower had-made pipes so you from
 contentionibus, quibus summis uti solebas, cotidie relaxes
exertions which highest to-use you-were-wont daily relax
 aliquid, ut iam oratio tua non multum a philosophorum
something so-that now speech your not much from of-philosophers
 lenitate absit; quod sustinere quom vel summa senectus
the-mildness be-distant which to-sustain since even extreme old-age
 posse videatur, nullam tibi a causis vacationem video dari.
to-be-able may-seem none to-you from cases exemption I-see to-be-given
- 12 Q. At mehercule ego arbitrabar posse id populo nostro
but by-Hercules I was-thinking to-be-able that to-people our
 probari, si te ad ius respondendum dedisses. Quam
to-be-approved if yourself to law to-be-answered you-had-given which
 ob rem, quom placebit, experiendum tibi censeo.
on-account-of reason when it-shall-please to-be-tried by-you I-judge

M. Siquidem, Quinte, nullum esset in experiundo periculum;
if-indeed Quintus no there-were in trying danger
 sed vereor, ne, dum minuere velim laborem, augeam atque ad
but I-fear lest while to-lessen I-wish the-labor I-increase and to
 illam causarum operam, ad quam ego numquam nisi paratus
that of-cases work to which I never unless prepared
 et meditatus accedo, adiungatur haec iuris interpretatio,
and rehearsed approach be-added this of-law interpretation
 quae non tam mihi molesta sit propter laborem,
which not so-much to-me troublesome would-be on-account-of the-labor
 quam quod dicendi cogitationem auferat; sine qua ad
as because of-speaking the-thought it-takes-away without which to
 nullam maiorem umquam causam sum ausus accedere.
no greater ever case I-have dared to-approach

ATT. Quin igitur ista ipsa explicas nobis his subsicivis, 13
why-not therefore those very you-unfold to-us in-these spare
 ut ais, temporibus et conscribis de iure civili subtilius
as you-say times and write about law civil more-precisely
 quam ceteri? Nam a primo tempore aetatis iuri studere
than the-rest for from first time of-life to-law to-be-devoted
 te memini, quom ipse etiam ad Scaevolam ventitarem,
that-you I-remember when myself also to Scaevola kept-coming
 neque umquam mihi visus es ita te ad dicendum
nor ever to-me seemed you-have so yourself to speaking
 dedisse, ut ius civile contemneres.

to-have-given that law civil you-despised
 M. In longum sermonem me vocas, Attice; quem tamen,
into a-long conversation me you-call Atticus which still
 nisi Quintus aliud quid nos agere mavult, suscipiam et,
unless Quintus other anything us to-do prefers I-will-undertake and
 quoniam vacui sumus, dicam.
since free we-are I-will-speak

Q. Ego vero libenter audierim; quid enim agam potius aut
I indeed gladly would-bear what for should-I-do rather or
 in quo melius hunc consumam diem?
in what better this should-I-spend day

V · LAW FROM ITS SOURCE

They walk toward the Liris along the shady bank. Cicero says Rome's great jurists professed great things and busied themselves with small ones: nothing is so large as the law of a state, nothing so slight as answering clients. He will not write booklets on eaves-drips and party walls. Atticus urges that, having written on the best constitution, he write on laws, as Plato did, and Cicero proposes they talk it out by the river as Plato's speakers did in Crete: the spring of law lies in man's nature and fellowship.

- 14 M. Quin igitur ad illa spatia nostra sedesque pergimus?
why-not therefore to those walks our and-seats do-we-proceed
 ubi, quom satis erit ambulatum, requiescemus, nec profecto
where when enough will-be walked we-shall-rest nor surely
 nobis delectatio deerit aliud ex alio quaerentibus.
to-us delight will-be-lacking one-thing from another seeking
 ATT. Nos vero, et hac quidem ad Lirem, si placet, per
we indeed and this-way indeed to the-Liris if it-pleases along
 ripam et umbram. Sed iam ordire explicare, quaeso, de
the-bank and shade but now begin to-unfold I-pray about
 iure civili quid sentias.
law civil what you-think

M. Egone? summos fuisse in civitate nostra viros, qui id
I highest to-have-been in state our men who that
 interpretari populo et responsitare soliti sint, sed eos
to-interpret to-the-people and to-give-opinions accustomed were but them

magna professos in parvis esse versatos. Quid enim est
great-things having-professed in small to-have been-engaged what for is
 tantum, quantum ius civitatis? quid autem tam exiguum,
so-great as the-law of-the-state what however so slight
 quam est munus hoc eorum, qui consuluntur? quamquam
as is duty this of-those who are-consulted although
 est populo necessarium. Nec vero eos, qui ei muneri
it-is to-the-people necessary nor indeed them who over-that duty
 prae fuerunt, universi iuris fuisse expertis existimo, sed
have-presided of-universal law to-have-been without-share I-think but
 hoc civile, quod vocant, eatenus exercuerunt, quoad populo
this civil which they-call so-far they-practiced as-far-as to-the-people
 praestare voluerunt. Id autem in cognitione tenue est, in usu
to-provide they-wished that however in knowledge slight is in use
 necessarium. Quam ob rem quo me vocas aut quid
necessary which on-account-of reason whither me do-you-call or what
 hortaris? ut libellos conficiam de stillicidiorum ac de
do-you-urge that booklets I-should-compose about of-eaves-drips and about
 parietum iure? an ut stipulationum et iudiciorum formulas
of-party-walls law or that of-contracts and of-trials forms
 componam? quae et conscripta a multis sunt diligenter et
I-should-compose which both written-up by many are carefully and
 sunt humiliora quam illa, quae a nobis expectari puto.
are more-lowly than those-things which from us to-be-expected I-think
 ATT. Atqui, si quaeris, ego quid expectem, quoniam scriptum 15
and-yet if you-ask I what expect since written
 est a te de optimo rei publicae statu, consequens
has-been by you about the-best of-the-thing public constitution consequent
 esse videtur, ut scribas tu idem de legibus; sic enim
to-be seems that should-write you likewise about the-laws so for

fecisse video Platonem illum tuum, quem tu admiraris,

to-have-done I-see Plato that your whom you admire

quem omnibus anteponis, quem maxime diligis.

whom to-all you-prefer whom most you-love

M. Visne igitur, ut ille Cretae cum Clinia et cum

do-you-wish therefore as he in-Crete with Clinias and with

Lacedaemonio Megillo aestivo, quem ad modum describit,

the-Lacedaemonian Megillus on-a-summer in-what to manner he-describes

die in cupressetis Gnosiorum et spatiis silvestribus crebro

day in the-cypress-groves of-the-Cnosians and in-walks woodland frequently

insistens, interdum adquiescens de institutis rerum

stopping sometimes resting about the-institutions of-things

publicarum ac de optimis legibus disputat, sic nos inter has

public and about the-best laws discusses so we among these

procerissimas populos in viridi opacaque ripa inambulantes,

most-lofty poplars on the-green and-shady bank walking-about

tum autem residentes quaeramus isdem de rebus aliquid

then however sitting-down may-inquire same about things something

uberius, quam forensis usus desiderat?

more-fully than of-the-forum practice requires

16 ATT. Ego vero ista audire cupio.

I indeed those-things to-hear desire

M. Quid ait Quintus?

what says Quintus

Q. Nulla de re magis.

no about thing more

M. Et recte quidem. Nam sic habetote, nullo in genere

and rightly indeed for thus bold no in kind

disputando honesta patefieri, quid sit homini a natura

by-discussing honorable to-be-laid-open what is to-man by nature

tributum, quantam vim rerum optimarum mens humana

granted how-great force of-things best the-mind human

contineat, cuius muneris colendi efficiendique causa nati
contains of-what duty of-cultivating and-accomplishing for-the-sake born
 et in lucem editi simus, quae sit coniunctio hominum,
and into light brought-forth we-are what is the-bond of-men
 quae naturalis societas inter ipsos; his enim explicatis
what natural partnership among themselves these for unfolded
 fons legum et iuris inveniri potest.
the-spring of-laws and of-right to-be-found can

VI · LAW AS RIGHT REASON

So law must be drawn not from the praetor's edict or the Twelve Tables but from the heart of philosophy, and civil law will occupy a small corner. Cicero will explain the nature of right from the nature of man, then the laws states should have, then the laws of peoples. The most learned men define law as the highest reason, rooted in nature, commanding what should be done and forbidding the opposite. Right begins from this highest law, which arose before any written law or any state.

ATT. Non ergo a praetoris edicto, ut plerique nunc, neque 17
not then from of-the-praetor the-edict as most now nor
 a duodecim tabulis, ut superiores, sed penitus ex intima
from the-twelve tables as predecessors but deeply from inmost
 philosophia hauriendam iuris disciplinam putas.
philosophy to-be-drawn of-law the-discipline you-think
 M. Non enim id quaerimus hoc sermone, Pomponi, quem
not for that do-we-seek in-this conversation Pomponius in-what
 ad modum caveamus in iure aut quid de quaque
to manner we-may-take-precautions in law or what about each
 consultatione respondeamus. Sit ista res magna, sicut est, quae
consultation we-should-answer let-be that thing great as it-is which
 quondam a multis claris viris, nunc ab uno summa auctoritate
once by many famous men now by one of-the-highest authority

et scientia sustinetur, sed nobis ita conplectenda in hac
and knowledge is-upheld but by-us so to-be-embraced in this
 disputatione tota causa est universi iuris ac legum, ut hoc
discussion the-whole case is of-universal law and of-laws so-that this
 civile, quod dicimus, in parvum quendam et angustum locum
civil which we-call into a-small certain and narrow place
 concludatur. Natura enim iuris explicanda nobis est eaque
be-shut-in the-nature for of-right to-be-unfolded by-us is and-that
 ab hominis repetenda natura, considerandae leges, quibus
from of-man to-be-sought-back the-nature to-be-considered the-laws by-which
 civitates regi debeant, tum haec tractanda, quae composita
states to-be-ruled ought then these-things to-be-handled which composed
 sunt et discripta iura et iussa populorum, in quibus ne
are and arranged laws and ordinances of-peoples among which not
 nostri quidem populi latebunt, quae vocantur, iura civilia.
of-our even people will-lie-bidden which are-called laws civil

18 Q. Alte vero et, ut oportet, a capite, frater, repetis,
deeply indeed and as it-is-proper from the-source brother you-seek-back
 quod quaerimus; et qui aliter ius civile tradunt, non tam
what we-are-seeking and who otherwise law civil teach not so-much
 iustitiae quam litigandi tradunt vias.

of-justice as of-litigating teach the-ways

M. Non ita est, Quinte, ac potius ignoratio iuris litigiosa est
not so it-is Quintus and rather ignorance of-law litigious is
 quam scientia. Sed hoc posterius; nunc iuris principia
than knowledge but this later now of-right the-first-principles
 videamus.

let-us-see

Igitur doctissimis viris proficisci placuit a lege, haud
therefore to-most-learned men to-set-out it-has-pleased from law not
 scio an recte, si modo, ut iidem definiunt, lex est
I-know whether rightly if only as the-same define law is

ratio summa insita in natura, quae iubet ea, quae
reason highest implanted in nature which orders those-things which
 facienda sunt, prohibetque contraria. Eadem ratio quom est
to-be-done are and-forbids the-contrary the-same reason when it-is
 in hominis mente confirmata et confecta, lex est.

in of-man the-mind strengthened and completed law is

Itaque arbitrantur prudentiam esse legem, cuius ea vis sit, ut 19

and-so they-think prudence to-be law whose that force be that
 recte facere iubeat, vetet delinquere, eamque rem illi Graeco
rightly to-act it-orders forbids to-do-wrong and-that thing they by-Greek
 putant nomine a suum cuique tribuendo appellatam, ego
think name from his-own to-each assigning named I

nostro a legendo; nam ut illi aequitatis, sic nos dilectus vim

by-our from choosing for as they of-equity so we of-choice the-force

in lege ponimus, et proprium tamen utrumque legis est. Quod

in law place and proper still each of-law is which

si ita recte dicitur, ut mihi quidem plerumque videri solet,

if so rightly is-said as to-me indeed generally to-seem is-wont

a lege ducendum est iuris exordium; ea est enim naturae

from law to-be-drawn is of-right the-beginning that is for of-nature

vis, ea mens ratioque prudentis, ea iuris atque iniuriae

the-force that the-mind and-reason of-the-prudent-man that of-right and of-wrong

regula. Sed quoniam in populari ratione omnis nostra versatur

the-rule but since in popular method all our is-engaged

oratio, populariter interdum loqui necesse erit et appellare

speech popularly sometimes to-speak necessary it-will-be and to-call

eam legem, quae scripta sancit, quod vult, aut iubendo aut

that law which in-writing sanctions what it-wishes either by-ordering or

prohibendo, ut vulgus appellat. Constituendi vero iuris ab illa

by-forbidding as the-crowd calls-it of-establishing but right from that

summa lege capiamus exordium, quae saeculis omnibus ante nata
highest law let-us-take the-beginning which by-ages all before born
 est quam scripta lex ulla aut quam omnino civitas constituta.
was than written law any or than at-all a-state established

VII • MAN AND THE GODS

To fit the laws to the constitution Scipio praised, Cicero will trace right to its root in nature. First Atticus must grant that all nature is governed by the gods; he does, joking that the birdsong keeps his Epicurean fellows from overhearing. Man, a creature of foresight, memory, and reason, was made by the supreme god in a splendid condition, alone of all animals sharing in reason. Nothing in heaven or earth is more divine than reason, which, grown and perfected, is rightly called wisdom.

20 Q. Commodius vero et ad rationem instituti sermonis
more-fittingly indeed and for the-plan of-the-begun conversation
 sapientius.

more-wisely

M. Visne ergo ipsius iuris ortum a fonte repetamus?
do-you-wish then of-the-very right the-origin from the-spring we-should-look-back
 quo invento non erit dubium, quo sint haec referenda,
which found not will-be doubtful to-what are these-things to-be-referred
 quae quaerimus.

which we-look

Q. Ego vero ita esse faciendum censeo.

I indeed so to-be to-be-done judge

ATT. Me quoque adscribe fratris sententiae.

me also enroll of-brother to-the-opinion

M. Quoniam igitur eius rei publicae, quam optumam esse
since therefore of-that thing public which best to-be
 docuit in illis sex libris Scipio, tenendus est nobis et
taught in those six books Scipio to-be-kept is by-us and
 servandus status omnesque leges adcommodandae ad
to-be-preserved the-constitution and-all laws to-be-fitted to
 illud civitatis genus, serendi etiam mores nec scriptis omnia
that of-state kind to-be-sown also customs nor by-writings all-things
 sancienda, repetam stirpem iuris a natura, qua
to-be-sanctioned I-shall-look-back the-root of-right from nature with-which
 duce nobis omnis est disputatio explicanda.

as-guide by-us all is discussion to-be-unfolded

ATT. Rectissime, et quidem ista duce errari nullo pacto
most-rightly and indeed with-that guide to-go-astray in-no way
 potest.

can

M. Dasne igitur hoc nobis, Pomponi, (nam Quinti 21
do-you-grant therefore this to-us Pomponius for of-Quintus
 novi sententiam) deorum immortalium vi, natura, ratione,
I-know the-opinion of-the-gods immortal by-force nature reason
 potestate, mente, numine, sive quod est aliud verbum, quo
power mind divine-will or what is another word by-which
 planius significem, quod volo, naturam omnem regi? nam si
more-plainly I-may-signify what I-mean nature all to-be-ruled for if
 hoc non probas, ab eo nobis causa ordiendae est potissimum.
this not you-approve from that by-us the-case to-be-begun is above-all

ATT. Do sane, si postulas; etenim propter hunc concentum
I-grant surely if you-demand for-indeed on-account-of this harmony
 avium strepitumque fluminum non vereor, condiscipulorum
of-birds and-the-din of-rivers not I-fear of-fellow-pupils
 ne quis exaudiat.

lest any overhear

M. Atqui cavendum est; solent enim, id quod virorum
and-yet to-be-guarded is they-are-wont for that which of-men
 bonorum est, admodum irasci, nec vero ferent, si
good is very to-be-angry nor indeed will-they-bear if
 audierint te primum caput libri optimi prodidisse,
they-shall-have-heard that-you the-first chapter of-book best to-have-betrayed
 in quo scripsit nihil curare deum nec sui nec alieni.
in which he-wrote nothing to-care god neither of-bis-own nor of-another's

22 ATT. Perge, quaeso; nam id, quod tibi concessi, quorsus
proceed I-pray for that which to-you I-granted whither
 pertineat, expecto.

it-may-tend I-wait

M. Non faciam longius; huc enim pertinet, animal hoc
not I-will-make-it longer hither for tends living-creature this
 providum, sagax, multiplex, acutum, memor, plenum rationis
foreseeing keen manifold sharp mindful full of-reason
 et consilii, quem vocamus hominem, praeclara quadam
and of-judgment which we-call man with-splendid a-certain
 condicione generatum esse a supremo deo; solum est enim
condition begotten to-be by the-supreme god alone it-is for
 ex tot animantium generibus atque naturis particeps
of so-many of-living-things kinds and natures partaking
 rationis et cogitationis, quom cetera sint omnia expertia.
of-reason and of-thought while the-rest are all without-share
 Quid est autem non dicam in homine, sed in omni caelo
what is moreover not I-will-say in man but in all heaven
 atque terra ratione divinius? quae quom adolevit atque
and earth than-reason more-divine which when it-has-grown and
 perfecta est, nominatur rite sapientia.
perfected is is-named rightly wisdom

Since reason is shared by man and god, and right reason is law, men are bound to the gods by law and right, and the universe is one commonwealth of gods and men. Men are the gods' kin, for the soul was implanted by god while the body came from mortal stuff; so every nation, however wild, knows it must have a god. Virtue, which is nature perfected, is the same in man and god. Nature has lavished on men crops, fruits, and animals, as if given on purpose.

Est igitur, quoniam nihil est ratione melius eaque est et in 23
there-is therefore since nothing is than-reason better and-it is both in
 homine et in deo, prima homini cum deo rationis societas;
man and in god first for-man with god of-reason a-partnership
 inter quos autem ratio, inter eosdem etiam recta ratio
between whom moreover reason between the-same also right reason
 communis est; quae quom sit lex, lege quoque consociati
common is which since it-is law by-law also associated
 homines cum dis putandi sumus. Inter quos porro est
men with gods to-be-thought we-are between whom further is
 communio legis, inter eos communio iuris est; quibus autem
community of-law between them community of-right is to-whom moreover
 haec sunt inter eos communia, ei civitatis eiusdem habendi
these-things are between them common those of-state the-same to-be-held
 sunt; si vero isdem imperiis et potestatibus parent, multo
are if indeed the-same commands and powers they-obey by-much
 iam magis; parent autem huic caelesti discriptioni mentique
now more they-obey moreover this heavenly arrangement and-mind
 divinae et praepotenti deo; ut iam universus hic mundus
divine and all-powerful god so-that now whole this universe
 una civitas sit communis deorum atque hominum existimanda.
one state be common of-gods and of-men to-be-considered
 Et quod in civitatibus ratione quadam, de qua dicitur
and that in states by-principle a-certain about which will-be-spoken

idoneo loco, agnationibus familiarum distinguuntur status,
in-a-suitable place by-kinships of-families are-distinguished conditions
 id in rerum natura tanto est magnificentius tantoque
that in of-things the-nature by-so-much is more-magnificent and-by-so-much
 praeclarius, ut homines deorum agnatione et gente teneantur.
more-splendid that men of-gods by-kinship and by-clan are-held

- 24 Nam quom de natura hominis quaeritur, disputari solet
for when about the-nature of-man it-is-inquired to-be-argued is-wont
 (et nimirum ita est, ut disputatur) perpetuis cursibus
and doubtless so it-is as is-argued by-perpetual courses
 conversionibusque caelestibus extitisse quandam maturitatem
and-revolutions heavenly to-have-arisen a-certain ripeness
 serendi generis humani, quod sparsum in terras atque satum
for-sowing of-race human which scattered on the-lands and sown
 divino auctum sit animorum munere, quomque alia,
by-divine enriched was of-souls by-the-gift and-when other-things
 quibus cohaerent homines, e mortali genere sumpserint,
by-which should-cohere men from mortal kind they-have-taken
 quae fragilia essent et caduca, animum esse ingeneratum
which frail were and perishable the-soul to-have-been implanted
 a deo. Ex quo vere vel agnatio nobis cum caelestibus vel
by god from which truly either kinship for-us with the-heavenly-ones or
 genus vel stirps appellari potest. Itaque ex tot generibus
race or stock to-be-called can and-so of so-many kinds
 nullum est animal praeter hominem, quod habeat notitiam
no is creature besides man which has knowledge
 aliquam dei, ipsisque in hominibus nulla gens est neque
some of-god and-themselves among men no nation is neither
 tam mansueta neque tam fera, quae non, etiamsi ignoret,
so tame nor so wild which not even-if it-knows-not
 qualem habere deum deceat, tamen habendum sciat.
what-sort to-have god it-befits still to-be-bad knows

Ex quo efficitur illud, ut is agnoscat deum, qui, unde ortus 25

from which is-effected that that he recognizes god who whence sprung
 sit, quasi recordetur et agnoscat. Iam vero virtus eadem in
he-is as-it-were remembers and recognizes now indeed virtue the-same in
 homine ac deo est neque alio ullo in genere praeterea; est
man and god is nor other any in kind besides is
 autem virtus nihil aliud nisi perfecta et ad summum perducta
moreover virtue nothing other than perfected and to the-highest brought
 natura; est igitur homini cum deo similitudo. Quod quom ita
nature there-is therefore for-man with god a-likeness which since so
 sit, quae tandem esse potest propior certiorve cognatio? Itaque
it-is what pray to-be can nearer surer-or kinship and-so
 ad hominum commoditates et usus tantam rerum ubertatem
for of-men the-conveniences and uses so-great of-things plenty
 natura largita est, ut ea, quae gignuntur, donata consulto
nature lavished has that those-things which are-produced given deliberately
 nobis, non fortuito nata videantur, nec solum ea, quae
to-us not by-chance born seem nor only those-things which
 frugibus atque bacis terrae fetu profunduntur, sed
with-crops and berries of-the-earth by-the-bearing are-poured-forth but
 etiam pecudes, quod perspicuum sit, partim esse ad usum
also cattle which plain may-be partly to-be for the-use
 hominum, partim ad fructum, partim ad vescendum procreatas.
of-men partly for profit partly for eating brought-forth

With nature as teacher countless arts were found, and reason, imitating nature, attained what life needs. Nature gave man a quick mind, the senses as messengers, the first notions of knowledge, and a body fitted to his mind; it raised him alone to look up to heaven, his former home, and shaped his face to show his character. Cicero passes over voice and speech, which Scipio covered. From these first notions nature, untaught, strengthens and perfects reason by itself.

- 26 *Artes vero innumerabiles repertae sunt docente natura; quam*
 arts indeed countless found were teaching nature which
imitata ratio res ad vitam necessarias solleverter consecuta
 having-imitated reason things for life necessary skillfully attained
est. Ipsum autem hominem eadem natura non solum celeritate
 has itself moreover man the-same nature not only with-quickness
mentis ornavit, sed et sensus tamquam satellites adtribuit
 of-mind adorned but also senses as-if attendants assigned
*ac nuntios et rerum plurimarum obscuras nec satis ****
 and messengers and of-things very-many obscure nor enough (lacuna)
intellegentias inchoavit quasi fundamenta quaedam scientiae
 understandings began as-it-were foundations certain of-knowledge
figuramque corporis habilem et aptam ingenio humano dedit.
 and-shape of-body handy and suited to-talent human gave
Nam quom ceteras animantes abieciisset ad pastum, solum
 for when the-other living-things it-had-cast-down to pasture alone
hominem erexit et ad caeli quasi cognationis domicillique
 man it-raised and to of-heaven as-it-were of-kinship and-of-dwelling
pristini conspectum excitavit, tum speciem ita formavit
 former the-sight roused then the-appearance so shaped
oris, ut in ea penitus reconditos mores effingeret;
 of-the-face that in it deeply hidden characters it-might-portray

nam et oculi nimis arguti, quem ad modum animo affecti 27
for both eyes very expressive in-what to manner in-mind affected
 simus, loquuntur, et is, qui appellatur vultus, qui nullo
we-are speak and that which is-called countenance which no
 in animante esse praeter hominem potest, indicat mores,
in living-thing to-be besides man can shows character
 quouis vim Graeci norunt, nomen omnino non habent.
whose force the-Greeks know name at-all not have
 Omitto oportunitates habilitatesque reliqui corporis,
I-pass-over conveniences and-aptitudes of-the-remaining body
 moderationem vocis, orationis vim, quae conciliatrix est
the-modulation of-voice of-speech the-force which uniter is
 humanae maxime societatis; neque enim omnia sunt huius
of-human most partnership nor for all-things are of-this
 disputationis ac temporis, et hunc locum satis, ut mihi
discussion and of-time and this topic enough as to-me
 videtur, in iis libris, quos legistis, expressit Scipio; nunc,
it-seems in those books which you-have-read expressed Scipio now
 quoniam hominem, quod principium reliquarum rerum esse
since man which the-beginning of-remaining things to-be
 voluit, generavit et ornavit deus, perspicuum sit illud, ne
he-wished begot and adorned god plain let-be that lest
 omnia disserantur, ipsam per se naturam longius progredi;
all-things be-discussed itself through itself nature further to-advance
 quae etiam nullo docente profecta ab iis, quorum ex
which even no-one teaching having-set-out from those-things of-which from
 prima et inchoata intelligentia genera cognovit, confirmat
first and begun understanding the-kinds it-learned strengthens
 ipsa per se rationem et perficit.
itself through itself reason and perfects

Atticus is glad to spend the whole day on such principles. Cicero says nothing matters more than seeing that we are born for justice and that right rests on nature, not opinion. No two things are as alike as all men; only bad habits and false opinions twist them apart. One definition fits all, reason is common, and anyone of any nation can reach virtue with a guide. Men are alike even in their faults: all are drawn by pleasure and fear death, and every nation loves kindness and hates cruelty.

- 28 ATT. Di immortales, quam tu longe iuris principia repetis!
gods immortal how you far of-right the-first-principles seek-back
 atque ita, ut ego non modo ad illa non properem, quae
and so that I not only to those-things not hasten which
 expectabam a te de iure civili, sed facile patiar te
I-was-expecting from you about law civil but easily would-allow that-you
 hunc diem vel totum in isto sermone consumere; sunt enim
this day even whole in that conversation to-spend are for
 haec maiora, quae aliorum causa fortasse conplecteris,
these-things greater which of-others for-the-sake perhaps you-embrace
 quam ipsa illa, quorum haec causa praeparantur.
than themselves those-things of-which these for-the-sake are-prepared
- M. Sunt haec quidem magna, quae nunc breviter attinguntur,
are these-things indeed great which now briefly are-touched
 sed omnium, quae in hominum doctorum disputatione
but of-all which in of-men learned discussion
 versantur, nihil est profecto praestabilius quam plane
are-engaged nothing is surely more-excellent than plainly
 intellegi nos ad iustitiam esse natos, neque opinione, sed
to-be-understood that-we for justice to-be born nor by-opinion but

natura constitutum esse ius. Id iam patebit, si hominum
by-nature established to-be right that now will-be-plain if of-men

inter ipsos societatem coniunctionemque perspexeris.

among themselves the-partnership and-union you-shall-have-examined

Nihil est enim unum uni tam simile, tam par, quam omnes 29

nothing is for one to-one so like so equal as all

inter nosmet ipsos sumus. Quodsi depravatio consuetudinum,

among ourselves ourselves we-are but-if the-corruption of-habits

si opinionum vanitas non inbecillitatem animorum torqueret

if of-opinions the-emptiness not the-weakness of-minds twisted

et flecteret, quocumque coepisset, sui nemo ipse

and bent wherever it-had-begun to-himself no-one himself

tam similis esset, quam omnes essent omnium. Itaque,

so like would-be as all would-be to-all and-so

quaecumque est hominis definitio, una in omnis valet;

whateveer is of-man the-definition one for all holds

quod argumenti satis est nullam dissimilitudinem esse in 30

which of-proof enough is no unlikeness to-be in

genere; quae si esset, non una omnis definitio contineret;

the-kind which if there-were not one all definition would-contain

etenim ratio, qua una praestamus beluis, per quam

for-indeed reason by-which alone we-excel beasts through which

coniectura valemus, argumentamur, refellimus, disserimus,

by-inference we-are-strong we-argue we-refute we-discuss

conficimus aliquid, concludimus, certe est communis,

we-accomplish something we-conclude surely is common

doctrina differens, discendi quidem facultate par. Nam et

in-teaching differing of-learning indeed in-capacity equal for both

sensibus eadem omnia comprehenduntur, et ea, quae

by-the-senses the-same all-things are-grasped and those-things which

movent sensus, itidem movent omnium, quaeque in animis

move the-senses likewise move of-all and-which on minds

inprimuntur, de quibus ante dixi, inchoatae intellegentiae,
are-imprinted about which before I-spoke begun understandings
 similiter in omnibus inprimuntur, interpresque mentis oratio
similarly on all are-imprinted and-interpreter of-the-mind speech
 verbis discrepat sententiis congruens; nec est quisquam gentis
in-words differs in-thoughts agreeing nor is anyone of-nation
 ullius, qui ducem nactus ad virtutem pervenire non possit.
any who a-guide having-found to virtue to-arrive not can

- 31 Nec solum in rectis, sed etiam in pravitatibus insignis
nor only in right-things but also in depravities remarkable
 est humani generis similitudo. Nam et voluptate capiuntur
is of-human race the-likeness for both by-pleasure are-captured
 omnes, quae etsi est inlecebra turpitudinis, tamen habet
all which although it-is an-allurement of-baseness still has
 quiddam simile naturalis boni; levitate enim et suavitate
something like of-natural good by-lightness for and sweetness
 delectans sic ab errore mentis tamquam salutare aliquid
delighting so by error of-mind as-if wholesome something
 adiscitur; similique incitiae mors fugitur quasi dissolutio
is-adopted and-by-like ignorance death is-fled as-it-were dissolution
 naturae, vita expetitur, quia nos, in quo nati sumus,
of-nature life is-sought because us in which born we-are
 continet, dolor in maximis malis ducitur quom sua
it-holds pain among greatest evils is-reckoned as-much by-its-own
 asperitate, tum quod naturae interitus videtur sequi;
harshness so because of-nature destruction seems to-follow

- 32 propterque honestatis et gloriae similitudinem beati, qui
and-on-account-of of-honor and of-glory the-likeness blessed who
 honorati sunt, videntur, miseri autem, qui sunt inglorii.
honored are seem wretched however who are inglorious
 Molestiae laetitiae, cupiditates timores similiter omnium
troubles joys desires fears similarly of-all

mentes pervagantur, nec, si opiniones aliae sunt apud alios,
the-minds pervade nor if opinions other are among others
 idcirco, qui canem et faelem ut deos colunt, non eadem
therefore who dog and cat as gods worship not by-the-same
 superstitione, qua ceterae gentes, conflictantur. Quae autem
superstition by-which the-other nations are-barassed what moreover
 natio non comitatem, non benignitatem, non gratum animum
nation not courtesy not kindness not grateful mind
 et beneficii memorem diligit? quae superbos, quae maleficos,
and of-a-benefit mindful loves what the-proud what the-wicked
 quae crudeles, quae ingratos non aspernatur, non odit?
what the-cruel what the-ungrateful not spurns not hates
 Quibus ex rebus quom omne genus hominum sociatum
which from things since all race of-men associated
 inter se esse intellegatur, illud extremum est, quod recte
among itself to-be is-understood that last is that rightly
 vivendi ratio meliores efficit. Quae si adprobatis, pergam
of-living method better makes which if you-approve I-shall-proceed
 ad reliqua; sin quid requiritis, id explicemus prius.
to the-rest but-if anything you-require that let-us-unfold first
 ATT. Nos vero nihil, ut pro utroque respondeam.
we indeed nothing that for both I-may-answer

Nature made us to share right with one another, though bad custom smothers the sparks nature gave. If men judged, as the poet says, that nothing human is foreign to them, all would cultivate right. Those given reason are given right reason, and so law and right; Socrates cursed the man who first separated advantage from right. A wise man loves an equally virtuous friend as himself. Quintus grants that right springs from nature, and Atticus asks how law could now be separated from it.

- 33 M. Sequitur igitur ad participandum alium alio
it-follows therefore for sharing one with-another
 communicandumque inter omnes ius nos natura esse
and-communicating among all right us by-nature to-have-been
 factos. Atque hoc in omni hac disputatione sic intellegi
made and this in all this discussion so to-be-understood
 volo, ius quod dicam, natura esse, tantam autem esse
I-wish right which I-shall-say by-nature to-be so-great however to-be
 corruptelam malae consuetudinis, ut ab ea tamquam igniculi
the-corruption of-bad habit that by it as-if sparks
 extinguantur a natura dati exorianturque et confirmentur
are-extinguished by nature given and-arise and are-strengthened
 vitia contraria. Quodsi, quo modo est natura, sic iudicio
vices contrary but-if in-what way it-is by-nature so by-judgment
 homines ‘humani’, ut ait poeta, ‘nihil a se alienum
men human as says the-poet nothing from themselves foreign
 putarent’, coleretur ius aequae ab omnibus. Quibus enim
should-think would-be-cultivated right equally by all to-whom for
 ratio a natura data est, isdem etiam recta ratio data est,
reason by nature given has-been to-the-same also right reason given has-been
 ergo et lex, quae est recta ratio in iubendo et vetando; si
therefore also law which is right reason in ordering and forbidding if
 lex, ius quoque; et omnibus ratio; ius igitur datum est
law right also and to-all reason right therefore given has-been

omnibus; recteque Socrates exsecrari eum solebat, qui primus
to-all and-rightly Socrates to-curse him was-wont who first
 utilitatem a iure seiunxisset; id enim querebatur caput
advantage from right had-separated that for he-complained the-head
 esse exitiorum omnium. †Unde enim illa Pythagorea vox.
to-be of-ruins all whence for that Pythagorean saying
 Ex quo perspicitur, quom hanc benivolentiam tam late longeque 34
from which is-perceived when this goodwill so widely and-far
 diffusam vir sapiens in aliquem pari virtute praeditum
spread a-man wise on someone with-equal virtue endowed
 contulerit, tum illud effici, quod quibusdam incredibile
has-bestowed then that to-be-effected which to-some incredible
 videatur, sit autem necessarium, ut nihilo sepe plus quam
may-seem is however necessary that by-nothing himself more than
 alterum diligit; quid enim est, quod differat, quom sint cuncta
the-other he-loves what for is which can-differ when are all-things
 paria? Quodsi interesse quippiam tantulum modo potuerit
equal but-if to-differ anything so-little only shall-have-been-able
 in amicitia, amicitiae nomen iam occiderit, cuius est
in friendship of-friendship the-name already will-have-perished whose is
 ea vis, ut, simul atque sibi aliquid alter maluerit,
that force that as-soon as for-himself something one shall-have-preferred
 nulla sit. Quae praemuniuntur omnia reliquo sermoni
none it-is which are-fortified-in-advance all for-the-remaining conversation
 disputationique nostrae, quo facilius ius in natura esse positum
and-discussion our so-that more-easily right in nature to-be placed
 intellegi possit. De quo quom perpauca dixero, tum
to-be-understood can about which when very-few-things I-shall-have-said then
 ad ius civile veniam, ex quo haec omnis est nata oratio.
to law civil I-shall-come from which this all has sprung speech

Q. Tu vero iam perpauca scilicet. Ex iis enim, quae
you indeed now very-few-things of-course from those for which
 dixisti, †Attico videtur mihi quidem certe ex natura
you-have-said to-Atticus it-seems to-me indeed surely from nature
 ortum esse ius.

sprung to-be right

- 35 ATT. An mihi aliter videri possit? quom haec iam perfecta
or to-me otherwise to-seem could when these-things now completed
 sint, primum quasi muneribus deorum nos esse instructos
are first as-it-were by-the-gifts of-the-gods us to-be equipped
 et ornatos, secundo autem loco unam esse hominum inter
and adorned in-second moreover place one to-be of-men among
 ipsos vivendi parem communemque rationem, deinde omnes
themselves of-living equal and-common method then all
 inter se naturali quadam indulgentia et benivolentia,
among themselves by-natural a-certain indulgence and goodwill
 tum etiam societate iuris contineri. Quae quom vera
then also by-partnership of-right to-be-held-together which when true
 esse recte, ut arbitror, concesserimus, qui iam licet nobis
to-be rightly as I-think we-have-granted how now is-it-allowed for-us
 a natura leges et iura seiungere?
from nature laws and rights to-separate

Cicero follows the newer philosophers in arguing separately that right exists by nature, and Atticus teases him for following others' authority. Since his whole discourse aims to strengthen commonwealths and heal peoples, he wants principles that satisfy all who hold the right and honorable worth seeking for their own sake: the Old Academy, the Peripatetics, the Stoics, and even Aristo. The Epicureans, who weigh everything by pleasure and pain, should talk in their gardens and stay out of public life for now. The New Academy of Arcesilaus and Carneades, which confounds everything, must be begged to keep silent.

M. Recte dicis, et res se sic habet. Verum philosophorum 36

rightly you-say and the-thing itself so has but of-philosophers

more, non veterum quidem illorum, sed eorum, qui quasi

by-the-custom not of-the-old indeed those but of-those who as-it-were

officinas instruxerunt sapientiae, quae fuse olim disputabantur

workshops have-set-up of-wisdom which diffusely once were-discussed

ac libere, ea nunc articulatim distincta dicuntur; nec

and freely those-things now point-by-point distinguished are-said nor

enim satis fieri censent huic loco, qui nunc est in manibus,

for enough to-be-done they-judge to-this topic which now is in hands

nisi separatim hoc ipsum, natura esse ius, disputarint.

unless separately this itself by-nature to-be right they-have-argued

ATT. Et scilicet tua libertas disserendi amissa est, aut tu

and of-course your freedom of-discoursing lost has-been or you

is es, qui in disputando non tuum iudicium sequare,

the-one are who in arguing not your-own judgment follow

sed auctoritati aliorum pareas.

but to-the-authority of-others obey

M. Non semper, Tite; sed iter huius sermonis quod sit, 37

not always Titus but the-road of-this conversation what it-is

vides: ad res publicas firmandas et ad stabiliendas urbes

you-see to things public to-be-strengthened and to to-be-established cities

sanandosque populos omnis nostra pergit oratio. Quocirca
and-to-be-healed peoples all our proceeds speech wherefore
 vereor committere, ut non bene provisa et diligenter explorata
I-fear to-risk that not well foreseen and carefully examined
 principia ponantur, nec tamen ut omnibus probentur (nam
first-principles be-laid-down nor still that by-all they-be-approved for
 id fieri non potest), sed ut eis, qui omnia recta atque
that to-happen not can but that by-those who all right and
 honesta per se expetenda duxerunt et aut nihil
honorable through themselves to-be-sought have-held and either nothing
 omnino in bonis numerandum, nisi quod per se ipsum
at-all among goods to-be-counted unless what through itself it-itself
 laudabile esset, aut certe nullum habendum magnum bonum,
praiseworthy was or at-least none to-be-held great good
 nisi quod vere laudari sua sponte posset, —
unless what truly to-be-praised of-its-own accord could

38 iis omnibus, sive in Academia vetere cum Speusippo,
by-those all whether in the-Academy old with Speusippus
 Xenocrate, Polemone manserunt, sive Aristotelem et
Xenocrates Polemo have-remained or Aristotle and
 Theophrastum cum illis congruentis re, genere docendi
Theophrastus with them agreeing in-substance in-manner of-teaching
 paulum differentis secuti sunt, sive, ut Zenoni visum est,
a-little differing followed have or as to-Zeno it-seemed has
 rebus non commutatis inmutaverunt vocabula, sive etiam
with-things not changed have-changed the-words or even
 Aristonis difficilem atque arduam, sed iam tamen fractam
of-Aristo difficult and steep but now still broken
 et convictam sectam secuti sunt, ut virtutibus exceptis
and refuted school followed have so-that virtues excepted

atque vitiis cetera in summa aequalitate ponerent, — his
and vices the-rest in utmost equality they-placed by-these
 omnibus haec, quae dixi, probentur.

all these-things which I-have-said may-be-approved

Sibi autem indulgentis et corpori deservientis atque 39

to-themselves however indulging and to-the-body slaving and

omnia, quae sequantur in vita quaeque fugiant,

all-things which they-should-pursue in life and-which they-should-flee

voluptatibus et doloribus ponderantis, etiamsi vera dicunt

by-pleasures and by-pains weighing even-if true-things they-say

(nihil enim opus est hoc loco litibus), in hortulis

nothing for need is in-this place of-disputes in little-gardens

suis iubeamus dicere atque etiam ab omni societate

their let-us-bid to-speak and even from all partnership

rei publicae, quouis partem nec norunt ullam neque

of-the-thing public of-which part neither they-know any nor

umquam nosse voluerunt, paulisper facessant rogemus.

ever to-know have-wished for-a-little they-should-withdraw let-us-ask

Perturbatricem autem harum omnium rerum Academiam,

the-disturber however of-these all things Academy

hanc ab Arcesila et Carneade recentem, exoremus, ut

this from Arcesilaus and Carneades recent let-us-entreat that

sileat; nam si invaserit in haec, quae satis scite

it-be-silent for if it-shall-have-attacked on these-things which enough cleverly

nobis instructa et composita videntur, nimias edet ruinas;

to-us built and arranged seem too-great will-produce ruins

quam quidem ego placare cupio, summovere non audeo.

which indeed I to-appease desire to-drive-away not dare

After a gap, Cicero argues that crimes against men and gods admit no expiation; the guilty pay less through the courts than through the furies of conscience, which pursue them not with torches, as in plays, but with anguish. If only punishment deterred men, the wicked would be merely careless, and a man who fears only a witness would rob a weak man in a lonely place. Not every law of a people is just, as the Thirty's laws show. If utility is the measure, laws will be broken when it pays.

- 40 *** nam et in iis sine illius suffimentis expiati sumus; at
 (lacuna) for also in those without its fumigations purified we-are but
 vero scelerum in homines atque in deos impietatum nulla
 indeed of-crimes against men and against gods of-impieties no
 expiatio est. Itaque poenas luunt non tam iudicii (quae
 expiation is and-so penalties they-pay not so-much by-judgments which
 quondam nusquam erant, hodie multifariam nulla sunt, ubi
 once nowhere were today in-many-places none are where
 sunt, tamen persaepe falsa sunt), sed eos agitant insectanturque
 they-are still very-often false are but them drive and-pursue
 furiae non ardentibus taedis, sicut in fabulis, sed angore
 the-furies not with-burning torches as in plays but with-anguish
 conscientiae fraudisque cruciatu. Quodsi homines ab iniuria
 of-conscience and-of-wrongdoing with-torment but-if men from injustice
 poena, non natura arcere deberet, quatenus sollicitudo vexaret
 the-penalty not nature to-keep ought what anxiety would-trouble
 impios sublato suppliciorum metu? quorum tamen nemo tam
 the-impious removed of-punishments the-fear of-whom still no-one so
 audax umquam fuit, quin aut abnueret a se commissum
 bold ever was who-not either denied by himself committed
 esse facinus aut iusti sui doloris causam aliquam fingeret
 to-have-been the-crime or of-just his-own resentment cause some invented
 defensionemque facinoris a naturae iure aliquo quaereret.
 and-defense of-the-crime from of-nature right some sought

Quae si appellare audent impii, quo tandem studio
which if to-invoke dare the-impious with-what pray zeal
 colentur a bonis? Quodsi poena, si metus supplicii,
will-they-be-cultivated by the-good but-if the-penalty if fear of-punishment
 non ipsa turpitudine deterret ab iniuriosa facinerosaque vita,
not itself baseness deters from unjust and-criminal life
 nemo est iniustus, aut incauti potius habendi sunt improbi;
no-one is unjust or incautious rather to-be-held are the-wicked
 tum autem, qui non ipso honesto movemur, ut boni 41
then moreover who not by-the-very honorable-thing are-moved that good
 viri simus, sed utilitate aliqua atque fructu, callidi sumus,
men we-be but by-advantage some and profit cunning we-are
 non boni; nam quid faciet is homo in tenebris, qui nihil
not good for what will-do that man in darkness who nothing
 timet nisi testem et iudicem? quid in deserto quo loco
fears except a-witness and a-judge what in a-lonely in-some place
 nactus, quem multo auro spoliare possit, inbecillum atque
having-found someone of-much gold to-despoil he-could weak and
 solum? Noster quidem hic natura iustus vir ac bonus etiam
alone our indeed this by-nature just man and good even
 conloquetur, iuvabit, in viam deducet; is vero, qui nihil
will-talk-with will-help into the-road will-lead he but who nothing
 alterius causa faciet et metietur suis commodis omnia,
of-another for-the-sake will-do and will-measure by-his-own advantages all-things
 videtis, credo, quid sit acturus; quodsi negabit se illi
you-see I-believe what he-is about-to-do but-if he-will-deny himself from-him
 vitam erepturum et aurum ablaturum, numquam ob
life about-to-snatch and gold about-to-take never on-account-of
 eam causam negabit, quod id natura turpe iudicet, sed quod
that reason will-be-deny because that by-nature base he-judges but because

metuat, ne emanet, id est ne malum habeat. O rem dignam,
be-fears lest it-leak-out that is lest trouble be-have O thing worthy
 in qua non modo docti, sed etiam agrestes erubescant!
at which not only the-learned but also rustics should-blush

- 42 Iam vero illud stultissimum, existimare omnia iusta esse, quae
now indeed that most-foolish to-think all-things just to-be which
 sita sint in populorum institutis aut legibus. Etiamne, si quae
placed are in of-peoples institutions or laws even if any
 leges sint tyrannorum? si triginta illi Athenis leges inponere
laws be of-tyrants if the-thirty those at-Athens laws to-impose
 voluissent, aut si omnes Athenienses delectarentur tyrannicis
had-wished or if all Athenians were-delighted by-tyrannical
 legibus, num idcirco eae leges iustae haberentur? Nihil,
laws surely-not therefore those laws just would-be-held by-nothing
 credo, magis illa, quam interrex noster tulit, ut dictator,
I-believe more that-one which the-interrex our carried that the-dictator
 quem vellet civium, indemnatum aut indicta causa inpune
whom he-wished of-citizens uncondemned or unpleaded case with-impunity
 posset occidere. Est enim unum ius, quo devincta est
could kill there-is for one right by-which bound is
 hominum societas, et quod lex constituit una; quae lex est
of-men the-partnership and which law established one which law is
 recta ratio imperandi atque prohibendi; quam qui ignorat,
right reason of-commanding and of-forbidding which who knows-not
 is est iniustus, sive est illa scripta uspiam sive nusquam.
he is unjust whether is it written anywhere or nowhere
 Quodsi iustitia est obtemperatio scriptis legibus institutisque
but-if justice is compliance with-written laws and-institutions
 populorum, et si, ut eidem dicunt, utilitate omnia metienda
of-peoples and if as the-same say by-advantage all-things to-be-measured
 sunt, negleget leges easque perrumpet, si poterit, is, qui
are will-neglect the-laws and-them will-break-through if he-can he who

sibi eam rem fructuosam putabit fore. Ita fit,
for-himself that thing profitable will-think to-be-going-to-be so it-comes-about
 ut nulla sit omnino iustitia, si neque natura est, ea quae
that none is at-all justice if neither by-nature is that which
 propter utilitatem constituitur, et utilitate illa convellitur.
on-account-of advantage is-established and by-advantage that is-torn-up

XIV · VIRTUE RESTS ON NATURE

If nature does not confirm right, every virtue vanishes: generosity, patriotism, piety, and gratitude spring from our natural love of men, and worship rests on the bond between man and god. If votes made right, robbery, adultery, and forged wills would be right whenever a multitude approved. Only nature's standard divides good laws from bad, and the honorable from the base. A tree's or a horse's excellence lies in its nature, not in opinion, and so does a man's, for virtue is perfected reason.

Atque, si natura confirmatura ius non erit, virtutes omnes 43
and if nature about-to-confirm right not will-be virtues all
 tollentur; ubi enim liberalitas, ubi patriae caritas, ubi
will-be-removed where for generosity where of-fatherland love where
 pietas, ubi aut bene merendi de altero aut referendae
dutifulness where either well of-deserving of another or of-returning
 gratiae voluntas poterit existere? nam haec nascuntur ex
of-favor the-will will-be-able to-exist for these-things are-born from
 eo, quia natura propensi sumus ad diligendos homines, quod
that because by-nature inclined we-are to loving men which
 fundamentum iuris est. Neque solum in homines obsequia,
the-foundation of-right is nor only toward men compliances
 sed etiam in deos caerimoniae religionesque tolluntur, quas
but also toward gods rites and-observances are-removed which
 non metu, sed ea coniunctione, quae est homini cum deo,
not by-fear but by-that bond which is for-man with god

conservandas puto. Quodsi populorum iussis, si principum
to-be-preserved I-think but-if of-peoples by-the-orders if of-leaders
 decretis, si sentiis iudicum iura constituerentur, ius esset
by-decrees if by-verdicts of-judges rights were-established right it-would-be
 latrocinari, ius adulterare, ius testamenta falsa supponere,
to-rob right to-commit-adultery right wills false to-substitute
 si haec suffragiis aut scitis multitudinis probarentur.

if these-things by-votes or by-decrees of-the-multitude were-approved

- 44 Quae si tanta potestas est stultorum sentiis atque
which if so-great power is of-fools to-the-opinions and
 iussis, ut eorum suffragiis rerum natura vertatur, cur non
orders that by-their votes of-things the-nature be-overtuned why not
 sanciant, ut, quae mala perniciosaeque sunt, habeantur pro
do-they-ordain that what bad and-ruinous are be-held for
 bonis et salutaribus? aut quor ius ex iniuria lex facere
good and wholesome or why right from wrong law to-make
 possit, bonum eadem facere non possit ex malo? Atqui nos
can good the-same to-make not can from bad and-yet we
 legem bonam a mala nulla alia nisi naturae norma dividere
a-law good from bad by-no other than of-nature standard to-divide
 possumus; nec solum ius et iniuria natura diiudicatur,
can nor only right and wrong by-nature is-distinguished
 sed omnino omnia honesta et turpia; nam ut communis
but altogether all honorable and base-things for as common
 intelligentia nobis notas res efficit easque in animis nostris
understanding for-us known things makes and-them in minds our
 inchoavit, honesta in virtute ponuntur, in vitiis turpia;
has-sketched honorable-things in virtue are-placed in vices base-things
- 45 ea autem in opinione existimare, non in natura posita
those-things moreover in opinion to-think not in nature placed
 dementis est. Nam nec arboris nec equi virtus, quae
of-a-madman is for neither of-a-tree nor of-a-horse the-virtue which

dicitur, in quo abutimur nomine, in opinione sita est, sed
is-called in which we-misuse the-name in opinion placed is but
 in natura; quod si ita est, honesta quoque et turpia natura
in nature which if so it-is honorable also and base-things by-nature
 diiudicanda sunt. Nam si opinione universa virtus, eadem
to-be-distinguished are for if by-opinion whole virtue the-same
 eius etiam partes probarentur; quis igitur prudentem et, ut
its also parts would-be-approved who therefore a-prudent-man and as
 ita dicam, catum non ex ipsius habitu, sed ex aliqua re
so I-may-say a-shrewd-one not from his-own disposition but from some thing
 externa iudicet? est enim virtus perfecta ratio, quod certe
external would-judge is for virtue perfected reason which surely
 in natura est; igitur omnis honestas eodem modo. Nam ut
in nature is therefore all honor in-the-same way for as
 vera et falsa, ut consequentia et contraria sua sponte,
true and false as consequents and contraries of-their-own accord
 non aliena iudicantur, sic constans et perpetua ratio vitae,
not by-another's are-judged so constant and perpetual method of-life
 quae virtus est, itemque inconstantia, quod est vitium, sua
which virtue is and-likewise inconstancy which is vice by-its-own
 natura *** probavit, nos ingenia iuvenum non item?
nature (lacuna) has-approved we the-talents of-young-men not likewise

Good and evil, honorable and base, are judged by nature, or the happy would be happy by opinion. We are confused by men's disagreements, but minds are corrupted by parents, nurses, teachers, poets, the stage, and above all by pleasure, the imitator of good and mother of all evils. So right and everything honorable are to be sought for themselves, since a good man loves equity and right themselves. Generosity is free, not hired, and justice likewise asks no reward or price; the same holds for every virtue.

46 an ingenia natura, virtutes et vitia, quae existunt ab ingeniis,
or talents by-nature virtues and vices which arise from talents
aliter iudicabuntur? an ea non aliter, honesta et turpia
otherwise will-be-judged or those not otherwise honorable and base-things
non ad naturam referri necesse erit? Quod laudabile bonum
not to nature to-be-referred necessary will-be what praiseworthy good
est, in se habeat, quod laudetur, necesse est; ipsum enim
is in itself have what may-be-praised necessary it-is itself for
bonum non est opinionibus, sed natura; nam ni ita esset,
good not is by-opinions but by-nature for unless so it-were
beati quoque opinione essent; quo quid dici potest
the-blessed also by-opinion would-be than-which what to-be-said can
stultius? Quare quom et bonum et malum natura iudicetur
more-foolish wherefore since both good and evil by-nature is-judged
et ea sint principia naturae, certe honesta quoque et turpia
and those are first-principles of-nature surely honorable also and base-things
simili ratione diiudicanda et ad naturam referenda sunt.
by-like method to-be-distinguished and to nature to-be-referred are

47 Sed perturbat nos opinionum varietas hominumque dissensio,
but confuses us of-opinions the-variety and-of-men the-disagreement
et quia non idem contingit in sensibus, hos natura
and because not the-same happens in the-senses these by-nature

certos putamus, illa, quae aliis sic, aliis secus nec
reliable we-think those-things which to-some so to-others otherwise nor
 isdem semper uno modo videntur, ficta esse dicimus;
to-the-same always in-one way seem feigned to-be we-say
 quod est longe aliter. Nam sensus nostros non parens,
which is far otherwise for senses our not a-parent
 non nutrix, non magister, non poeta, non scaena depravat,
not a-nurse not a-teacher not a-poet not the-stage corrupts
 non multitudinis consensus abducit a vero; animis omnes
not of-the-multitude the-consensus leads-away from truth for-minds all
 tenduntur insidiae vel ab iis, quos modo enumeravi, qui
are-spread snares either by those whom just-now I-enumerated who
 teneros et rudes quom acceperunt, inficiunt et flectunt,
tender and raw when they-have-received taint and bend
 ut volunt, vel ab ea, quae penitus in omni sensu implicata
as they-wish or by that which deeply in every sense entwined
 insidet, imitatrix boni, voluptas, malorum autem mater
sits imitator of-good pleasure of-evils however mother
 omnium, quouis blanditiis corrupti, quae natura bona sunt,
all by-whose blandishments corrupted what by-nature good are
 quia dulcedine hac et scabie carent, non cernunt satis.
because sweetness this and itch they-lack not they-discern enough
 Sequitur, ut conclusa mihi iam haec sit omnis oratio, id quod 48
it-follows that concluded by-me now this be all speech that which
 ante oculos ex iis est, quae dicta sunt, et ius et omne
before eyes from those is which said have-been both right and all
 honestum sua sponte esse expetendum; etenim omnes viri
honorable of-its-own accord to-be to-be-sought for-indeed all men
 boni ipsam aequitatem et ius ipsum amant, nec est viri
good itself equity and right itself love nor is-it of-a-man
 boni errare et diligere, quod per se non sit diligendum;
good to-err and to-love what through itself not is to-be-loved

per se igitur ius est expetendum et colendum; quodsi ius,
 through itself therefore right is to-be-sought and to-be-cultivated but-if right
 etiam iustitia; sin ea, reliquae quoque virtutes per se
 also justice but-if that the-remaining also virtues through themselves
 colendae sunt. Quid? liberalitas gratuitane est an mercennaria?
 to-be-cultivated are what generosity free is or mercenary
 si sine praemio benigna est, gratuita, si cum mercede,
 if without reward kind it-is free if with pay
 conducta; nec est dubium, quin is, qui liberalis benignusve
 hired nor is doubtful that he who generous kind-or
 dicitur, officium, non fructum sequatur; ergo item iustitia
 is-called duty not profit follows therefore likewise justice
 nihil expetit praemii, nihil pretii; per se igitur expetitur.
 nothing seeks of-reward nothing of-price through itself therefore it-is-sought
 Eademque omnium virtutum causa atque sententia est.
 and-the-same of-all virtues the-reason and opinion is

XVI • VIRTUE FOR PROFIT IS MALICE

If virtue were sought for its rewards, the only virtue would be malice. There would be no kindness, no gratitude, and no sacred friendship, since a friend would be dropped once he ceased to be useful. If friendship is sought for itself, so are fellowship, equality, and justice, and to seek a wage for justice is the height of injustice. What of modesty and chastity? Are men modest only for fear of disgrace or the courts? Cicero is ashamed of philosophers who think it enough to avoid a verdict and not the vice.

- 49 Atque etiam, si emolumentis, non suapte vi virtus expetitur,
 and even if for-gains not by-its-own force virtue is-sought
 una erit virtus, quae malitia rectissime dicitur; ut enim
 one will-be virtue which malice most-rightly will-be-called as for

quisque maxume ad suum commodum refert, quaecumque
each-one most to his-own advantage refers whatever
 agit, ita minime est vir bonus, ut, qui virtutem praemio
he-does so least is a-man good so-that who virtue by-reward
 metiuntur, nullam virtutem nisi malitiam putent. Ubi enim
measure no virtue except malice think where for
 beneficus, si nemo alterius causa benigne facit? ubi gratus,
the-beneficent if no-one of-another for-the-sake kindly acts where the-grateful
 †si non eum ipsi cernunt grati, quoi referunt gratiam?
if not him themselves see the-grateful to-whom they-return thanks
 ubi illa sancta amicitia, si non ipse amicus per se amatur
where that holy friendship if not himself the-friend through himself is-loved
 toto pectore, ut dicitur? qui etiam deserendus et abiciendus
with-whole heart as it-is-said who even to-be-deserted and to-be-cast-off
 est desperatis emolumentis et fructibus; quo quid potest
is despaired-of with-gains and with-profits than-which what can
 dici immanius? Quodsi amicitia per se colenda est,
to-be-said more-monstrous but-if friendship through itself to-be-cultivated is
 societas quoque hominum et aequalitas et iustitia per se
partnership also of-men and equality and justice through itself
 est expetenda; quod ni ita est, omnino iustitia nulla est; id
is to-be-sought which unless so is at-all justice none is that
 enim iniustissimum ipsum est, iustitiae mercedem quaerere.
for most-unjust itself is of-justice a-wage to-seek
 Quid vero de modestia, quid de temperantia, quid de 50
what indeed about modesty what about temperance what about
 continentia, quid de verecundia, pudore pudicitiaque dicemus?
self-restraint what about reserve shame and-chastity shall-we-say
 infamiaene metu non esse petulantis an legum et iudiciorum?
of-disgrace from-fear not to-be wanton or of-laws and of-courts
 Innocentes ergo et verecundi sunt, ut bene audiant,
innocent then and modest are that well they-may-be-spoken-of

et ut rumore bonum colligant, erubescunt; pudet etiam
and that report good they-may-gather they-blush it-shames even
 loqui de pudicitia. At me istorum philosophorum pudet, qui
to-speak about chastity but me of-those philosophers it-shames who
 ullum iudicium vitare nisi vitio ipso vitato honestum putant.
any judgment to-avoid except by-vice itself avoided honorable think

XVII · THE UGLINESS OF VICE

Men kept from debauchery only by fear of disgrace cannot be called chaste, since disgrace follows from the baseness of the act. If deformity of body offends, deformity of mind should offend more: nothing is fouler than avarice, more monstrous than lust, more contemptible than cowardice. If virtue were sought for something else, that thing would be better than virtue, whether money, office, beauty, health, or, basest of all, pleasure. Cicero checks himself as the argument runs on toward the highest good.

- 51 Quid enim? possumus eos, qui a stupro arcentur infamiae
what for can-we those who from debauchery are-kept of-disgrace
 metu, pudicos dicere, quom ipsa infamia propter rei
by-fear chaste to-call when itself disgrace on-account-of of-the-thing
 turpitudinem consequatur? nam quid aut laudari rite
the-baseness follows for what either to-be-praised rightly
 aut vituperari potest, si ab eius natura recesseris,
or to-be-blamed can if from its nature you-shall-have-withdrawn
 quod aut laudandum aut vituperandum putes? An corporis
which either to-be-praised or to-be-blamed you-think or of-the-body
 pravitates, si erunt perinsignes, habebunt aliquid offensionis,
deformities if they-will-be very-conspicuous will-have something of-offense
 animi deformitas non habebit? cuius turpitudo ex ipsis
of-the-mind deformity not will-have whose baseness from the-very

vitiis facillime perspici potest; quid enim foedius avaritia,
vices most-easily to-be-perceived can what for fouler than-avarice
 quid inmanius libidine, quid contemptius timiditate, quid
what more-monstrous than-lust what more-contemptible than-timidity what
 abiectius tarditate et stultitia dici potest? Quid ergo?
more-abject than-dullness and than-folly to-be-said can what then
 eos, qui singulis vitiis excellunt aut etiam pluribus, propter
those who in-single vices excel or even in-several on-account-of
 damna aut detrimenta aut cruciatus aliquos miseros esse
losses or damages or torments some wretched to-be
 dicimus an propter vim turpitudinemque vitiorum? quod
do-we-say or on-account-of the-force and-baseness of-vices which
 item ad contrariam laudem in virtute dici potest.
likewise to contrary praise in virtue to-be-said can

Postremo, si propter alias res virtus expetitur, melius 52
finally if on-account-of other things virtue is-sought better
 esse aliquid quam virtutem necesse est; pecuniamne igitur
to-be something than virtue necessary it-is money therefore
 an honores an formam an valetudinem? quae et, quom
or honors or beauty or health which both when
 adsunt, perparva sunt, et, quam diu adfutura sint,
they-are-present very-small are and how long about-to-be-present they-are
 certum sciri nullo modo potest; an, id quod turpissimum
for-certain to-be-known in-no way can or that which most-base
 dictu est, voluptatem? At in ea quidem spernenda et
to-say is pleasure but in it indeed spurning and
 repudianda virtus vel maxime cernitur.
rejecting virtue even most is-seen

Sed videtisne, quanta series rerum sententiarumque sit,
but do-you-see how-great a-series of-things and-of-thoughts there-is
 atque ut ex alio alia nectantur? quin labebar longius,
and how from one others are-bound nay I-was-slipping further
 nisi me retinuissem.

unless myself I-had-held-back

Q. Quo tandem? libenter enim; frater, †quod istam orationem
whither pray gladly for brother because that speech
 tecum prolaber.

with-you I-slide-forth

M. Ad finem bonorum, quo referuntur et quous apiscendi
to the-end of-goods to-which are-referred and of-which of-attaining
 causa sunt facienda omnia, controversam rem et plenam
for-the-sake are to-be-done all-things a-disputed thing and full
 dissensionis inter doctissimos, sed aliquando iam iudicandam.
of-disagreement among the-most-learned but at-last now to-be-judged

XVIII • A DISPUTE ABOUT WORDS

Atticus doubts the philosophers' quarrels can be settled now that Lucius Gellius, who as proconsul urged the Athenian schools to agree, is dead. Cicero would gladly arbitrate between the Old Academy and Zeno, since they differ on one point: the ancients counted everything according to nature as good, Zeno only the honorable. Atticus hears Antiochus in this. Cicero holds the quarrel verbal, since Zeno calls health and wealth advantages, not goods, and proposes three arbiters to settle it, as in a boundary suit.

53 ATT. Qui istuc fieri potest L. Gellio mortuo?

how that to-happen can Lucius Gellius dead

M. Quid tandem id ad rem?

what pray that to the-matter

ATT. Quia me Athenis audire ex Phaetro meo memini Gellium,
because myself at-Athens to-hear from Phaetrus my I-remember that-Gellius
 familiarem tuum; quom pro consule ex praetura in Graeciam
friend your when as proconsul after the-praetorship into Greece
 venisset, Athenis philosophos, qui tum erant, in locum unum
he-had-come at-Athens the-philosophers who then were into place one
 convocasse ipsisque magno opere auctorem fuisse, ut
to-have-called-together and-to-them with-great effort adviser to-have-been that
 aliquando controversiarum aliquem facerent modum; quodsi
at-last of-controversies some they-should-make limit but-if
 essent eo animo, ut nollent aetatem in litibus conterere,
they-were of-that mind that they-were-unwilling life in disputes to-wear-away
 posse rem convenire; et simul operam suam illis
to-be-able the-matter to-agree and at-the-same-time effort his to-them
 esse pollicitum, si posset inter eos aliquid convenire.

to-have promised if could among them something to-be-agreed

M. Ioculare istuc quidem, Pomponi, et a multis saepe
laughable that indeed Pomponius and by many often
 derisum; sed ego plane vellem me arbitrum inter antiquam
mocked but I plainly would-wish myself arbiter between the-old
 Academiam et Zenonem datum.

Academy and Zeno given

ATT. Quo tandem istuc modo?

in-what pray that way

M. Quia de re una solum dissident, de ceteris mirifice
because about thing one only they-disagree about the-rest wonderfully
 congruunt.

they-agree

ATT. Ain tandem? unane est solum dissensio?

do-you-say pray one is only disagreement

54 M. Quae quidem ad rem pertineat, una, quippe quom
which indeed to the-matter pertains one inasmuch-as since
 antiqui omne, quod secundum naturam esset, quo
the-ancients all which according-to nature was by-which
 iuvaremur in vita, bonum esse decreverint, hic nihil,
we-might-be-helped in life good to-be decided this-man nothing
 nisi quod honestum esset, putarit bonum.

except what honorable was thought good

ATT. Parvam vero controversiam dicis, at non eam, quae
small indeed controversy you-name but not that which
 dirimat omnia!

divides all-things

M. Probe quidem sentires, si re ac non verbis
rightly indeed you-would-think if in-substance and not in-words
 dissiderent.

they-disagreed

ATT. Ergo adsentiris Antiocho, familiari meo, (magistro
therefore you-agree with-Antiochus friend my teacher
 enim non audeo dicere) quocum vixi, et qui me ex
for not I-dare to-say with-whom I-lived and who me from
 nostris paene convellit hortulis deduxitque in Academiam
our almost tore-away little-gardens and-led into the-Academy
 perpauculis passibus.

by-very-few steps

M. Vir iste fuit ille quidem prudens et acutus et in
man that was he indeed prudent and sharp and in
 suo genere perfectus mihi, ut scis, familiaris; quoi
his-own kind perfect and-to-me as you-know a-friend with-whom
 tamen ego adsentiar in omnibus necne, mox videro; hoc
still I shall-agree in all-things or-not soon I-shall-see this
 dico, controversiam totam istam posse sedari.

I-say that-controversy whole that to-be-able to-be-settled

ATT. Qui istuc tandem vides?

how that pray do-you-see

M. Quia, si, ut Chius Aristo dixit solum bonum esse, quod 55

because if as the-Chian Aristo said alone good to-be what
 honestum esset, malumque, quod turpe, ceteras res omnis
honorable was and-evil what base the-other things all
 plane paris ac ne minimum quidem, utrum adessent an
plainly equal and not the-least even whether they-were-present or
 abessent, interesse, valde a Xenocrate et Aristotele et ab
absent to-matter greatly from Xenocrates and Aristotle and from
 illa Platonis familia discreparet essetque inter eos de re
that of-Plato household be-would-differ and-there-would-be between them about thing
 maxima et de omni vivendi ratione dissensio; nunc vero,
greatest and about all of-living method disagreement now however
 quom decus, quod antiqui summum bonum esse dixerant,
since honor which the-ancients highest good to-be had-said
 hic solum bonum dicat, itemque dedecus illi summum
this-man only good calls and-likewise dishonor they highest
 malum, hic solum, divitias, valetudinem, pulchritudinem
evil this-man only riches health beauty
 commodas res appellet, non bonas, paupertatem, debilitatem,
advantageous things calls not good poverty infirmity
 dolorem incommodas, non malas, sentit idem, quod Xenocrates,
pain disadvantageous not evil he-thinks the-same as Xenocrates
 quod Aristoteles, loquitur alio modo. Ex hac autem non
as Aristotle he-speaks in-another way from this moreover not
 rerum, sed verborum discordia controversia est nata de
of-things but of-words discord a-controversy has sprung about
 finibus, in qua, quoniam usus capionem duodecim tabulae intra
boundaries in which since of-use the-acquisition the-twelve tables within
 quinque pedes esse noluerunt, depasci veterem possessionem
five feet to-be did-not-wish to-be-grazed-off the-old possession

Academiae ab hoc acuto homine non sinemus nec Mamilia
of-the-Academy by this sharp man not we-shall-allow nor by-the-Mamilian
 lege singuli, sed e xii tres arbitri finis regemus.
law single but of twelve three arbiters the-boundaries we-shall-mark

XIX · LIVING BY NATURE

Asked for a verdict, Cicero says the boundaries Socrates fixed should be obeyed. Quintus hears the language of civil law in this and says he awaits that discussion. He grants that the highest good is to live according to nature, by virtue as by a law, but holds that it cannot be settled today. Atticus admits he was glad to stray there; Quintus calls them back, and after a gap says he expects laws of living for individuals as well as for peoples.

56 Q. Quamnam igitur sententiam dicimus?

what therefore opinion do-we-pronounce

M. Requiri placere terminos, quos Socrates pegerit,
to-be-sought-out it-pleases the-boundary-stones which Socrates fixed
 iisque parere.

and-them to-obey

Q. Praeclare, frater, iam nunc a te verba usurpantur civilis
splendidly brother already now by you the-words are-used of-civil
 iuris et legum, quo de genere expecto disputationem tuam;
law and of-laws which about kind I-await discussion your
 nam ista quidem magna diiudicatio est, ut ex te ipso saepe
for that indeed a-great decision is as from you yourself often
 cognovi. Sed certe ita res se habet, ut ex natura
I-have-learned but surely so the-thing itself has that according-to nature
 vivere summum bonum sit, id est vita modica et apta
to-live the-highest good be that is life moderate and fitted
 virtute perfrui aut naturam sequi et eius quasi lege vivere,
with-virtue to-enjoy or nature to-follow and its as-it-were by-law to-live

id est nihil, quantum in ipso sit, praetermittere, quo
that is nothing as-far-as in himself it-is to-omit by-which
 minus ea, quae natura postulet, consequatur, quod inter
less those-things which nature demands he-may-attain which among
 haec velit virtute tamquam lege vivere. Quapropter hoc
these she-wishes by-virtue as-if by-law to-live wherefore this
 diiudicari nescio an numquam, sed hoc sermone certe non
to-be-decided I-know-not whether never but in-this conversation surely not
 potest, siquidem id, quod suscepimus, perfecturi sumus.
can if-indeed that which we-have-undertaken about-to-complete we-are

ATT. At ego huc declinabam, nec invitus.

57

but I hither was-turning-aside nor unwilling
 Q. Licebit alias; nunc id agamus, quod coepimus,
it-will-be-allowed another-time now that let-us-do which we-have-begun
 quom praesertim ad id nihil pertineat haec de summo
since especially to that nothing pertains this about highest
 malo bonoque dissensio.

evil and-good disagreement

M. Prudentissime, Quinte, dicis; nam quae a me adhuc
most-prudently Quintus you-speak for what by me so-far
 dicta sunt; * * *

said have-been (lacuna)

Q. Nec Lycurgi leges neque Solonis neque Charondae neque
neither of-Lycurgus the-laws nor of-Solon nor of-Charondas nor
 Zaleuci nec nostras duodecim tabulas nec plebiscita desidero,
of-Zaleucus nor our twelve tables nor plebiscites do-I-want
 sed te existimo quom populis, tum etiam singulis
but that-you I-think as-much to-peoples so also to-individuals
 hodierno sermone leges vivendi et disciplinam daturum.
in-today's conversation laws of-living and discipline about-to-give

Since law should correct vices and commend virtues, the teaching of how to live must come from it. Wisdom, whose love gives philosophy its Greek name, is the mother of all goods and the gods' richest gift. It taught the hardest lesson, to know oneself, a precept so great it was ascribed to the Delphic god. Whoever knows himself will feel something divine within, see how nature equipped him for wisdom, shake off bodily pleasure and the fear of death, and choose good and reject evil with prudence.

- 58 M. Est huius vero disputationis, Quinte, proprium id, quod
is of-this indeed discussion Quintus proper that which
 expectas, atque utinam esset etiam facultatis meae! Sed profecto
you-expect and would-that it-were also of-ability my but surely
 ita se res habet, ut, quoniam vitiorum emendatricem
so itself the-thing has that since of-vices corrector
 legem esse oportet commendatricemque virtutum, ab ea
law to-be it-is-needful and-commender of-virtues from it
 vivendi doctrina ducatur. Ita fit, ut mater omnium
of-living the-teaching be-drawn so it-comes-about that the-mother of-all
 bonarum rerum sit sapientia, a quoius amore Graeco verbo
good things is wisdom from whose love by-a-Greek word
 philosophia nomen invenit, qua nihil a dis immortalibus
philosophy name has-found than-which nothing by gods immortal
 uberius, nihil florentius, nihil praestabilius hominum vitae
richer nothing more-flourishing nothing more-excellent of-men to-the-life
 datum est. Haec enim una nos quom ceteras res omnes,
given has-been this for alone us as-much the-other things all
 tum, quod est difficillimum, docuit, ut nosmet ipsos
so what is most-difficult has-taught that ourselves ourselves
 nosceremus; cuius praecepti tanta vis et tanta sententia est,
we-should-know of-which precept so-great force and so-great meaning is
 ut ea non homini quoipiam, sed Delphico deo tribueretur.
that it not to-man any but to-the-Delphic god was-attributed

Nam qui se ipse norit, primum aliquid se habere 59

for who himself be-himself shall-know first something himself to-have
 sentiet divinum ingeniumque in se suum sicut simulacrum
will-feel divine and-talent in himself his-own like an-image
 aliquod dicatum putabit tantoque munere deorum semper
some consecrated will-think and-of-so-great gift of-the-gods always
 dignum aliquid et faciet et sentiet et, quom se
worthy something both will-do and will-feel and when himself
 ipse perspexerit totumque temptarit, intellegit,
be-himself be-shall-have-examined and-whole tested be-will-understand
 quem ad modum a natura subornatus in vitam venerit
in-what to manner by nature equipped into life be-has-come
 quantaque instrumenta habeat ad obtinendam adipiscendamque
and-how-great tools be-has for holding and-attaining
 sapientiam, quoniam principio rerum omnium quasi
wisdom since in-the-beginning of-things all as-it-were
 adumbratas intellegentias animo ac mente conceperit, quibus
sketched understandings in-soul and mind be-has-conceived which
 inlustratis sapientia duce bonum virum et ob eam
illuminated wisdom as-guide a-good man and on-account-of that
 ipsam causam cernat se beatum fore.

very reason be-sees himself blessed to-be-going-to-be

Nam quom animus cognitis perceptisque virtutibus a 60

for when the-soul known and-perceived virtues from
 corporis obsequio indulgentiaque discesserit voluptatemque
of-the-body compliance and-indulgence has-departed and-pleasure
 sicut labem aliquam dedecoris oppresserit omnemque mortis
like a-stain some of-disonor has-crushed and-all of-death
 dolorisque timorem effugerit societatemque caritatis coierit
and-of-pain fear has-escaped and-partnership of-affection has-entered
 cum suis omnisque natura coniunctos suos duxerit cultumque
with its-own and-all by-nature joined its-own has-beld and-worship

deorum et puram religionem suscepit et exacuerit illam,
of-the-gods and pure religion has-taken-up and has-sharpened that
 ut oculorum, sic ingenii aciem ad bona seligenda et
as of-the-eyes so of-the-talent edge for goods to-be-selected and
 reicienda contraria, quae virtus ex providendo est appellata
to-be-rejected contraries which virtue from foreseeing has-been named
 prudentia, quid eo dici aut cogitari poterit beatius?
prudence what than-that to-be-said or to-be-thought will-be-able more-blessed

XXI · THE CITIZEN OF THE WORLD

When such a man has surveyed heaven, earth, and sea, learned what is mortal and what divine, and almost grasped the power that rules them, he will know himself a citizen of the whole world, and despise what most men call splendid. Armed with the art of reasoning and born for civic life, he will use eloquence to rule peoples, establish laws, punish the wicked, protect the good, and praise famous men. Atticus asks what this praise is for; Cicero cannot pass over the study that made him.

- 61 Idemque quom caelum, terras, maria rerumque omnium
and-the-same when heaven lands seas and-of-things all
 naturam perspexerit, eaque unde generata, quo recursura
the-nature has-examined and-them whence begotten whither about-to-return
 aliquando, quo modo obitura, quid in iis mortale et
at-some-time in-what way about-to-perish what in them mortal and
 caducum, quid divinum aeternumque sit, viderit ipsumque ea
perishable what divine and-eternal is has-seen and-the-very-one them
 moderantem et regentem paene prenderit seseque non ꝑomnis
governing and ruling almost has-grasped and-himself not by-all
 circumdatum moenibus popularem alicuius definiti loci, sed
surrounded walls a-fellow-townsmen of-some defined place but
 civem totius mundi quasi unius urbis agnoverit, in hac
a-citizen of-the-whole universe as-it-were of-one city has-recognized in this

ille magnificentia rerum atque in hoc conspectu et cognitione

he magnificence of-things and in this view and knowledge

naturae, di immortales, quam se ipse noscet! quod Apollo

of-nature gods immortal how himself he-himself he-will-know which Apollo

praecepit Pythius, quam contemnet, quam despiciet, quam

enjoined Pythian how he-will-despise how he-will-look-down-on how

pro nihilo putabit ea, quae volgo dicuntur amplissima!

for nothing he-will-count those-things which commonly are-called most-splendid

Atque haec omnia quasi saepimento aliquo vallabit

and these-things all as-it-were with-a-hedge some he-will-fence

disserendi ratione, veri et falsi iudicandi scientia

of-discoursing with-the-method of-true and of-false of-judging with-knowledge

et arte quadam intellegendi, quid quamque rem sequatur,

and with-art a-certain of-understanding what each thing follows

et quid sit quoque contrarium. Quomque se ad

and what is to-each contrary and-when himself for

civilem societatem natum senserit, non solum illa subtili

civil partnership born he-has-perceived not only that subtle

disputatione sibi utendum putabit, sed etiam fusa latius

discussion by-himself to-be-used he-will-think but also spread more-widely

perpetua oratione, qua regat populos, qua stabiliat

continuous speech by-which he-may-rule peoples by-which he-may-establish

leges, qua castiget improbos, qua tueatur bonos,

laws by-which he-may-chastise the-wicked by-which he-may-protect the-good

qua laudet claros viros, qua praecepta salutis et

by-which he-may-praise famous men by-which precepts of-safety and

laudis apte ad persuadendum edat suis civibus, qua

of-praise fitly for persuading he-may-publish to-his-own citizens by-which

hortari ad decus, revocare a flagitio, consolari possit

to-exhort to honor to-recall from disgrace to-console he-may-be-able

adflictos factaque et consulta fortium et sapientium cum

the-afflicted and-deeds and counsels of-the-brave and of-the-wise with

62

improborum ignominia sempiternis monumentis prodere.

of-the-wicked ignominy in-everlasting monuments to-hand-down

Quae quom tot res tantaeque sint, quae inesse in

which since so-many things and-so-great are which to-be-in in

homine perspiciantur ab iis, qui se ipsi velint

man are-perceived by those who themselves they-themselves wish

nosse, earum parens est educatrixque sapientia.

to-know of-them parent is and-nurse wisdom

63 ATT. Laudata quidem a te graviter et vere; sed quorsus

praised indeed by you weightily and truly but whither

hoc pertinet?

this tends

M. Primum ad ea, Pomponi, de quibus acturi

first to those-things Pomponius about which about-to-treat

iam sumus, quae tanta esse volumus; non enim erunt,

now we-are which so-great to-be we-wish not for they-will-be

nisi ea fuerint, unde illa manant, amplissima. Deinde

unless those shall-have-been whence those flow most-splendid then

facio et lubenter et, ut spero, recte, quod eam, quous

I-do-it both gladly and as I-hope rightly that her by-whose

studio teneor quaeque me eum, quicumque sum, effecit,

zeal I-am-held and-who me that whoever I-am has-made

non possum silentio praeterire.

not I-can in-silence to-pass-by

ATT. Vero facis et merito et pie, fuitque id, ut dicis, in

indeed you-do both deservedly and dutifully and-was that as you-say in

hoc sermone faciendum.

this conversation to-be-done

BOOK II

I • THE ISLAND IN THE FIBRENUS

Having walked enough, they move to the island in the Fibrenus. Atticus, who once pictured Arpinum as nothing but rocks and mountains, now wonders how Cicero can bear to be anywhere else; nature rules here as it did in the talk of law, and he scorns marble villas and artificial canals. Cicero explains that this is his and his brother's true fatherland: their family's rites and ancestors are here, and he was born in the old farmhouse. Atticus will love the place the more, as he loves the haunts of great men at Athens.

ATTICUS. Sed visne, quoniam et satis iam ambulatum 1
 but do-you-wish since both enough now walked
 est et tibi aliud dicendi initium sumendum est, locum
has-been and by-you another of-speaking beginning to-be-taken is the-place
 mutemus et in insula, quae est in Fibreno (nam, opinor,
let-us-change and on the-island which is in the-Fibrenus for I-think
 id illi alteri flumini nomen est), sermoni reliquo
that to-that other river the-name is to-conversation the-remaining
 demus operam sedentes?
let-us-give effort sitting

M. Sane quidem; nam illo loco libentissime soleo uti,
 certainly indeed for that place most-gladly I-am-wont to-use
 sive quid mecum ipse cogito sive quid scribo aut lego.
whether anything with-me myself I-think-over or anything I-write or I-read

ATT. Equidem, qui nunc potissimum huc venerim, satiari 2
 I-indeed who now above-all hither have-come to-be-sated
 non quo magnificasque villas et pavimenta marmorea et
not can and-magnificent villas and pavements marble and
 laqueata tecta contemno; ductus vero aquarum, quos isti
paneled ceilings I-despise channels but of-waters which those

Nilos et Euripos vocant, quis non, quom haec videat,
Niles and Euripuses call who not when these-things he-sees
 inriserit? Itaque, ut tu paulo ante de lege et de iure
would-laugh-at and-so as you a-little before about law and about right
 disserens ad naturam referebas omnia, sic in his ipsis rebus,
discoursing to nature you-referred all-things so in these very things
 quae ad requietem animi delectationemque quaeruntur, natura
which for rest of-mind and-delight are-sought nature
 dominatur. Quare antea mirabar (nihil enim his in locis
is-master wherefore before I-was-wondering nothing for these in places
 nisi saxa et montes cogitabam, itaque ut facerem, et
except rocks and mountains I-was-thinking and-so that I-should-do-so both
 orationibus inducebar tuis et versibus), sed mirabar, ut
by-speeches I-was-led your and by-verses but I-was-wondering as
 dixi, te tam valde hoc loco delectari; nunc contra
I-said that-you so greatly in-this place to-be-delighted now on-the-contrary
 miror te, quom Roma absis, usquam potius esse.
I-wonder that-you when from-Rome you-are-away anywhere rather to-be

3 M. Ego vero, quom licet pluris dies abesse, praesertim
I indeed when it-is-allowed several days to-be-away especially
 hoc tempore anni, et amoenitatem et salubritatem hanc
at-this time of-year both pleasantness and healthfulness this
 sequor, raro autem licet. Sed nimirum me alia quoque
I-seek rarely however it-is-allowed but doubtless me another also
 causa delectat, quae te non attingit, Tite.

cause delights which you not touches Titus

ATT. Quae tandem ista causa est?

what pray that cause is

M. Quia, si verum dicimus, haec est mea et huius fratris mei
because if the-truth we-speak this is my and of-this brother my
 germana patria; hic enim orti stirpe antiquissima sumus, hic
true fatherland here for sprung from-stock most-ancient we-are here

sacra, hic genus, hic maiorum multa vestigia. Quid plura? hanc
rites here family here of-ancestors many traces what more this
vides villam, ut nunc quidem est, lautius aedificatam patris
you-see villa as now indeed it-is more-elegantly built of-father
nostri studio, qui quom esset infirma valetudine, hic fere
our by-the-zeal who since he-was of-weak health here almost
aetatem egit in litteris. Sed hoc ipso in loco, quom avos
life spent in letters but this very in place when grandfather
viveret et antiquo more parva esset villa, ut illa Curiana in
was-living and in-the-ancient manner small was the-villa like that Curian in
Sabinis, me scito esse natum. Quare inest nescio
the-Sabine-country me know to-have-been born wherefore there-is-in I-know-not
quid et latet in animo ac sensu meo, quo me plus
what and lies-bidden in mind and feeling my by-which me more
hic locus fortasse delectet, siquidem etiam ille sapientissimus
this place perhaps delights since even that most-wise
vir, Ithacam ut videret, immortalitatem scribitur repudiasse.
man Ithaca that he-might-see immortality is-written to-have-rejected
ATT. Ego vero tibi istam iustam causam puto, cur huc 4
I indeed for-you that just cause think why hither
libentius venias atque hunc locum diligas; quin ipse, vere
more-gladly you-come and this place love nay myself truly
dicam, sum illi villae amior modo factus atque huic omni
I-shall-say I-am to-that villa more-friendly just-now made and to-this whole
solo, in quo tu ortus et procreatus es; movemur enim nescio
soil in which you sprung and begotten are we-are-moved for I-know-not
quo pacto locis ipsis, in quibus eorum, quos diligimus
in-what way by-places themselves in which of-those whom we-love
aut admiramur, adsunt vestigia. Me quidem ipsae illae
or admire are-present traces me indeed themselves those
nostrae Athenae non tam operibus magnificis exquisitisque
our Athens not so-much by-works magnificent and-exquisite

antiquorum artibus delectant quam recordatione summorum
of-the-ancients by-arts delight as by-the-recollection of-the-highest
 virorum, ubi quisque habitare, ubi sedere, ubi disputare
men where each to-dwell where to-sit where to-discuss
 sit solitus, studioseque eorum etiam sepulchra contemplor.
was accustomed and-eagerly their even tombs I-contemplate
 Quare istum, ubi tu es natus, plus amabo posthac locum.
wherefore that where you were born more I-shall-love hereafter place
 M. Gaudeo igitur me incunabula paene mea tibi ostendis.
I-rejoice therefore myself cradle almost my to-you to-have-shown

II • TWO FATHERLANDS

Atticus asks how Arpinum can be their fatherland if Rome is. Cicero answers that every townsman has two, one by nature and one by citizenship, as Cato was Tusculan by birth and Roman by citizenship. The fatherland that bears the name of the commonwealth must come first in our love, since we must die for it and devote everything to it, yet the place that bore us is almost as dear. Atticus recalls Pompey saying Arpinum had given Rome two saviors. They reach the island, where the Fibrenus parts before joining the Liris.

- 5 ATT. Equidem me cognosse admodum gaudeo. Sed illud
I-indeed myself to-have-learned greatly rejoice but that
 tamen quale est, quod paulo ante dixisti, hunc locum,
still of-what-sort is which a-little before you-said this place
 id est, ut ego te accipio dicere, Arpinum, germanam
that is as I you understand to-mean Arpinum true
 patriam esse vestram? Numquid duas habetis patrias? an est
fatherland to-be your surely-not two have-you fatherlands or is

una illa patria communis? nisi forte sapienti illi Catoni
one that fatherland common unless perhaps to-wise that Cato
 fuit patria non Roma, sed Tusculum.

was fatherland not Rome but Tusculum

M. Ego mehercule et illi et omnibus municipibus duas esse

I by-Hercules both for-him and for-all townsmen two to-be
 censeo patrias, unam naturae, alteram civitatis; ut ille Cato,
judge fatherlands one of-nature the-other of-citizenship as that Cato

quom esset Tusculi natus, in populi Romani civitatem
when he-had-been at-Tusculum born into of-the-people Roman the-citizenship
 susceptus est; ita, quom ortu Tusculanus esset, civitate

received was so when by-birth Tusculan he-was by-citizenship

Romanus, habuit alteram loci patriam, alteram iuris; ut vestri

Roman he-had one of-place fatherland the-other of-law as your

Attici, prius quam Theseus eos demigrare ex agris et in
Attic-people before than Theseus them to-migrate from fields and into

astu, quod appellatur, omnis se conferre iussit, et sui

the-town as-it is-called all themselves to-betake ordered both their-own

erant iidem et Attici, sic nos et eam patriam ducimus,

were the-same and Attic so we both that fatherland consider

ubi nati, et illam, a qua excepti sumus. Sed necesse est

where born and that by which received we-have-been but necessary it-is

caritate eam praestare, †qua rei publicae nomen universae

in-affection that to-excel which of-the-thing public the-name of-the-whole

civitatis est; pro qua mori et cui nos totos dedere et

state is for which to-die and to-which ourselves wholly to-give and

in qua nostra omnia ponere et quasi consecrare debemus;

in which our all to-place and as-it-were to-consecrate we-ought

dulcis autem non multo secus est ea, quae genuit, quam

dear however not much otherwise is that which begot than

illa, quae exceptit. Itaque ego hanc meam esse patriam prorsus

that which received and-so I this my to-be fatherland at-all

numquam negabo, dum illa sit maior, haec in ea contineatur
never will-deny provided that be greater this in it be-contained

*** habet civitatis et unam illam civitatem putat.

(lacuna) has of-citizenship and one that citizenship thinks

- 6 ATT. Recte igitur Magnus ille noster me audiente posuit
rightly therefore Magnus that our me hearing stated
 in iudicio, quom pro Ampio tecum simul diceret, rem
in court when for Ampius with-you together he-was-speaking the-thing
 publicam nostram iustissimas huic municipio gratias agere
public our most-just to-this town thanks to-render
 posse, quod ex eo duo sui conservatores extitissent; uti
to-be-able because from it two its preservers had-arisen so-that
 iam videar adduci hanc quoque, quae te procrearit, esse
now I-seem to-be-led this also which you begot to-be
 patriam tuam.
fatherland your

Sed ventum in insulam est. Hac vero nihil est amoenius.

but come onto the-island it-has-been than-this indeed nothing is more-pleasant

Etenim hoc quasi rostro finditur Fibrenus et divisus

for-indeed by-this as-it-were beak is-split the-Fibrenus and divided

aequaliter in duas partes latera haec adluit rapideque dilapsus

equally into two parts sides these washes and-swiftly gliding-apart

cito in unum confluit et tantum conplectitur, quod satis

quickly into one flows-together and so-much encloses as enough

sit modicae palaestrae, loci; quo effecto, tamquam id

be for-a-moderate wrestling-ground of-place which accomplished as-if that

habuerit operis ac muneris, ut hanc nobis efficeret sedem

it-had of-work and of-duty that this for-us it-should-make seat

ad disputandum, statim praecipitat in Lirem et, quasi in

for discussing at-once rushes-down into the-Liris and as-if into

familiam patriciam venerit, amittit nomen obscurius Liremque

a-family patrician it-had-come loses name more-obscure and-the-Liris

multo gelidiorem facit; nec enim ullum hoc frigidius
by-much colder makes nor for any than-this colder
 flumen attingi, quom ad multa accesserim, ut vix pede
river have-I-touched although to many I-have-gone so-that scarcely with-foot
 temptare id possim, quod in Phaedro Platonis facit Socrates.
to-test it I-can which in the-Phaedrus of-Plato does Socrates

III · THE LAW ABOVE ALL LAWS

Cicero thinks Atticus' Thyamis, which Quintus often praises, would yield nothing to this spot, and Quintus ranks nothing above Atticus' Amalthium. They sit in the shade, and Quintus holds Cicero to his promise. Cicero begins, as Aratus did, with Jupiter and the gods, and restates the nature of law: no invention of men or decree of peoples, but eternal reason, the mind of god, commanding and forbidding. Asked to explain it, he says its force is older than any people and as old as god.

M. Est vero ita; sed tamen huic amoenitati, quem ex 7
it-is indeed so but still to-this pleasantness which from
 Quinto saepe audio, Thyamis Epirotes tuus ille nihil, opinor,
Quintus often I-hear Thyamis Epirote your that nothing I-think
 concesserit.

would-yield

Q. Est ita, ut dicis; cave enim putes Attici nostri
it-is so as you-say beware for you-think of-Atticus our
 Amalthio platanisque illis quicquam esse praeclarius. Sed,
than-Amalthium and-plane-trees those anything to-be more-splendid but
 si videtur, considamus hic in umbra atque ad eam partem
if it-seems-good let-us-sit-down here in the-shade and to that part
 sermonis, ex qua egressi sumus, revertamur.
of-conversation from which gone-out we-have let-us-return

M. Praeclare exigit, Quinte, (at ego effugisse arbitrabar)
splendidly you-demand Quintus but I to-have-escaped was-thinking
 et tibi horum nihil deberi potest.

and to-you of-these nothing to-be-owed can

Q. Ordire igitur; nam hunc tibi totum dicamus diem.
begin therefore for this to-you whole let-us-dedicate day

M. 'A Iove Musarum primordia', sicut in Aratio carmine
from Jupiter of-the-Muses the-beginnings as in the-Aratean poem
 orsi sumus.

begun we-have

Q. Quorsum istuc?
whither that

M. Quia nunc item ab eodem et a ceteris dis immortalibus
because now likewise from the-same and from the-other gods immortal
 sunt nobis agendi capienda primordia.
are by-us of-proceeding to-be-taken the-beginnings

8 Q. Optime vero, frater, et fieri sic decet.
best indeed brother and to-be-done so it-befits

M. Videamus igitur rursus, prius quam adgrediamur ad leges
let-us-see therefore again before than we-approach to laws
 singulas, vim naturamque legis, ne, quom referenda sint
single the-force and-nature of-law lest when to-be-referred are
 ad eam nobis omnia, labamur interdum errore sermonis
to it by-us all-things we-slip sometimes by-error of-speech
 ignoremusque vim rationis eius, qua iura nobis
and-we-be-ignorant-of the-force of-reason that by-which laws by-us
 definienda sint.

to-be-defined are

Q. Sane quidem hercle, et est ista recta docendi via.
certainly indeed by-Hercules and is that right of-teaching the-way

M. Hanc igitur video sapientissimorum fuisse sententiam,
this therefore I-see of-the-wisest to-have-been the-opinion
 legem neque hominum ingeniis excogitatam nec scitum
law neither of-men by-talents devised nor decree
 aliquod esse populorum, sed aeternum quiddam, quod
some to-be of-peoples but eternal something which
 universum mundum regeret imperandi prohibendique
the-whole universe might-rule of-commanding and-of-forbidding
 sapientia. Ita principem legem illam et ultimam mentem
by-wisdom so the-chief law that and ultimate mind
 esse dicebant omnia ratione aut cogentis aut vetantis dei;
to-be they-said all-things by-reason either compelling or forbidding of-god
 ex quo illa lex, quam di humano generi dederunt,
from which that law which the-gods to-human race have-given
 recte est laudata; est enim ratio mensque sapientis
rightly has-been praised it-is for the-reason and-mind of-the-wise-man
 ad iubendum et ad deterrendum idonea.
for ordering and for deterring suited

Q. Aliquotiens iam iste locus a te tactus est; sed ante 9
several-times already that topic by you touched has-been but before
 quam ad populares leges venias, vim istius caelestis legis
than to of-peoples laws you-come the-force of-that heavenly law
 explana, si placet, ne aestus nos consuetudinis absorbeat et
explain if it-pleases lest the-tide us of-habit swallow and
 ad sermonis morem usitati trahat.
to of-speech the-manner customary drag

M. A parvis enim, Quinte, didicimus 'si in ius vocat'
from little-ones for Quintus we-have-learned if into court he-calls
 atque eius modi 'leges' alias nominare. Sed vero intellegi
and of-that kind laws other to-name but indeed to-be-understood
 sic oportet, et hoc et alia iussa ac vetita populorum vim
so it-is-needful both this and other orders and prohibitions of-peoples force

habere ad recte facta vocandi et a peccatis avocandi, quae
to-have for rightly deeds of-calling and from sins of-calling-away which
 vis non modo senior est quam aetas populorum et civitatum,
force not only older is than the-age of-peoples and of-states
 sed aequalis illius caelum atque terras tuentis et regentis dei.
but coeval of-that heaven and lands guarding and ruling god

IV · LAW OLDER THAN WRITING

Divine reason has the force to sanction right and wrong. Horatius Cocles held the bridge by the law of courage, though no written law required it, and Sextus Tarquinius broke the eternal law when he violated Lucretia, though Rome had no written law against rape. Law began not when it was written but when it arose, together with the divine mind. Quintus agrees. Laws drawn up for peoples bear the name of law by courtesy, and ruinous decrees are anything but laws, since the name itself means choosing the just and true.

- 10 Neque enim esse mens divina sine ratione potest, nec ratio
nor for to-be mind divine without reason can nor reason
 divina non hanc vim in rectis pravisque sancendis habet, nec,
divine not this force in right-things and-wrong to-be-sanctioned has nor
 quia nusquam erat scriptum, ut contra omnis hostium copias
because nowhere was written that against all of-the-enemies forces
 in ponte unus adsisteret a tergoque pontem interscindi
on the-bridge alone he-should-stand from and-behind the-bridge to-be-cut-down
 iuberet, idcirco minus Coclitem illum rem gessisse tantam
he-should-order therefore less Cocles that the-deed to-have-done so-great
 fortitudinis lege atque imperio putabimus, nec, si regnante
of-courage by-law and command shall-we-think nor if reigning
 L. Tarquinio nulla erat Romae scripta lex de stupris, idcirco
Lucius Tarquinius no was at-Rome written law about rapes therefore

non contra illam legem sempiternam Sex. Tarquinius vim
not against that law everlasting Sextus Tarquinius violence
 Lucretiae, Tricipitini filiae, attulit. Erat enim ratio profecta
to-Lucretia of-Tricipitinus to-the-daughter brought was for reason proceeding
 a rerum natura et ad recte faciendum inpellens et a
from of-things the-nature and to rightly acting urging and from
 delicto avocans, quae non tum denique incipit lex esse, quom
wrongdoing calling-away which not then at-last begins law to-be when
 scripta est, sed tum, quom orta est; orta autem est simul
written it-is but then when arisen it-has arisen moreover it-has together
 cum mente divina. Quam ob rem lex vera atque princeps
with mind divine which on-account-of reason law true and chief
 apta ad iubendum et ad vetandum ratio est recta summi Iovis.
suited for ordering and for forbidding reason is right of-highest Jupiter

Q. Adsentior, frater, ut, quod est rectum verumque, aeternum 11

I-agree brother that what is right and-true eternal
 quoque sit neque cum litteris, quibus scita scribuntur, aut
also is nor with the-letters in-which decrees are-written either
 oriatur aut occidat.

arises or perishes

M. Ergo ut illa divina mens summa lex est, item, quom in
therefore as that divine mind highest law is likewise when in
 homine est perfecta, *** in mente sapientis; quae sunt
man it-is perfected (lacuna) in the-mind of-the-wise-man which are
 autem varie et ad tempus discriptae populis, favore magis
however variously and for the-occasion drawn-up for-peoples by-favor more
 quam re legum nomen tenent. Omnem enim legem,
than in-substance of-laws the-name hold every for law
 quae quidem recte lex appellari possit, esse laudabilem
which indeed rightly law to-be-called can to-be praiseworthy
 quibusdam talibus argumentis docent: Constat profecto
by-certain such arguments they-teach it-is-agreed surely

ad salutem civium civitatumque incolumitatem vitamque
for the-safety of-citizens and-of-states the-security and-life
 hominum quietam et beatam inventas esse leges, eosque,
of-men quiet and blessed invented to-have-been laws and-those
 qui primum eius modi scita sanxerint, populis ostendisse
who first of-that kind decrees sanctioned to-peoples to-have-shown
 ea se scripturos atque laturos, quibus illi adscitis
those-things themselves about-to-write and about-to-carry which they adopted
 susceptisque honeste beateque viverent; quaeque ita composita
and-accepted honorably and-blessedly would-live and-what so composed
 sanctaque essent, eas leges videlicet nominarent. Ex quo
and-sanctioned were those laws evidently they-named from which
 intellegi par est eos, qui perniciose et iniusta populis
to-be-understood right it-is those who ruinous and unjust for-peoples
 iussa descripserint, quom contra fecerint quam polliciti
orders have-drawn-up since contrary they-have-done than promised
 professique sint, quidvis potius tulisse quam leges, ut
and-professed they-have anything rather to-have-carried than laws so-that
 perspicuum esse possit in ipso nomine legis interpretando
plain to-be can in the-very name of-law interpreting
 inesse vim et sententiam iusti et veri legendi.
to-be-in the-force and meaning of-the-just and of-the-true of-choosing

Cicero leads Quintus through an argument: a thing whose lack makes a state worthless is a good, a state without law is worthless, and so law is among the greatest goods. Pernicious decrees are no more laws than the resolutions of robbers. Law distinguishes just from unjust by nature, so the Titian, Apuleian, and Livian laws, struck down by the senate in a moment, were no laws at all. Following Plato, Zaleucus, and Charondas, Cicero will praise his law first, since law should persuade, not only compel.

Quaero igitur a te, Quinte, sicut illi solent: Quo si civitas 12

*I-ask therefore of you Quintus as they are-wont which if a-state
careat, ob eam ipsam causam, quod eo careat, pro
lacks on-account-of that very reason because it it-lacks for
nihilo habenda sit, id estne numerandum in bonis?
nothing to-be-held is that is-it to-be-counted among goods*

Q. Ac maxumis quidem.

and the-greatest indeed

M. Lege autem carens civitas estne ob id ipsum

law moreover lacking a-state is-it on-account-of that itself

habenda nullo loco?

to-be-held in-no place

Q. Dici aliter non potest.

to-be-said otherwise not can

M. Necessesse est igitur legem haberi in rebus optimis.

necessary it-is therefore law to-be-held among things best

Q. Prorsus adsentior.

wholly I-agree

M. Quid, quod multa perniciose, multa pestifere sciscuntur 13

what that many-things ruinously many-things pestilently are-enacted

in populis, quae non magis legis nomen adtingunt, quam

among peoples which not more of-law the-name touch than

si latrones aliquas consessu sua sanxerint? Nam neque
if robbers some in-assembly their-own have-sanctioned for neither
 medicorum praecepta dici vere possunt, si quae
of-physicians the-prescriptions to-be-called truly can if any-things
 inscii inperitique pro salutaribus mortifera conscripserunt,
ignorant and-unskilled for wholesome deadly have-written
 neque in populo lex, cuicuiusmodi fuerit illa, etiamsi
nor in a-people law of-whatever-kind shall-have-been that even-if
 perniciosum aliquid populus acceperit. Ergo est lex
ruinous something the-people shall-have-accepted therefore is law
 iustorum iniustorumque distinctio ad illam antiquissimam et
of-just and-of-unjust a-distinction to that most-ancient and
 rerum omnium principem expressa naturam, ad quam leges
of-things all first modeled nature to which the-laws
 hominum deriguntur, quae supplicio inprobos adficiunt,
of-men are-directed which with-punishment the-wicked visit
 defendunt ac tuentur bonos.

defend and protect the-good

Q. Praeclare intellego nec vero iam aliam esse ullam legem
splendidly I-understand nor indeed now that-other to-be any law
 puto non modo habendam, sed ne appellandam quidem.

I-think not only to-be-held but not to-be-called even

14 M. Igitur tu Titias et Apuleias leges nullas putas?

therefore you Titian and Apuleian laws none think

Q. Ego vero ne Livias quidem.

I indeed not the-Livian even

M. Et recte, quae praesertim uno versiculo senatus puncto
and rightly which especially by-one little-line of-the-senate in-a-point
 temporis sublatae sint; lex autem illa, cuius vim explicavi,
of-time removed were law however that whose force I-have-explained
 neque tolli neque abrogari potest.

neither to-be-removed nor to-be-repealed can

Q. Eas tu igitur leges rogabis videlicet, quae numquam
those you therefore laws will-propose evidently which never
 abrogentur.

may-be-repealed

M. Certe, si modo acceptae a duobus vobis erunt. Sed, ut vir
surely if only accepted by two you they-shall-be but as a-man
 doctissimus fecit Plato atque idem gravissimus philosophorum
most-learned did Plato and likewise weightiest of-philosophers
 omnium, qui princeps de re publica conscripsit idemque
all who first about the-thing public wrote and-likewise
 separatim de legibus eius, id mihi credo esse faciundum,
separately about the-laws of-it that by-me I-believe to-be to-be-done
 ut, prius quam ipsam legem recitem, de eius legis laude
that before than the-very law I-recite about of-that law the-praise
 dicam. Quod idem et Zaleucum et Charondam fecisse
I-should-speak which same both that-Zaleucus and Charondas to-have-done
 video, quom quidem illi non studii et delectationis, sed
I-see although indeed they not of-study and of-delight but
 rei publicae causa leges civitatibus suis scripserunt.
of-the-thing public for-the-sake laws for-states their-own wrote
 Quos imitatus Plato videlicet hoc quoque legis putavit
whom having-imitated Plato evidently this also of-law thought
 esse; persuadere aliquid, non omnia vi ac minis cogere.
to-be to-persuade something not all-things by-force and threats to-compel

Whether Zaleucus existed does not matter. Let citizens be persuaded that the gods are masters of all things, see what each man is and does, and take account of the pious and the impious. Nothing is truer than that no one should be so foolishly arrogant as to think reason exists in himself but not in heaven. Such beliefs are also useful: oaths, the sanctity of treaties, fear of divine punishment, and the gods as judges and witnesses among citizens hold society together. This, in Plato's word, is the preamble of the law.

- 15 Q. Quid, quod Zaleucum istum negat ullum fuisse
 what that that-Zaleucus that denies any to-have-been

Timaeus?

Timaeus

- M. At ait Theophrastus, auctor haud deterior mea quidem
 but says Theophrastus an-authority not worse in-my indeed
 sententia (meliorem multi nominant); commemorant vero
 opinion better many name mention indeed
 ipsius cives, nostri clientes, Locri. Sed sive fuit sive
 his-own citizens our clients the-Locrians but whether be-was or
 non fuit, nihil ad rem; loquimur, quod traditum est.
 not was nothing to the-matter we-speak what handed-down is
 Sit igitur hoc iam a principio persuasum civibus, dominos
 let-be therefore this now from the-beginning persuaded to-citizens masters
 esse omnium rerum ac moderatores deos, eaque, quae
 to-be of-all things and governors that-the-gods and-those-things which
 gerantur, eorum geri iudicio ac numine, eosdemque optime
 are-done by-their to-be-done judgment and divine-will and-the-same best
 de genere hominum mereri et, qualis quisque sit, quid agat,
 of the-race of-men to-deserve and what-sort each is what he-does

quid in se admittat, qua mente, qua pietate colat
what upon himself he-brings with-what mind with-what dutifulness he-cultivates
 religiones, intueri piorumque et impiorum habere rationem;
religious-rites to-observe and-of-the-pious and of-the-impious to-keep account
 his enim rebus inbutae mentes haud sane abhorrebunt 16
with-these for things imbued minds not surely will-shrink
 ab utili aut a vera sententia. Quid est enim verius quam
from useful or from true opinion what is for truer than
 neminem esse oportere tam stulte adrogantem, ut in se
that-no-one to-be ought so foolishly arrogant that in himself
 rationem et mentem putet inesse, in caelo mundoque non
reason and mind be-think to-be-in in heaven and-universe not
 putet? aut ut ea, quae vix summa ingenii ratione
think or that those-things which scarcely by-biggest of-talent reason
 comprehendantur, nulla ratione moveri putet? Quem vero
are-grasped by-no reason to-be-moved be-think whom indeed
 astrorum ordines, quem dierum noctiumque vicissitudines,
of-stars the-orders whom of-days and-of-nights the-alternations
 quem mensum temperatio quemque ea, quae gignuntur
whom of-months the-regulation and-whom those-things which are-produced
 nobis ad fruendum, non gratum esse cogunt, hunc hominem
for-us for enjoying not grateful to-be compel this man
 omnino numerari qui decet? Quomque omnia, quae rationem
at-all to-be-counted how is-it-fitting and-since all-things which reason
 habent, praestent iis, quae sint rationis expertia, nefasque
have excel those which are of-reason devoid and-impious
 sit dicere ullam rem praestare naturae omnium rerum,
it-is to-say any thing to-excel the-nature of-all things
 rationem inesse in ea confitendum est. Utilis esse autem
reason to-be-in in it to-be-admitted is useful to-be moreover
 has opiniones quis neget, quom intellegat, quam multa
these opinions who would-deny when he-understands how many-things

firmentur iure iurando, quantaē saluti sint foederum
are-confirmed by-right sworn how-great for-safety are of-treaties
 religiones, quam multos divini supplicii metus a scelere
the-sanctities how many of-divine punishment the-fear from crime
 revocarit, quamque sancta sit societas civium inter ipsos
has-recalled and-how holy is the-partnership of-citizens among themselves
 diis immortalibus interpositis tum iudicibus, tum testibus?
gods immortal interposed now as-judges now as-witnesses
 Habes legis prooemium; sic enim haec appellat Plato.
you-have of-the-law the-preamble so for this calls Plato

VII • THE LAWS OF RELIGION

Quintus notes that Cicero follows Plato's manner but not his thoughts, and Cicero says he prefers to be his own man. He will give the laws in an old-fashioned language, older than their talk though not as old as the Twelve Tables. The laws follow: approach the gods in purity and piety, without display of wealth; worship no new or foreign gods privately; keep shrines, groves, and household rites; honor the gods, the men raised to heaven by merit, and the virtues that open the way there; observe the festivals and offerings.

- 17 Q. Habeo vero, frater, et in hoc admodum delector, quod
I-have-it indeed brother and in this very-much I-am-delighted that
 in aliis rebus aliisque sententiis versaris atque ille. Nihil
in other things and-other opinions you-are-engaged than he nothing
 enim tam dissimile quam vel ea, quae ante dixisti, vel
for so unlike as either those-things which before you-said or
 hoc ipsum de deis exordium; unum illud mihi videris
this itself about the-gods beginning one that to-me you-seem
 imitari, orationis genus.
to-imitate of-speech kind

M. Velle fortasse; quis enim id potest aut umquam poterit
to-wish perhaps who for that can or ever will-be-able
 imitari? Nam sententias interpretari perfacile est; quod
to-imitate for the-thoughts to-translate very-easy is which
 quidem ego facerem, nisi plane esse vellem meus. Quid enim
indeed I would-do unless plainly to-be I-wished my-own what for
 negotii est eadem prope verbis isdem conversa dicere?
of-trouble is the-same-things nearly in-words the-same translated to-say
 Q. Prorsus adsentior; verum, ut modo tute dixisti; te
wholly I-agree but as just-now you-yourself said you
 esse malo tuum. Sed iam exprome, si placet, istas leges
to-be I-prefer your-own but now bring-out if it-pleases those laws
 de religione.
about religion

M. Expromam equidem, ut potero, et, quoniam et locus 18
I-will-bring-out indeed as I-shall-be-able and since both the-place
 et sermo familiaris est, legum leges voce proponam.
and conversation familiar is of-laws the-laws in-the-voice I-will-set-forth

Q. Quidnam id est?
what that is

M. Sunt certa legum verba, Quinte, neque ita prisca, ut
there-are fixed of-laws words Quintus nor so antique as
 in veteribus xii sacratisque legibus, et tamen, quo plus
in the-old twelve and-sacred laws and still so-that more
 auctoritatis habeant, paulo antiquiora, quam hic sermo
of-authority they-may-have a-little more-ancient than this conversation
 est. Eum morem igitur cum brevitate, si potuero, consequar.
is that manner therefore with brevity if I-shall-be-able I-will-follow
 Leges autem a me edentur non perfectae (nam esset
the-laws moreover by me will-be-set-forth not complete for it-would-be
 infinitum), sed ipsae summae rerum atque sententiae.
endless but themselves the-heads of-matters and the-provisions

Q. Ita vero necesse est; quare audiamus.

so indeed necessary it-is wherefore let-us-hear

19 M. Ad divos adeunto caste, pietatem adhibento, opes

to the-gods let-them-go chastely dutifulness let-them-bring wealth

amovento. Qui secus faxit, deus ipse vindex erit.

let-them-put-away who otherwise shall-do god himself avenger will-be

Separatim nemo habessit deos neve novos neve advenas nisi

separately no-one shall-have gods neither new nor foreign unless

publice adscitos; privatim colunto, quos rite a patribus

publicly adopted privately let-them-worship whom duly from fathers

cultos acceperint.

worshiped they-have-received

In urbibus delubra habento; lucos in agris habento et

in cities shrines let-them-have groves in fields let-them-have and

Larum sedes.

of-the-Lares seats

Ritus familiae patrumque servanto.

rites of-family and-of-fathers let-them-keep

Divos et eos, qui caelestes semper habiti, colunto

the-gods both those who heavenly always held-to-be let-them-worship

et ollos, quos endo caelo merita locaverint, Herculem,

and those whom in heaven merits have-placed Hercules

Liberum, Aesculapium, Castorem, Pollucem, Quirinum, ast

Liber Aesculapius Castor Pollux Quirinus and

olla, propter quae datur homini ascensus in caelum,

those-things on-account-of which is-given to-man ascent into heaven

Mentem, Virtutem, Pietatem, Fidem, earumque laudum

Mind Virtue Dutifulness Good-Faith and-of-those praises

delubra sunt, ne uncula vitiorum.

shrines let-there-be nor any of-vices

Sacra sollemnia obeunto.

rites solemn let-them-perform

Feriis iurgia amovento easque in famulis operibus
on-holidays quarrels let-them-put-away and-them with slaves' tasks
 patratis habento, itaque ut ita cadat in annuis anfractibus,
completed let-them-keep and-so that so it-may-fall in yearly circuits
 descriptum esto. Certasque fruges certasque bacas sacerdotes
arranged let-it-be and-fixed crops and-fixed berries the-priests
 publice libanto; hoc certis sacrificiis ac diebus;
publicly let-offer this on-fixed sacrifices and days

VIII • PRIESTS AND AUGURS

The laws continue: offerings at fixed seasons; pontiffs for all gods, flamens for each, and Vestals guarding the city's fire; priests for rites, interpreters of prophecies, and public augurs, whose ill-omened declarations void public acts. Fetials judge treaties and wars, prodigies go to the Etruscan soothsayers, and women's rites by night are banned except those for the people. Inexpiable sacrilege counts as impiety, temple robbery as parricide; perjury is punished by gods and men, vows must be paid, private rites kept, and mourning restrained.

itemque alios ad dies ubertatem lactis feturaeque servant; 20
and-likewise other for days the-abundance of-milk and-of-offspring let-them-reserve
 idque ne committi possit, ad eam rem, rationem cursus
and-that lest to-be-violated can for that thing the-reckoning courses
 annuos sacerdotes finiunto; quaeque quoique divo decorae
yearly the-priests let-define and-which to-each god fitting
 grataeque sint hostiae, providento.
and-pleasing are victims let-them-provide

Divisque aliis alii sacerdotes, omnibus pontifices, singulis

and-to-gods other other priests for-all pontiffs for-single

flamines sunt. Virginesque Vestales in urbe custodiunt

flamens let-there-be and-virgins Vestal in the-city let-guard

ignem foci publici sempiternum.

the-fire of-the-hearth public everlasting

Quoque haec privatim et publice modo rituque fiant,

and-in-what these-things privately and publicly manner and-rite be-done

discunt ignari a publicis sacerdotibus. Eorum autem

let-learn the-ignorant from public priests of-them moreover

genera sunt tria, unum, quod praesit caerimoniis et

kinds let-there-be three one which may-preside-over ceremonies and

sacris, alterum, quod interpretetur fatidicorum et vatium

rites another which may-interpret of-soothsayers and of-seers

ecfata incognita, quorum senatus populusque adsciverit;

utterances unknown of-which the-senate and-people shall-have-accepted

interpretes autem Iovis optumi maximi, publici augures,

interpreters moreover of-Jupiter best greatest public augurs

signis et auspiciis postea vidento, disciplinam tenent

by-signs and by-auspices afterward let-see discipline let-hold

21 sacerdotesque, vinea virgetaque et salutem populi

and-priests vineyards and-osier-beds and the-safety of-the-people

augurando, quique agunt rem duelli quique popularem,

let-augur and-who shall-conduct the-business of-war and-who popular

auspiciis praemonent, ollice obtemperant, divorumque

the-auspice let-forewarn and-those let-obey and-of-the-gods

iras provident sique apparent caelique fulgora

angers let-foresee and-to-them let-attend and-of-heaven the-lightnings

regionibus ratis temperant, urbemque et agros templa

in-regions fixed let-regulate and-the-city and fields temples

liberata et effata habent. Quaeque augur iniusta nefasta,

freed and declared let-hold and-whatever the-augur unjust unlawful

vitiosa dira defixerit, inrita infectaque sunt; quique
faulty ill-omened shall-have-declared void and-undone let-be and-who
 non paruerit, capital esto.

not shall-have-obeyed capital let-it-be

Foederum pacis, belli, indotiarum ratorum fetiales iudices,
of-treaties of-peace of-war of-truces of-ratified-ones the-fetials judges
 nontii sunt, bella disceptant.

messengers let-be wars let-them-decide

Prodigia, portenta ad Etruscos haruspices, si senatus iussit,
prodigies portents to the-Etruscan soothsayers if the-senate has-ordered
 deferunt, Etruriaque principes disciplinam docent. Quibus
let-them-refer and-Etruria (its)-leaders the-discipline let-teach to-what
 divis creverint, procurant, idemque fulgora atque
gods they-shall-have-decided let-them-expiate and-the-same lightnings and
 obstata piant.

things-struck let-appease

Nocturna mulierum sacrificia ne sunt praeter olla, quae
nocturnal of-women sacrifices not let-there-be except those which
 pro populo rite fiunt; neve quem initiant nisi, ut
for the-people duly shall-be-done nor anyone let-them-initiate unless as
 adsolet, Cereri Graeco sacro.

is-customary to-Ceres by-Greek rite

Sacrum commissum, quod neque expiari poterit, impie
sacred-thing violated which not to-be-expiated will-be-able impiously
 commissum esto; quod expiari poterit, publici sacerdotes
violated let-it-be what to-be-expiated will-be-able public priests
 expiant.

let-expiate

Loedis publicis, †quod sine curriculo et sine certatione
at-games public what without race-course and without contest
 corporum fiat, popularem laetitiam in cantu et fidibus et
of-bodies is-done popular joy in song and strings and
 tibiis moderanto eamque cum divum honore iungunto.

pipes let-them-regulate and-it with of-the-gods honor let-them-join

Ex patriis ritibus optuma colunto.

of ancestral rites the-best let-them-cultivate

Praeter Idaeae matris famulos, eosque iustis diebus, ne
except of-the-Idaeae mother the-servants and-those on-lawful days not
 quis stipem cogito.

anyone alms let-collect

Sacrum sacrove commendatum qui clepsit rapsitve,
a-sacred-thing to-the-sacred-or entrusted who shall-steal shall-snatch-or
 parricida esto.

a-parricide let-him-be

Periurii poena divina exitium, humana dedecus.

of-perjury the-penalty divine destruction human disgrace

Incestum pontifices supremo supplicio sanciunto.

unchastity the-pontiffs with-the-ultimate punishment let-sanction

Impius ne audeto placare donis iram deorum.

the-impious-man not let-dare to-appease with-gifts the-wrath of-the-gods

Caute vota reddunto; poena violati iuris esto. Quocirca

carefully vows let-them-pay penalty of-violated right let-there-be wherefore

ne quis agrum consecrato. Auri, argenti, eboris sacrandi
not anyone land let-consecrate of-gold of-silver of-ivory of-dedicating
 modus esto.

a-limit let-there-be

Sacra privata perpetua manento.

rites private perpetual let-remain

Deorum Manium iura sancta sunt. Bonos leto datos
of-the-gods Manes the-rights holy let-be the-good to-death given
 divos habento; sumptum in ollos luctumque minuunt.
gods let-them-hold expense on them and-mourning let-them-lessen

IX · PURITY OF MIND

Atticus observes that the code differs little from Numa's laws and Roman custom. Cicero agrees: laws for the best commonwealth must fit its constitution, and where they are new they follow ancestral custom. He then explains them. Purity means purity of mind above all, since the body's stains wash off but no river cleans the soul. Piety pleases the gods, and expense is banished so that the poor are not kept from them. A god himself is the avenger, so fear of present punishment supports religion. Private foreign gods confuse worship.

- ATT. Conclusa quidem est a te permagna lex sane quam 23
concluded indeed has-been by you a-very-great law truly how
 brevis; sed, ut mihi quidem videtur, non multum discrepat ista
briefly but as to-me indeed it-seems not much differs that
 constitutio religionum a legibus Numae nostrisque moribus.
arrangement of-religious-rites from the-laws of-Numa and-our customs
 M. An censes, quom in illis de re publica libris
or do-you-judge since in those about the-thing public books
 persuadere videatur Africanus omnium rerum publicarum
to-persuade seems Africanus of-all things public
 nostram veterem illam fuisse optumam, non necesse esse
that-our old that to-have-been best not necessary to-be
 optumae rei publicae leges dare consentaneas?
to-the-best thing public laws to-give consistent
 ATT. Immo prorsus ita censeo.
nay wholly so I-judge

M. Ergo adeo expectate leges, quae genus illud optimum
therefore indeed await laws which kind that best
 rei publicae contineant, et, si quae forte a me hodie
of-the-thing public may-hold-together and if any perhaps by me today
 rogabuntur, quae non sint in nostra re publica nec fuerint,
will-be-proposed which not are in our thing public nor have-been
 tamen erunt fere in more maiorum, qui tum ut lex
still they-will-be nearly in the-custom of-the-ancestors which then as law
 valebat.

was-in-force

24 ATT. Suade igitur, si placet, istam ipsam legem, ut ego
urge therefore if it-pleases that very law so-that I
 'utei rogas' possim dicere.

as you-propose may-be-able to-say

M. Ain tandem? Attice, non es dicturus aliter?
do-you-say pray Atticus not are-you about-to-say otherwise

ATT. Prorsus maiorem quidem rem nullam sciscam aliter, in
wholly greater indeed thing no I-will-enact otherwise in
 minoribus, si voles, remittam hoc tibi.

lesser if you-wish I-will-concede this to-you

Q. Atque mea quidem eadem sententia est.

and my indeed the-same opinion is

M. At, ne longum fiat, videte.

but lest long it-become see

ATT. Utinam quidem! quid enim agere malumus?

would-that indeed what for to-do do-we-prefer

M. Caste iubet lex adire ad deos, animo videlicet, in
chastely orders the-law to-go to the-gods in-mind evidently in
 quo sunt omnia; nec tollit castimoniam corporis. sed hoc
which are all-things nor removes the-purity of-the-body but this
 oportet intellegi; quom multum animus corpori praestet
it-is-needful to-be-understood since much the-mind than-the-body excels

observeturque, ut casta corpora adhibeantur, multo esse
and-it-is-observed that chaste bodies be-brought by-much to-be
 in animis id servandum magis. Nam illud vel aspersione
in minds that to-be-kept more for that either by-sprinkling
 aquae vel dierum numero tollitur; animi labes nec
of-water or of-days by-number is-removed of-the-mind the-stain neither
 diuturnitate evanescere nec omnibus ullis elui potest.

by-length-of-time to-vanish nor by-rivers any to-be-washed-out can
 Quod autem pietatem adhiberi, opes amoveri iubet,
that moreover dutifulness to-be-brought wealth to-be-put-away it-orders
 significat probitatem gratam esse deo, sumptum esse
signifies that-uprightness pleasing to-be to-god that-expense to-be
 removendum. Quid enim? paupertatem quom divitiis etiam
to-be-removed what for that-poverty since to-riches even
 inter homines esse aequalem velimus, cur eam sumptu ad
among men to-be equal we-wish why it by-expense to
 sacra addito deorum aditu arceamus? praesertim quom
rites added of-the-gods from-access should-we-keep especially since
 ipsi deo nihil minus gratum futurum sit quam non
to-the-very god nothing less pleasing about-to-be is than not
 omnibus patere ad se placandum et colendum viam.

to-all to-lie-open for himself appeasing and worshiping the-way
 Quod autem non iudex, sed deus ipse vindex constituitur,
that moreover not a-judge but god himself avenger is-appointed
 praesentis poenae metu religio confirmari videtur.

of-present penalty by-fear religion to-be-strengthened seems
 Suosque deos aut novos aut alienigenas coli
and-their-own gods either new or foreign to-be-worshipped
 confusionem habet religionum et ignotas caerimoniae
confusion has of-religions and unknown ceremonies we
 sacerdotibus.

to-priests

25

Ancestral gods are to be worshiped if the ancestors obeyed this law. Cicero approves temples in cities, against the Persian magi, since, as Pythagoras and Thales taught, the gods' presence makes men more pious. Groves, the Lares, and family rites keep the same reverence. Deifying great men shows souls immortal. Rome rightly consecrated Mind, Piety, Virtue, and Faith; Athens wrongly honored Insult, and altars to Fever and Bad Fortune should go. Any invented names should be of goods sought, like Victory, Honor, and Hope.

- 26 Nam a patribus acceptos deos ita placet coli, si
for from fathers received gods so it-pleases to-be-worshiped if
huic legi paruerint ipsi patres.
this law have-obeyed themselves the-fathers
Delubra esse in urbibus censeo nec sequor magos Persarum,
shrines to-be in cities I-judge nor follow the-magi of-the-Persians
quibus auctoribus Xerxes inflammasse templa Graeciae dicitur,
by-whom as-advisers Xerxes to-have-burned the-temples of-Greece is-said
quod parietibus includerent deos, quibus omnia deberent
because by-walls they-shut-in the-gods for-whom all-things ought
esse patentia ac libera, quorumque hic mundus omnis
to-be open and free and-of-whom this universe whole
templum esset et domus. Melius Graii atque nostri, qui
temple should-be and home better the-Greeks and ours who
ut augerent pietatem in deos, easdem illos urbis quas
that they-might-increase dutifulness toward gods the-same them cities as
nos incolere voluerunt; adfert enim haec opinio religionem
we to-inhabit wished brings for this opinion religion
utilem civitatibus, siquidem et illud bene dictum est a
useful to-states since both that well said was by
Pythagora, doctissimo viro, tum maxume et pietatem et
Pythagoras most-learned man then most both dutifulness and

religionem versari in animis, quom rebus divinis operam

religion to-dwell in minds when to-things divine effort

daremus, et quod Thales, qui sapientissimus in septem

we-gave and what Thales who wisest among the-seven

fuit, homines existimare oportere omnia, quae cernerent,

was that-men to-think ought all-things which they-saw

deorum esse plena; fore enim omnis castiores, veluti

of-gods to-be full to-be-going-to-be for all more-chaste as-if

quom in fanis essent maxime religiosi. Est enim quaedam

when in shrines they-were most sacred there-is for a-certain

opinionem species deorum in oculis, non solum in mentibus.

by-opinion appearance of-the-gods in eyes not only in minds

Eandemque rationem luci habent in agris. Neque ea, quae a 27

and-the-same principle groves have in fields nor that which by

maioribus prodita est quom dominis, tum famulis posita

ancestors handed-down has-been as-much for-masters so for-servants placed

in fundi villaeque conspectu, religio Larum, repudianda est.

in of-the-farm and-of-the-villa sight worship of-the-Lares to-be-rejected is

Iam ritus familiae patrumque servare id est, quoniam

now rites of-family and-of-fathers to-keep that is since

antiquitas proxume accedit ad deos, a dis quasi traditam

antiquity nearest approaches to the-gods from gods as-it-were handed-down

religionem tueri.

religion to-guard

Quod autem ex hominum genere consecratos, sicut Herculem

that moreover from of-men race deified as Hercules

et ceteros, coli lex iubet, indicat omnium quidem

and the-rest to-be-worshiped the-law orders shows of-all indeed

animos immortalis esse, sed fortium bonorumque divinos.

souls immortal to-be but of-the-brave and-of-the-good divine

28 Bene vero, quod Mens, Pietas, Virtus, Fides consecratur
well indeed that Mind Dutifulness Virtue Good-Faith are-consecrated
 manu; quarum omnium Romae dedicata publice templa sunt,
by-hand of-which all at-Rome dedicated publicly temples are
 ut, illa qui habeant (habent autem omnes boni), deos ipsos
so-that those who have have moreover all good-men gods themselves
 in animis suis conlocatos putent. Nam illud vitiosum, Athenis
in minds their placed may-think for that faulty at-Athens
 quod Cylonio scelere expiato Epimenide Crete suadente
that Cylonian crime expiated Epimenides the-Cretan advising
 fecerunt Contumeliae fanum et Inpudentiae; virtutes enim,
they-made of-Insult a-shrine and of-Shamelessness virtues for
 non vitia consecrare decet. Araque vetusta in Palatio Febris
not vices to-consecrate it-befits and-altar old on the-Palatine of-Fever
 et altera Esquiliis Malae Fortunae detestataque omnia eius
and another on-the-Esquiline of-Bad Fortune and-accursed all of-that
 modi repudianda sunt. Quodsi fingenda nomina, Vicae Potae
kind to-be-rejected are but-if to-be-devised names of-Vica Pota
 potius vincendi atque potiundi, Statae standi cognominaque
rather of-conquering and of-gaining of-Stata of-standing and-surnames
 Statoris et Invicti Iovis rerumque expetendarum nomina,
of-Stayer and of-Unconquered Jupiter and-of-things to-be-sought names
 Salutis, Honoris, Opis, Victoriae. Quoniamque expectatione
of-Safety of-Honor of-Help of-Victory and-since by-expectation
 rerum bonarum erigitur animus, recte etiam Spes a Calatino
of-things good is-raised the-mind rightly also Hope by Calatinus
 consecrata est. Fortunaque sit vel Huiusce diei (nam
consecrated was and-Fortune let-be either of-This day for
 valet in omnes dies) vel Respiciens ad opem ferendam vel
she-avails for all days or Looking-Back for help bringing or

Fors, in quo incerti casus significantur magis, vel Primigenia

Chance in which uncertain events are-signified more or Firstborn

a gignendo, †comes tum ***

from begetting companion then (lacuna)

XI · FESTIVALS AND PRIESTHOODS

Holidays give free men rest from lawsuits and slaves from labor, and should fit the farming year, so the calendar must be intercalated as Numa set it before later pontiffs let it lapse. Pontiffs and soothsayers decide which victims suit each god. Vestals guard the city's hearth, proving that women can bear perfect chastity. Because private worship needs public priests, the people always depend on the counsel of the best men. Each priesthood has its task, and none reveals public rites outside its college.

Feriarum festorumque dierum ratio in liberis requietem 29

of-holidays and-of-festival days the-method in the-free rest

litium habet et iurgiorum, in servis operum et laborum;

from-lawsuits holds and from-quarrels in slaves from-tasks and from-labors

quas compositio anni conferre debet ad perfectionem operum

which the-arrangement of-the-year-to-bring ought to the-completion of-works

rusticorum. Quod ad tempus ut sacrificiorum libamenta

rustic and to time that of-sacrifices the-offerings

serventur fetusque pecorum, quae dicta in lege sunt, diligenter

may-be-kept and-the-young of-flocks which said in the-law are carefully

habenda ratio intercalandi est; quod institutum perite a

to-be-kept the-reckoning of-intercalating is which established skillfully by

Numa posteriorum pontificum neglegentia dissolutum est. Iam

Numa of-later pontiffs by-the-neglect undone has-been now

illud ex institutis pontificum et haruspicum non mutandum

that from the-institutions of-pontiffs and of-soothsayers not to-be-changed

est, quibus hostiis immolandum quoque deo, quoi maioribus,
is with-what victims to-be-sacrificed to-each god to-whom with-full-grown
 quoi lactentibus, quoi maribus, quoi feminis. Plures autem
to-whom with-sucklings to-whom with-males to-whom with-females several moreover
 deorum omnium, singuli singulorum sacerdotes et respondendi
of-the-gods all single of-single priests both of-answering
 iuris et conficiendarum religionum facultatem adferunt.

of-law and of-performing of-rites the-capacity bring
 Quomque Vesta quasi focum urbis, ut Graeco nomine est
and-since Vesta as-it-were the-hearth of-the-city as by-Greek name she-is
 appellata, quod nos prope idem Graecum, non interpretatum
called which we nearly the-same Greek not translated

nomen tenemus, complexa sit, ei colendae virgines
name keep embraced has for-her to-be-worshiped virgins
 praesint, ut advigiletur facilius ad custodiam ignis et
should-preside so-that it-be-watched more-easily for the-guarding of-the-fire and
 sentiant mulieres naturam feminarum omnem castitatem pati.
may-feel women the-nature of-women all chastity to-bear

30 Quod sequitur vero, non solum ad religionem pertinet, sed
what follows indeed not only to religion pertains but
 etiam ad civitatis statum, ut sine iis, qui sacris publice
also to of-the-state the-constitution that without those who over-rites publicly
 praesint, religioni privatae satis facere non possint; continet
preside to-religion private enough to-do not they-can holds-together
 enim rem publicam consilio et auctoritate optimatum
for the-thing public by-the-counsel and authority of-the-best-men
 semper populum indigere. Discriptioque sacerdotum nullum
always the-people to-need and-arrangement of-priests no
 iustae religionis genus praetermittit. Nam sunt ad placandos
of-lawful religion kind omits for are for appeasing
 deos alii constituti, qui sacris praesint sollemnibus, ad
the-gods some appointed who over-rites preside solemn for

interpretanda alii praedicta vatium neque multorum, ne
interpreting others the-predictions of-seers nor of-many lest
 esset infinitum, neque ut ea ipsa, quae suscepta publice
it-be endless nor that those very-things which undertaken publicly
 essent, quisquam extra conlegium nosset.
were anyone outside the-college might-know

XII · THE AUGURS' POWER

The augurs hold the greatest right: they can dismiss or annul assemblies, halt business with the words 'another day,' force consuls to resign, and void laws improperly carried. Atticus asks about the dispute between Marcellus and Appius. Cicero believes in divination, since gods who rule the world and care for men can send signs, and history is full of true predictions. But the art has decayed, so he rejects both the view that augurs never had it and the view that they still do.

Maximum autem et praestantissimum in re publica ius 31
greatest moreover and most-excellent in the-thing public right
 est augurum cum auctoritate coniunctum. Neque vero hoc,
is of-the-augurs with authority joined nor indeed this
 quia sum ipse augur, ita sentio, sed quia sic existimare nos
because I-am myself augur so I-think but because so to-think us
 est necesse. Quid enim maius est, si de iure quaerimus,
is necessary what for greater is if about right we-inquire
 quam posse a summis imperiis et summis potestatibus
than to-be-able from highest commands and highest powers
 comitatus et concilia vel instituta dimittere vel habita
assemblies and councils either begun to-dismiss or held
 rescindere? quid gravius quam rem susceptam dirimi,
to-annul what weightier than a-thing undertaken to-be-broken-off
 si unus augur 'alio die' dixerit? quid magnificentius quam
if one augur another day has-said what more-magnificent than

posse decernere, ut magistratu se abdicent consules?
to-be-able to-decree that from-office themselves resign the-consuls
 quid religiosius quam cum populo, cum plebe agendi ius
what more-sacred than with the-people with the-plebs of-dealing the-right
 aut dare aut non dare? quid? leges non iure rogatas tollere,
either to-give or not to-give what laws not rightly proposed to-remove
 ut Titiam decreto conlegii, ut Livias consilio Philippi consulis
as the-Titian by-decree of-the-college as the-Livian by-counsel of-Philippus consul
 et auguris? nihil domi, nihil militiae per magistratus
and augur nothing at-home nothing in-war through magistrates
 gestum sine eorum auctoritate posse cuiquam probari?
done without their authority to-be-able to-anyone to-be-approved

32 ATT. Age, iam ista video fateorque esse magna; sed est
come now those-things I-see and-I-admit to-be great but there-is
 in conlegio vestro inter Marcellum et Appium, optimos
in college your between Marcellus and Appius best
 augures, magna dissensio (nam eorum ego in libros incidi),
augurs great disagreement for their I into books have-fallen
 quom alteri placeat auspicia ista ad utilitatem esse rei
since to-the-one it-pleases auspices those for the-advantage to-be of-the-thing
 publicae composita, alteri disciplina vestra quasi divinare
public composed to-the-other discipline your as-it-were to-divine
 videatur posse. Hac tu de re quaero quid sentias.
seems to-be-able this you about thing I-ask what you-think

M. Egone? divinationem, quam Graeci μαντικήν appellant,
I divination which the-Greeks prophetic-art call
 esse sentio, et huius hanc ipsam partem, quae est in
to-be think and of-it this very part which is in
 avibus ceterisque signis disciplinae nostrae. Si enim deos esse
birds and-other signs of-discipline our if for gods to-be
 concedimus, eorumque mente mundum regi, et eosdem
we-grant and-by-their mind the-universe to-be-ruled and the-same

hominum consulere generi et posse nobis signa rerum

of-men to-take-thought-for race and to-be-able to-us signs of-things

futurarum ostendere, non video, cur esse divinationem negem;

future to-show not I-see why to-be divination I-should-deny

sunt autem ea, quae posui; ex quibus id,

33

are moreover those-things which I-have-laid-down from which that

quod volumus, efficitur et cogitur. Iam vero permultorum

which we-wish is-effected and is-compelled now indeed of-very-many

exemplorum et nostra est plena res publica et omnia regna

examples both our is full thing public and all kingdoms

omnesque populi cunctaeque gentes augurum praedictis

and-all peoples and-all nations of-augurs by-the-predictions

multa incredibiliter vera cecidisse; neque enim Polyidi

many-things incredibly true to-have-turned-out nor for of-Polyidus

neque Melampodis neque Mopsi neque Amphiarai neque

nor of-Melampus nor of-Mopsus nor of-Amphiaras nor

Calchantis neque Heleni tantum nomen fuisset, neque

of-Calchas nor of-Helenus so-great name would-have-been nor

tot nationes id ad hoc tempus retinuissent, ut

so-many nations that to this time would-have-retained as

Phrygum, Lycaonum, Cilicum maximeque Pisidarum, nisi

of-the-Phrygians of-the-Lycaonians of-the-Cilicians and-most of-the-Pisidians unless

vetustas ea certa esse docuisset; nec vero Romulus

antiquity those-things sure to-be had-taught nor indeed Romulus

noster auspicato urbem condidisset, neque Atti Navii

our after-taking-auspices the-city would-have-founded nor of-Attus Navius

nomen memoria floreret tam diu, nisi omnes hi multa

the-name in-memory would-flourish so long unless all these many-things

ad veritatem admirabilia dixissent. Sed dubium non est,

to truth wonderful had-said but doubtful not it-is

quin haec disciplina et ars augurum evanuerit iam et

that this discipline and art of-augurs has-vanished now both

vetustate et negligentia. Ita neque illi adsentior, qui hanc
by-age and by-neglect so neither with-him I-agree who this
 scientiam negat umquam in nostro collegio fuisse, neque
knowledge denies ever in our college to-have-been nor
 illi, qui esse etiam nunc putat; quae mihi videtur apud
with-him who to-be even now thinks which to-me seems among
 maiores fuisse duplex, ut ad rei publicae tempus
the-ancestors to-have-been twofold that to of-the-thing public the-crisis
 non numquam, ad agendi consilium saepissime pertineret.
not never to of-acting the-plan very-often it-pertained

XIII · MYSTERIES AND NIGHT RITES

Cicero passes over the law of war and the soothsayers, then raises the ban on women's sacrifices by night. Atticus agrees, and when Cicero asks what becomes of the Athenian mysteries, supposes he will except them. Cicero does, since those rites civilized us and taught us to live with joy and die with better hope. Atticus tells him to keep the ban for Rome. Women's rites are to be held in clear daylight, with initiation to Ceres by the Roman rite.

34 ATT. Credo hercle ita esse istique rationi potissimum

I-believe by-Hercules so to-be and-with-that principle above-all

adsentior. Sed redde cetera.

I-agree but render the-rest

M. Reddam vero, et id, si potero, brevi. Sequitur enim

I-will-render indeed and that if I-shall-be-able briefly there-follows for

de iure belli; in quo et suscipiendo et gerendo et

about the-law of-war in which both in-undertaking and in-waging and

deponendo ius ut plurimum valeret et fides, eorumque

in-laying-down right that most should-avail and good-faith and-of-them

ut publici interpretes essent, lege sanximus. Iam de

that public interpreters there-should-be by-law we-have-sanctioned now about

haruspicum religione, de expiationibus et procurationibus
of-soothsayers the-religion about expiations and propitiations

sat esse plane in ipsa lege dictum puto.

enough to-be plainly in the-very law said I-think

ATT. Adsentior, quoniam omnis haec in religione versatur

I-agree since all this in religion turns

oratio.

speech

M. At vero quod sequitur, quo modo aut tu adsentiare

but indeed what follows in-what way either you may-agree

aut ego reprehendam, sane quaero, Tite.

or I may-find-fault truly I-ask Titus

ATT. Quid tandem id est?

what pray that is

M. De nocturnis sacrificiis mulierum.

about nocturnal sacrifices of-women

ATT. Ego vero adsentior, excepto praesertim in ipsa lege

I indeed agree excepted especially in the-very law

sollemni sacrificio ac publico.

solemn sacrifice and public

M. Quid ergo aget Iacchus Eumolpidaeque vestri et augusta illa

what then will-do Iacchus and-the-Eumolpidae your and august those

mysteria, siquidem sacra nocturna tollimus? non enim populo

mysteries if-indeed rites nocturnal we-remove not for to-the-people

Romano, sed omnibus bonis firmisque populis leges damus.

Roman but to-all good and-steadfast peoples laws we-give

ATT. Excipis, credo, illa, quibus ipsi initiati sumus.

you-except I-believe those into-which ourselves initiated we-have-been

M. Ego vero excipiam; nam mihi quom multa eximia

I indeed will-except for to-me as-much many-things extraordinary

divinaeque videntur Athenae tuae peperisse atque in vitam

and-divine seem Athens your to-have-produced and into the-life

35

36

hominum attulisse, tum nihil melius illis mysteriis,
of-men to-have-brought so nothing better than-those mysteries
 quibus ex agresti immanique vita exculi ad humanitatem
by-which from rustic and-savage life refined to humanity
 et mitigati sumus, initiaque ut appellantur, ita re vera
and softened we-have-been and-initiations as they-are-called so in-thing true
 principia vitae cognovimus; neque solum cum laetitia vivendi
the-beginnings of-life we-have-learned nor only with joy of-living
 rationem accepimus, sed etiam cum spe meliore moriendi.
the-method we-have-received but also with hope better of-dying
 Quid autem mihi displiceat in nocturnis, poetae indicant
what moreover me displeases in nocturnal-rites the-poets show
 comici. Qua licentia Romae data quidnam egisset ille,
comic which license at-Rome given what would-have-done he
 qui in sacrificium cogitatam libidinem intulit, quo ne
who into the-sacrifice premeditated lust brought whither not
 imprudentiam quidem oculorum adici fas fuit?
heedlessness even of-eyes to-be-cast lawful was

ATT. Tu vero istam Romae legem rogato; nobis nostras ne
you indeed that for-Rome law propose from-us ours not
 ademeris.

take-away

- 37 M. Ad nostra igitur revertor; quibus profecto diligentissime
to our-laws therefore I-return by-which surely most-carefully
 sancendum est, ut mulierum famam multorum oculis
to-be-sanctioned is that of-women the-reputation of-many with-the-eyes
 lux clara custodiat initienturque eo ritu Cereri, quo
light clear may-guard and-they-may-be-initiated by-that rite to-Ceres by-which
 Romae initiantur. Quo in genere severitatem maiorum
at-Rome they-are-initiated which in kind the-severity of-the-ancestors
 senatus vetus auctoritas de Bacchanalibus et consulum
of-the-senate old authority about the-Bacchanalia and of-the-consuls

exercitu adhibito quaestio animadversioque declarat. Atque
with-army employed inquiry and-punishment declares and
 omnia nocturna, ne nos duriores forte videamur, in media
all-things nocturnal lest we harsher perhaps may-seem in middle
 Graecia Diagondas Thebanus lege perpetua sustulit; novos
Greece Diagondas the-Theban by-law perpetual removed new
 vero deos et in his colendis nocturnas pervigilationes
moreover gods and in them being-worshipped nocturnal vigils
 sic Aristophanes, facetissimus poeta veteris comoediae, vexat,
so Aristophanes wittiest poet of-old comedy harasses
 ut apud eum Sabazius et quidam alii dei peregrini iudicati
that in him Sabazius and certain other gods foreign judged
 e civitate eiciantur.

from the-state are-cast-out

Publicus autem sacerdos imprudentiam consilio expiatam
public moreover priest heedlessness by-counsel expiated
 metu liberet, audaciam in *** et inmittendis religionibus
from-fear may-free boldness in (lacuna) and in-introducing rites
 foedis damnet atque impiam iudicet.
foul may-condemn and impious may-judge

XIV • GAMES AND MUSIC

Public games should keep bodily contests in the circus and song with strings and pipes in the theater, within the limits the law sets. Cicero agrees with Plato that nothing enters tender minds so easily as music, which can rouse or relax them, and Greek states that let their music soften found their morals changing with it. Plato held that music's laws cannot change without the state's laws changing. Cicero fears it less, yet sees theaters once filled with the grave measures of Livius and Naevius now writhing to trills.

38 Iam ludi publici quoniam sunt cavea circoque divisi,
now games public since they-are into-theater and-circus divided
 †sint corporum certationes cursu et pugillatu et luctatione
let-be of-bodies contests in-running and boxing and wrestling
 curriculisque equorum usque ad certam victoriam circo
and-in-races of-horses right to fixed victory in-the-circus
 constitutis, cavea cantu †vice ac fidibus et tibiis, dum
established in-the-theater with-song in-turn and strings and pipes provided
 modo ea moderata sint, ut lege praescribitur. Adsentior
only these moderate be as by-law is-prescribed I-agree
 enim Platoni nihil tam facile in animos teneros atque molles
for with-Plato nothing so easily into minds tender and soft
 influere quam varios canendi sonos, quorum dici vix
to-flow as various of-singing sounds of-which to-be-said scarcely
 potest quanta sit vis in utramque partem; namque et
can how-great is the-force in either direction for both
 incitat languentes et languefacit excitatos et tum remittit
it-rouses the-languid and makes-languid the-roused and now relaxes
 animos, tum contrahit, civitatumque hoc multarum in Graecia
minds now tightens and-of-states this many in Greece
 interfuit, antiquom vocum conservare modum; quarum mores
it-mattered old of-sounds to-preserve measure whose customs
 lapsi ad mollitias pariter sunt inmutati cum cantibus, aut
slipped into softnesses equally were changed with songs either
 hac dulcedine corruptelaque depravati, ut quidam putant, aut,
by-this sweetness and-corruption depraved as some think or
 quom severitas eorum ob alia vitia cecidisset, tum fuit
when severity their on-account-of other vices had-fallen then there-was
 in auribus animisque mutatis etiam huic mutationi locus.
in ears and-minds changed even for-this change room

Quam ob rem ille quidem sapientissimus Graeciae
which on-account-of reason he indeed wisest of-Greece
 vir longeq̃ue doctissimus valde hanc labem veretur; negat
man and-by-far most-learned greatly this ruin fears he-denies
 enim mutari posse musicas leges sine mutatione legum
for to-be-changed to-be-able musical laws without change of-laws
 publicarum. Ego autem nec tam valde id timendum nec
public I however neither so greatly that to-be-feared nor
 plane contemnendum puto; illud quidem video, quae solebant
plainly to-be-despised think that indeed I-see which were-wont
 quondam conpleri severitate iucunda Livianis et Naevianis
once to-be-filled with-severity pleasant with-Livian and Naevian
 modis, nunc ut eadem exultent et cervices oculosque pariter
measures now that the-same leap and necks and-eyes equally
 cum modorum flexionibus torqueant. Graviter olim ista
with of-measures the-modulations twist severely once those-things
 vindicabat vetus illa Graecia longe providens, quam sensim
punished old that Greece far foreseeing how gradually
 pernicies inlapsa in civium animos malis studiis malisque
destruction having-slipped into of-citizens minds with-bad pursuits and-bad
 doctrinis repente totas civitates everteret, siquidem illa severa
teachings suddenly whole states overturned since that severe
 Lacedaemo nervos iussit, quos plures quam septem haberet,
Lacedaemon the-strings ordered which more than seven it-bad
 in Timothei fidibus incidi.
in of-Timotheus lyre to-be-cut

The best ancestral rites are to be kept, as Apollo told the Athenians. Begging for the gods is banned except on the Great Mother's days, and stealing anything sacred or entrusted to a shrine is sacrilege. The wicked must not try to appease the gods with gifts. Cicero recalls his exile, when criminals polluted his household gods and built a temple to License. He had saved the city's guardian goddess and was judged his country's savior; his enemies' ringleaders were denied burial.

- 40 Deinceps in lege est, ut de ritibus patriis colantur optima;
next in the-law is that of rites ancestral be-cultivated the-best
 de quo quom consulerent Athenienses Apollinem Pythium,
about which when consulted the-Athenians Apollo Pythian
 quas potissimum religiones tenerent, oraculum editum est: 'eas,
which above-all rites they-should-hold an-oracle given was those
 quae essent in more maiorum.' Quo quom iterum venissent
which were in the-custom of-ancestors whither when again they-had-come
 maiorumque morem dixissent saepe esse mutatum
and-of-ancestors the-custom had-said often to-have-been changed
 quaesissentque, quem morem potissimum sequerentur e variis,
and-had-asked which custom above-all they-should-follow of various
 respondit: 'optimum.' Et profecto ita est, ut id habendum
be-answered the-best and surely so it-is that that to-be-held
 sit antiquissimum et deo proximum, quod sit optimum.
is most-ancient and to-god nearest which is best
 Stipem sustulimus nisi eam, quam ad paucos dies propriam
alms we-have-removed except that which for few days proper
 Idaeae Matris excepiimus; implet enim superstitione animos
of-the-Idaeian Mother we-have-excepted it-fills for with-superstition minds
 et exhaurit domus.
and empties homes

Sacrilego poena est, neque ei soli, qui sacrum
for-the-temple-robber penalty is nor for-him alone who a-sacred-thing
 abstulerit, sed etiam ei, qui sacro commendatum;
has-taken-away but also for-him who to-the-sacred entrusted
 quod et nunc multis fit in fanis, et Alexander in Cilicia 41
which both now many is-done in shrines and Alexander in Cilicia
 deposuisse apud Solensis in delubro pecuniam dicitur et
to-have-deposited among the-Solians in a-shrine money is-said and
 Atheniensis Clisthenes Iunoni Samiae, civis egregius, quom
the-Athenian Cleisthenes to-Juno Samian citizen distinguished when
 rebus timeret suis, filiarum dotis credidisse.
for-affairs he-feared his-own of-daughters the-dowries to-have-entrusted
 Iam de periuriis, de incesto nihil sane hoc quidem loco
now about perjuries about unchastity nothing surely in-this indeed place
 disputandum est.
to-be-discussed is
 Donis impii ne placare audeant deos, Platonem audiant,
with-gifts the-impious not to-appease they-dare the-gods Plato let-them-hear
 qui vetat dubitare, qua sit mente futurus deus, quom
who forbids to-doubt with-what be mind about-to-be god since
 vir nemo bonus ab improbo se donari velit.
man no good by a-wicked-man himself to-be-presented would-wish
 Diligentiam votorum satis in lege dictum est ac votis
carefulness of-vows enough in the-law said is and by-vows
 sponsio, qua obligamur deo. Poena vero violatae religionis
the-pledge by-which we-are-bound to-god the-penalty indeed of-violated religion
 iustam recusationem non habet. Quid ego hic sceleratorum
just objection not has why I here of-criminals
 utar exemplis? quorum plenae tragoediae; quae ante
should-use examples of-which full tragedies those-things-which before
 oculos sunt, ea potius adtingam. Etsi haec commemoratio
eyes are those rather I-will-touch although this recollection

vereor ne supra hominis fortunam esse videatur, tamen,
I-fear lest above of-man the-fortune to-be may-seem still
 quoniam sermo mihi est apud vos, nihil reticebo
since the-conversation to-me is among you nothing I-will-keep-silent
 volamque hoc, quod loquar, diis immortalibus gratum
and-I-shall-wish this which I-shall-speak to-the-gods immortal pleasing
 potius videri quam grave.
rather to-seem than burdensome

- 42 Omnia tum perditorum civium scelere discessu meo
all then of-desperate citizens by-the-crime at-departure my
 religionum iura polluta sunt, vexati nostri Lares familiares,
of-religions the-rights polluted were harried our Lares household
 in eorum sedibus exaedificatum templum Licentiae, pulsus
on their seats built-up a-temple of-Licence driven
 a delubris is, qui illa servarat; circumspicite celeriter animo
from shrines he who them had-preserved look-around quickly in-mind
 (nihil enim attinet quemquam nominari), qui sint rerum
nothing for it-concerns anyone to-be-named what have of-affairs
 exitus consecuti. Nos, qui illam custodem urbis omnibus
outcomes followed we who that guardian of-the-city with-all
 ereptis nostris rebus ac perditis violari ab impiis passi
snatched our things and ruined to-be-violated by the-impious allowed
 non sumus eamque ex nostra domo in ipsius patris
not have and-her from our house into of-her-own father
 domum detulimus, iudicia senatus, Italiae, gentium denique
the-house we-carried the-judgments of-the-senate of-Italy of-nations finally
 omnium conservatae patriae consecuti sumus; quo quid
all of-preserved fatherland attained we-have than-which what
 accidere potuit homini praeclarius? Quorum scelere religiones
to-befall could to-a-man more-splendid by-whose crime religions
 tum prostratae adflictaeque sunt, partim ex illis distracti
then laid-low and-struck-down were partly of those torn-apart

ac dissipati iacent, qui vero ex iis et horum scelerum
and scattered lie who indeed of them both of-these crimes
 principes fuerant et praeter ceteros in omni religione inpii,
leaders had-been and beyond the-rest in all religion impious
 non solum vita *** cruciati atque dedecore, verum etiam
not only in-life (lacuna) tortured and by-disgrace but also
 sepultura et iustis exsequiarum caruerunt.
of-burial and of-the-due of-funeral-rites were-deprived

XVI · THE PENALTY OF THE GODS

Quintus notes that things often turn out otherwise. Cicero answers that we misjudge divine punishment by the crowd's measure of death, pain, and grief; crime is its own grimmest penalty, and his enemies were driven by desire, fear, and conscience. Divine punishment torments the living and disgraces the dead. Cicero agrees with Plato that land must not be consecrated, but will not fix the rest so strictly, fearing superstition would slow farming. Atticus recalls that the rites of the dead remain.

Q. Equidem ista agnosco, frater, et meritas dis 43
I-indeed those-things recognize brother and deserved to-the-gods
 gratias ago; sed nimis saepe secus aliquanto videmus evadere.
thanks I-give but too often otherwise somewhat we-see to-turn-out
 M. Non enim, Quinte, recte existimamus, quae poena divina
not for Quintus rightly do-we-judge what penalty divine
 sit, sed opinionibus vulgi rapimur in errorem nec
is but by-opinions of-the-crowd we-are-swept into error nor
 vera cernimus; morte aut dolore corporis aut luctu animi
true-things discern by-death or by-pain of-body or by-grief of-mind
 aut offensione iudicii hominum miserias ponderamus; quae
or by-setback of-trial of-men the-miseries we-weigh which
 fateor humana esse et multis bonis viris accidisse. Sceleris
I-admit human to-be and to-many good men to-have-befallen of-crime

est poena tristis et praeter eos eventus, qui sequuntur,
is the-penalty grim and beyond those outcomes which follow
 per se ipsa maxima est. Vidimus eos, qui nisi odissent
through itself it-itself greatest is we-have-seen those who unless they-had-bated
 patriam, numquam inimici nobis fuissent, ardentis tum
the-fatherland never enemies to-us would-have-been burning now
 cupiditate, tum metu, tum conscientia, quidquid agerent,
with-desire now with-fear now with-conscience whatever they-did
 modo timentis, vicissim contemnens religiones, iudicia
now fearing in-turn despising religious-scruples the-courts
 perrupta ab isdem corruptela hominum, non deorum.
broken-through by the-same by-corruption of-men not of-gods

44 Reprimam iam et non insequar longius, eoque minus,
I-will-restrain-myself now and not pursue further and-by-this less
 quo plus poenarum habeo quam petivi; tantum ponam
by-as-much-as more of-penalties I-have than I-sought only I-will-state
 brevi, duplicem poenam esse divinam, quod constet ex
briefly twofold penalty to-be divine because it-consists of
 vexandis vivorum animis et ea fama mortuorum, ut
harrying of-the-living the-minds and such reputation of-the-dead that
 eorum exitium et iudicio vivorum et gaudio conprobetur.
their destruction both by-the-judgment of-the-living and by-the-joy is-approved

45 Agri autem ne consecrentur, Platoni prorsus adsentior, qui, si
fields moreover not they-be-consecrated with-Plato wholly I-agree who if
 modo interpretari potuero, his fere verbis utitur: 'Terra igitur
only to-translate I-shall-be-able these nearly words uses the-earth therefore
 ut focus domiciliorum sacra deorum omnium est; quocirca
as the-hearth of-dwellings sacred of-the-gods all is wherefore
 ne quis iterum idem consecrato. Aurum autem et argentum
not anyone again the-same let-consecrate gold moreover and silver
 in urbibus et privatim et in fanis invidiosa res est. Tum
in cities both privately and in shrines an-envied thing is then

ebur ex inani corpore extractum haud satis castum donum
ivory from lifeless body extracted not enough chaste gift

deo. Iam aes atque ferrum duelli instrumenta, non fani.

to-god now bronze and iron of-war instruments not of-a-shrine

Ligneum autem, quod quisque voluerit, uno e ligno

wooden moreover what each shall-have-wished from-one of wood

dicato itemque lapideum in delubris communibus, textile

let-him-dedicate and-likewise of-stone in shrines common woven

ne operosius quam mulieris opus menstruum. Color autem

not more-laborious than of-a-woman work month's color moreover

albus praecipue decorus deo est quom in cetero, tum maxime

white especially becoming to-god is as-much in the-rest so most

in textili; tincta vero absint nisi a bellicis insignibus.

in woven dyed-things but let-be-absent except from military insignia

Divinissima autem dona aves et formae ab uno pictore uno

most-divine moreover gifts birds and figures by one painter in-one

absolutae die; itemque cetera huius exempli dona sunt.

completed day and-likewise the-other of-this pattern gifts let-be

Haec illi placent; sed ego cetera non tam restricte praefinio

these-things to-him please but I the-rest not so strictly prescribe

vel hominum vitiis vel subsidiis temporum victus; terrae

either of-men by-vices or by-resources of-the-times overcome of-the-earth

cultum segniorem suspicor fore, si ad eam utendam

cultivation more-sluggish I-suspect to-be-going-to-be if to it using

ferroque subigendam superstitionis aliquid accesserit.

and-with-iron breaking-up of-superstition something shall-have-been-added

ATT. Habeo ista; nunc de sacris perpetuis et de

I-have those-things now about rites perpetual and about

Manium iure restat.

of-the-Manes right it-remains

M. O miram memoriam, Pomponi, tuam! at mihi ista

O wonderful memory Pomponius your but from-me those-things
exciderant.

had-slipped

XVII • THE PONTIFFS AND CIVIL LAW

Atticus reminds Cicero of the perpetual rites and the rights of the dead. Cicero will show where each part of civil law comes from, so that any new case can be traced to its source. Jurists multiply what is simple, as the two Scaevolae, both pontiffs, did in saying that no one could be a good pontiff without knowing civil law. All of it? Only what touches religion concerns a pontiff: rites, vows, holidays, and tombs. On rites the one principle is that they be kept and handed down in families forever.

46 ATT. Ita credo, sed tamen hoc magis eas res et meminī et
so I-believe but still by-this more those things both I-remember and
expecto, quod et ad pontificium ius et ad civile pertinent.
await because both to pontifical law and to civil they-pertain

M. Vero, et a peritissimis sunt istis de rebus et responsa et
indeed both by the-most-skilled are those about things both opinions and
scripta multa, et ego in hoc omni sermone nostro, quod ad
writings many and I in this whole conversation our what to
cumque legis genus me disputatio nostra deduxerit, tractabo,
-ever of-law kind me discussion our shall-have-led I-will-treat
quoad poterō, eius ipsius generis ius civile nostrum, sed
as-far-as I-shall-be-able of-that very kind the-law civil our but
ita, locus ut ipse notus sit, ex quo ducatur quaeque pars
so the-source that itself known be from which is-drawn each part
iuris, ut non difficile sit, qui modo ingenio possit moveri,
of-law that not difficult be who only by-talent can to-be-moved

quaecumque nova causa consultatiove acciderit, eius tenere
whatever new case consultation-or shall-have-arisen of-it to-hold
 ius, quom scias, a quo sit capite repetendum.

the-law when you-know from what is source to-be-sought

Sed iuris consulti sive erroris obiciundi causa, quo plura 47

but of-law the-learned either of-error of-throwing-in for-the-sake so-that more
 et difficiliora scire videantur, sive, quod similis veri est,
and more-difficult to-know they-may-seem or what more-like to-truth is

ignoratione docendi (nam non solum scire aliquid artis est,
from-ignorance of-teaching for not only to-know something of-art is

sed quaedam ars est etiam docendi) saepe, quod positum est
but a-certain art is also of-teaching often what placed is

in una cognitione, id in infinitam dispertiuntur, velut in hoc
in one knowledge that into infinite they-divide as in this

ipso genere quam magnum illud Scaevolae faciunt, pontifices
very kind how great that the-Scaevolae make pontiffs

ambo et eidem iuris peritissimi! 'Saepe', inquit Publii filius,
both and likewise of-law most-skilled often says of-Publius the-son

'ex patre audiui pontificem bonum neminem esse, nisi qui ius
from father I-heard pontiff good no-one to-be unless who law

civile cognosset.' Totumne? quid ita? quid enim ad pontificem
civil had-learned the-whole why so what for to the-pontiff

de iure parietum aut aquarum aut ullo omnino nisi eo, quod
about law of-walls or of-waters or any at-all except that which

cum religione coniunctum est? id autem quantulum est! De
with religion joined is that however how-little is about

sacris, credo, de votis, de feriis et de sepulchris, et si
rites I-believe about vows about holidays and about tombs and if

quid eius modi est. Cur igitur haec tanta facimus? quom
anything of-that kind is why therefore these-things so-great do-we-make when

cetera perparva sint, de sacris autem, qui locus patet latius,

the-rest very-small are about rites moreover which topic lies-open more-widely

haec sit una sententia, ut conserventur semper et deinceps
this let-be one opinion that they-be-preserved always and in-succession
 familiis prodantur et, ut in lege posui, perpetua sint sacra.
to-families be-handed-down and as in the-law I-have-put perpetual be the-rites

XVIII • WHO INHERITS THE RITES

The pontiffs ruled that rites should pass with the property, so that a family's worship would not die with its head, and from this one principle come the countless questions filling the jurists' books. Those bound are, first, the heirs; next, whoever takes as much as all the heirs; then whoever gains most of the estate by possession; then the creditor who keeps most; and last the debtor who paid no one. The ancients put it more simply. Gifts within the family count only with the father's approval.

- 48 †Haec posite haec iura pontificum auctoritate consecuta
these laid-down these rights of-the-pontiffs by-authority followed
 sunt, ut, ne morte patris familias sacrorum memoria
are that not by-the-death of-the-father of-household of-rites the-memory
 occideret, iis essent ea adiuncta, ad quos eiusdem morte
should-perish to-those should-be they attached to whom of-the-same by-death
 pecunia venerit. Hoc uno posito, quod est ad cognitionem
the-property has-come this one laid-down which is for knowledge
 disciplinae satis, innumerabilia nascuntur, quibus implentur
of-the-discipline enough countless-things arise with-which are-filled
 iuris consultorum libri; quaeruntur enim, qui astringantur
of-law of-the-learned the-books are-asked for who are-bound
 sacris. Heredum causa iustissima est; nulla est enim persona,
by-rites of-heirs the-case most-just is no is for person
 quae ad vicem eius, qui e vita emigrarit, propius accedat.
which to the-place of-him who from life has-departed more-nearly approaches
 Deinde, qui morte testamentove eius tantundem capiat,
next who by-death by-will-or his just-as-much takes

quantum omnes heredes. Id quoque ordine; est enim ad id,
as all heirs that also in-order is for to that
 quod propositum est, adcommodatum. Tertio loco, si nemo
which proposed is fitted in-third place if no-one
 sit heres, is, qui de bonis, quae eius fuerint, quom moritur,
be heir be who of the-goods which his were when be-dies
 usu ceperit plurimum possidendo. Quarto, qui, si nemo sit,
by-use has-taken most by-possessing fourth who if no-one be
 qui ullam rem ceperit, de creditoribus eius plurimum servet.
who any thing has-taken of creditors his most keeps
 Extrema illa persona est, ut is, si qui ei, qui mortuus
last that person is that he if anyone to-him who dead
 sit, pecuniam debuerit neminique eam solverit, proinde
is money owed and-to-no-one it has-paid just-so
 habeatur, quasi eam pecuniam ceperit.

be-held as-if that money be-had-taken
 Haec nos a Scaevola didicimus non ita descripta ab
these-things we from Scaevola have-learned not so arranged by
 antiquis. Nam illi quidem his verbis docebant: tribus
the-ancients for they indeed in-these words taught in-three
 modis sacris adstringi, aut hereditate, aut si maiorem partem
ways by-rites to-be-bound either by-inheritance or if the-greater part
 pecuniae capiat, aut, si maior pars pecuniae legata est,
of-the-property he-takes or if the-greater part of-the-property bequeathed is
 si inde quippiam ceperit.

if thence anything be-has-taken
 Sed pontificem sequamur. Videtis igitur omnia pendere ex
but the-pontiff let-us-follow you-see therefore all-things to-hang from
 uno illo, quod pontifices cum pecunia sacra coniungi volunt
one that that the-pontiffs with property rites to-be-joined wish
 isdemque ferias et caerimonias adscribendas putant. Atque
and-to-the-same holidays and ceremonies to-be-assigned think and

etiam dant hoc Scaevolae, quom est partitio, ut, si
 even they-grant this the-Scaevolae when there-is a-division that if
 in testamento deducta scripta non sit ipsique minus
 in the-will the-deduction written not is and-they-themselves less
 ceperint, quam omnibus heredibus relinquatur, sacris ne
 have-taken than to-all heirs is-left by-rites not
 alligentur. In donatione hoc iidem secus interpretantur,
 be-bound in a-gift this the-same otherwise interpret
 et, quod pater familias in eius donatione, qui in ipsius
 and what the-father of-household in the-gift of-him who in his-own
 potestate est, adprobavit, ratum est; quod eo insciente
 power is has-approved valid is what him not-knowing
 factum est, si id is non adprobat, ratum non est.
 done is if that he not approves valid not is

XIX • THE SCAEVOLAS' EVASIONS

Many small questions follow, such as whether an heir who later collects part of an estate is bound to the rites, and the jurists even let a legatee escape by a release with bronze and scale. Cicero reproaches the Scaevolae: as pontiffs they would uphold pontifical authority, but as masters of civil law they evade it. The pontiffs Publius Scaevola and Tiberius Coruncanius bound all who took as much as the heirs; civil law then devised a deduction of a hundred sesterces and a stipulation to free property from the rites.

- 51 His propositis quaestiunculae multae nascuntur, quas, qui
 these set-forth little-questions many arise which who
 intellegat †non, si ad caput referat, per se ipse facile
 understands not if to the-source he-refers through himself he-himself easily
 perspiciat. Veluti, si minus quis cepisset, ne sacris alligaretur,
 may-see as if less anyone had-taken lest by-rites he-be-bound

et post de eius heredibus aliquis exegisset pro sua
and afterward of his heirs someone had-exacted for his-own
 parte id, quod ab eo, quoi ipse heres esset, praetermissum
share that which by him to-whom himself heir was passed-over
 fuisset, eaque pecunia non minor esset facta cum superiore
had-been and-that property not less was made with the-former
 exactione, quam heredibus omnibus esset relicta, qui eam
exaction than to-heirs all was left who that
 pecuniam exegisset, solum sine coheredibus sacris alligari.
property had-exacted alone without coheirs by-rites to-be-bound
 Quin etiam cavent, ut, cui plus legatum sit, quam sine
may even they-provide that to-whom more bequeathed is than without
 religione capere liceat, is per aes et libram heredes
religious-obligation to-take is-allowed he by bronze and scale the-heirs
 testamenti solvat, propterea quod eo loco res est
of-the-will releases on-that-account because in-that position the-matter is
 ita soluta hereditate, quasi ea pecunia legata non esset.
so released from-the-inheritance as-if that property bequeathed not had-been
 Hoc ego loco multisque aliis quaero a vobis, Scaevolae, 52
in-this I place and-many others ask of you Scaevolae
 pontifices maximi et homines meo quidem iudicio acutissimi,
pontiffs chief and men in-my indeed judgment most-acute
 quid sit, quod ad ius pontificium civile appetatis; civilis
what is-it that to law pontifical civil you-seek of-civil
 enim iuris scientia pontificium quodam modo tollitis.
for law by-knowledge the-pontifical in-a-certain way you-remove
 Nam sacra cum pecunia pontificum auctoritate, nulla lege
for rites with property of-the-pontiffs by-authority by-no law
 coniuncta sunt. Itaque si vos tantum modo pontifices essetis,
joined are and-so if you only just pontiffs were
 pontificalis maneret auctoritas, sed quod iidem iuris civilis
pontifical would-remain authority but because the-same of-law civil

estis peritissimi, hac scientia illam eluditis. Placuit P.

you-are most-skilled by-this knowledge that you-evade it-pleased to-Publius

Scaevolae et Ti. Coruncanio, pontificibus maximis,

Scaevola and to-Tiberius Coruncanius pontiffs chief

itemque ceteris eos, qui tantundem caperent, quantum

and-likewise to-the-rest that-those who just-as-much took as

omnes heredes, sacris alligari. Habeo ius pontificium;

all heirs by-rites to-be-bound I-have law pontifical

53 quid huc accessit ex iure civili? Partitionis caput scriptum

what hither has-come from law civil of-division the-clause written

caute, ut centum nummi deducerentur; inventa est ratio,

cautiously that a-hundred sesterces be-deducted found was a-method

cur pecunia sacrorum molestia liberaretur. Quodsi hoc,

how property of-rites from-the-burden might-be-freed but-if this

qui testamentum faciebat, cavere noluisset, admonet iuris

who the-will was-making to-provide had-not-wished advises of-law

consultus hic quidem ipse Mucius, pontifex idem, ut minus

learned this indeed himself Mucius pontiff likewise that less

capiat, quam omnibus heredibus relinquatur; super dicebant

be-take than to-all heirs is-left above they-used-to-say

quicquid cepisset, adstringi; rursus sacris liberantur. Hoc vero

whatever he-had-taken to-be-bound again from-rites they-are-freed this indeed

nihil ad pontificium ius et e medio est iure civili, ut per

nothing to pontifical law and from the-middle is law civil that by

aes et libram heredem testamenti solvant et eodem loco

bronze and scale the-heir of-the-will they-release and in-the-same position

res sit, quasi ea pecunia legata non esset, si is, cui

the-matter be as-if that property bequeathed not had-been if he to-whom

legatum est, stipulatus est id ipsum, quod legatum est, ut

bequeathed it-is stipulated has that itself which bequeathed is so-that

ea pecunia ex stipulatione debeatur, sitque ea non ***

that property from the-stipulation be-owed and-be it not (lacuna)

Tombs are so sacred that burial outside one's clan's rites is forbidden, and the days for the dead are holidays because the ancestors counted the departed among the gods. Cicero will not rehearse every rule of mourning. The oldest burial, which Cyrus used in Xenophon, returns the body to the earth as to a mother's covering; Numa was buried so, and so were the Cornelii until Sulla, who scattered Marius' remains, chose cremation, perhaps from fear. A grave becomes sacred only when earth is thrown on the bones.

doctum hominem sane, cuius fuit Accius perfamiliaris, sed 54
 learned a-man truly of-whom was Accius close-friend but
 mensem, credo, extremum anni, ut veteres Februarium,
 the-month I-believe last of-the-year as the-ancients February
 sic hic Decembrem sequebatur. Hostia autem maxima
 so he December followed with-a-victim moreover greatest
 parentare pietatis esse adiunctum putabat.
 to-sacrifice-to-parents of-dutifulness to-be joined he-thought
 Iam tanta religio est sepulchrorum, ut extra sacra et gentem 55
 now so-great sanctity is of-tombs that outside the-rites and clan
 inferri fas negent esse, idque apud maiores nostros A.
 to-be-buried lawful they-deny to-be and-that among ancestors our Aulus
 Torquatus in gente Popillia iudicavit. Nec vero tam denicales,
 Torquatus in the-clan Popillian judged nor indeed as death-purifying
 quae a nece appellatae sunt, quia residentur mortuis,
 which from death named are because rest-is-kept for-the-dead
 quam ceterorum caelestium quieti dies feriae nominarentur,
 as of-the-other heavenly-ones for-rest days holidays would-be-named
 nisi maiores eos, qui ex hac vita migrassent, in deorum
 unless ancestors those who from this life had-departed in of-gods
 numero esse voluissent. Eas in eos dies conferre ius, ut
 the-number to-be had-wished them to those days to-bring right that

nec ipsius neque publicae feriae sint; totaque huius iuris
neither his-own nor public holidays be and-the-whole of-this law
 conpositio pontificalis magnam religionem caerimoniamque
arrangement pontifical great sanctity and-ceremony
 declarat. Neque necesse est edisseri a nobis, quae finis
declares nor necessary is to-be-set-out by us what end
 funestae familiae, quod genus sacrificii Lari vervecibus
of-a-bereaved family what kind of-sacrifice to-the-Lar with-wethers
 fiat, quem ad modum os resectum terra obtegatur,
be-made in-what to manner the-bone cut-off with-earth be-covered
 quaeque in porca contracta iura sint, quo tempore incipiat
and-what in a-sow incurred rights are at-what time begins
 sepulchrum esse et religione teneatur.
a-tomb to-be and by-sanctity be-held

- 56 At mihi quidem antiquissimum sepulturae genus illud fuisse
but to-me indeed most-ancient of-burial kind that to-have-been
 videtur, quo apud Xenophontem Cyrus utitur; redditur enim
seems which in Xenophon Cyrus uses is-returned for
 terrae corpus et ita locatum ac situm quasi operimento
to-the-earth the-body and so placed and laid as-if with-the-covering
 matris obducitur. Eodemque ritu in eo sepulchro, quod haud
of-mother it-is-covered and-by-the-same rite in that tomb which not
 procul a Fontis ara est, regem nostrum Numam conditum
far from of-Fons the-altar is king our Numa buried
 accepimus gentemque Corneliam usque ad memoriam nostram
we-have-beard and-the-clan Cornelian right to memory our
 hac sepultura scimus esse usam. C. Marii sitas reliquias
this burial we-know to-have used of-Gaius Marius laid remains
 apud Anienem dissipari iussit Sulla victor acerbior odio
by the-Anio to-be-scattered ordered Sulla the-victor by-more-bitter hatred
 incitatus, quam si tam sapiens fuisset, quam fuit vehemens.
driven than if as wise he-had-been as he-was violent

Quod haud scio an timens ne suo corpori posset
which not I-know whether fearing lest to-his-own body it-could
 accidere primus e patriciis Corneliis igni voluit cremari.
happen first of the-patrician Corneli by-fire wished to-be-cremated
 Declarat enim Ennius de Africano: 'Hic est ille situs'. Vere;
declares for Ennius about Africanus here is he laid truly
 nam siti dicuntur ii, qui conditi sunt. Nec tamen eorum ante
for laid are-called those who buried are nor still their before
 sepulchrum est, quam iusta facta et porcus caesus est.
tomb is than the-due-rites done and the-pig slain is
 Et quod nunc communiter in omnibus sepultis venit usu,
and what now commonly in all buried comes by-usage
 ut humati dicantur, id erat proprium tum in iis, quos
that inhumed they-are-called that was proper then to those whom
 humus iniecta contexerat, eumque morem ius pontificale
earth thrown-on had-covered and-that custom the-law pontifical
 confirmat; nam prius quam in os iniecta gleba est, locus
confirms for before than on the-bone thrown a-clod is place
 ille, ubi crematum est corpus, nihil habet religionis; iniecta
that where cremated is the-body nothing has of-sanctity thrown
 gleba †tum et illis humatus est, et gleba vocatur, ac
the-clod then and for-those inhumed be-is and clod it-is-called and
 tum denique multa religiosa iura conplectitur. Itaque in eo,
then at-last many religious rights it-embraces and-so in him
 qui in nave necatus, deinde in mari proiectus esset, decrevit
who on a-ship killed then into the-sea thrown had-been decreed
 P. Mucius familiam puram, quod os supra terram
Publius Mucius the-family pure because a-bone above the-earth
 non extaret; porcam heredi esse contractam, et habendas
not stood-out a-sow for-the-beir to-be incurred and to-be-kept

triduum ferias, et porco femina piaculum †pati; si in
for-three-days holidays and with-a-pig female expiation to-bear if in
 mari mortuus esset, eadem praeter piaculum et ferias.
the-sea dead he-had-been the-same except the-expiation and holidays

XXI · THE TWELVE TABLES ON BURIAL

The Twelve Tables forbid burial or burning within the city; famous men buried there held the right before the law or by special grant. The pontiffs ruled that no tomb may stand on public land, and tombs near the temple of Honor were plowed up. The Tables, following Solon, limit expense and mourning: no smoothing the pyre with an axe, three veils, a purple tunic, ten pipers, and no scratching of cheeks or wailing. Cicero learned the Tables as a boy like a required song; such limits erase fortune's distinctions in death.

58 ATT. Video, quae sint in pontificio iure, sed quaero, ecquidnam
I-see what are in pontifical law but I-ask whether-anything
 sit in legibus.

is in the-laws

M. Pauca sane, Tite, et, uti arbitror, non ignota vobis;
few-things surely Titus and as I-think not unknown to-you
 sed ea non tam ad religionem spectant quam ad ius
but those not so-much to religion look as to the-law
 sepulchrorum. Hominem mortuum, inquit lex in xii,
of-tombs a-man dead says the-law in the-twelve
 in urbe ne sepelito neve urito; credo vel propter
in the-city not let-him-bury nor let-him-burn I-believe even on-account-of
 ignis periculum. Quod autem addit: neve urito, indicat,
of-fire the-danger that moreover it-adds nor let-him-burn shows
 non qui uratur, sepeliri, sed qui humetur.
not who is-burned to-be-buried but who is-inhumed

ATT. Quid, qui post xii in urbe sepulti sunt clari viri?

what who after the-twelve in the-city buried have-been famous men

M. Credo, Tite, fuisse aut eos, quibus hoc ante hanc legem

I-believe Titus to-have-been either those to-whom this before this law

virtutis causa tributum est, ut Poplicolae, ut Tuberto, quod

of-virtue for-the-sake granted was as to-Poplicola as to-Tubertus which

eorum posteri iure tenuerunt, aut eos, si qui hoc, ut C.

their descendants rightly have-held or those if any this as Gaius

Fabricius, virtutis causa soluti legibus consecuti sunt. Sed

Fabricius of-virtue for-the-sake released from-laws obtained have but

ut in urbe sepeliri lex vetat, sic decretum a pontificum

as in the-city to-be-buried the-law forbids so decreed by of-the-pontiffs

collegio non esse ius in loco publico fieri sepulchrum.

the-college not to-be right in place public to-be-made a-tomb

Nostis extra portam Collinam aedem Honoris; aram in eo

you-know outside the-gate Colline the-temple of-Honor an-altar in that

loco fuisse memoriae proditum est; ad eam quom lamina

place to-have-been to-memory handed-down it-is at it when a-plate

esset inventa et in ea scriptum lamina: 'Honoris', ea causa

had-been found and on it written plate of-Honor that cause

fuit, ut aedis haec dedicaretur. Sed quom multa in eo

was that temple this was-dedicated but since many in that

loco sepulchra fuissent, exarata sunt; statuit enim collegium

place tombs had-been plowed-up they-were decided for the-college

locum publicum non potuisse privata religione obligari.

a-place public not to-have-been-able by-private religious-claim to-be-bound

Iam cetera in xii minuendi sumptus sunt lamentationisque 59

now the-rest in the-twelve of-lessening expense are and-of-lamentation

funeris, translata de Solonis fere legibus. Hoc plus,

funereal transferred from of-Solon nearly the-laws than-this more

inquit, ne facito: Rogum ascea ne polito. Nostis,

it-says not let-him-do the-pyre with-an-axe not let-him-smooth you-know

quae sequuntur; discebamus enim pueri xii ut carmen
what follows we-learned for as-boys the-twelve as a-song
 necessarium; quas iam nemo discit. Extenuato igitur sumptu
required which now no-one learns reduced therefore expense
 tribus riciniis et tunica purpurea et decem tibicinibus
to-three veils and tunic purple and ten pipers
 tollit etiam lamentationem: Mulieres genas ne radunto
it-removes also lamentation women cheeks not let-them-scratch
 neve lessum funeris ergo habento. Hoc veteres interpretes
nor wailing of-funeral on-account-of let-have this the-old interpreters
 Sex. Aelius, L. Acilius non satis se intellegere
Sextus Aelius Lucius Acilius not enough themselves to-understand
 dixerunt, sed suspicari vestimenti aliquod genus funebris, L.
said but to-suspect of-garment some kind funereal Lucius
 Aelius lessum quasi lugubrem eiulationem, ut vox ipsa
Aelius lessum as-it-were mournful wailing as the-word itself
 significat; quod eo magis iudico verum esse, quia lex
signifies which by-this more I-judge true to-be because the-law
 Solonis id ipsum vetat. Haec laudabilia et locupletibus
of-Solon that itself forbids these-things praiseworthy and to-the-rich
 fere cum plebe communia; quod quidem maxime e natura
nearly with the-plebs common which indeed most from nature
 est, tolli fortunae discrimen in morte.
is to-be-removed of-fortune distinction in death

The Tables also forbid gathering a dead man's bones for a second funeral, except for death in war or abroad, and ban slaves' anointing, drinking bouts, costly sprinkling, long garlands, and incense boxes. A crown won for valor may honor the dead man and his father; gold is banned except gold binding teeth; and a pyre must stand sixty feet from another's house. Custom adds heralded funerals, games, praises in assembly, and dirges. Atticus asks about limits on tombs, and Cicero points to the tomb of Gaius Figulus.

Cetera item funebria, quibus luctus augetur, xii
the-other likewise funeral-things by-which grief is-increased the-twelve
 sustulerunt. Homini, inquit, mortuo ne ossa legito, quoi
have-removed from-a-man it-says dead not bones let-him-gather whereby
 pos funus faciat. Excipit bellicam peregrinamque mortem.
after a-funeral he-may-make it-excepts warlike and-foreign death
 Haec praeterea sunt in legibus †de uncturaque servilis
these-things besides are in the-laws about and-anointing slave's
 unctura tollitur omnisque circumpotatio; quae et recte
anointing is-removed and-all drinking-round which both rightly
 tolluntur neque tollerentur, nisi fuissent. Ne sumptuosa
are-removed nor would-be-removed unless they-had-been not costly
 respersio, ne longae coronae nec acerrae praetereantur. Illa
sprinkling not long garlands nor incense-boxes let-them-be-passed-over that
 iam significatio est laudis ornamenta ad mortuos pertinere,
now indication is of-praise honors to the-dead to-pertain
 quod coronam virtute partam et ei, qui peperisset, et eius
that a-crown by-virtue won both on-him who had-won-it and on-his
 parenti sine fraude esse lex inpositam iubet. Credoque, quod
parent without penalty to-be the-law placed orders and-I-believe what
 erat factitatum, ut uni plura funera fierent lectique plures
it-was often-done that for-one several funerals were-made and-biers several

sternerentur, id quoque ne fieret, lege sanctum est. Qua in
were-spread that also lest it-be-done by-law sanctioned was which in
 lege quom esset: neve aurum addito, videte, quam humane
law when there-was nor gold let-him-add see how humanely
 excipiat altera lex: at cui auro dentes vincti escunt, ast im
excepts the-other law but to-whom with-gold teeth bound shall-be but him
 cum illo sepeliet uretve, se fraude esto. Et simul
with it shall-bury or-shall-burn without penalty let-it-be and at-the-same-time
 illud videtote, aliud habitum esse sepelire et urere.
that see-ye another-thing held to-be to-bury and to-burn

- 61 Duae sunt praeterea leges de sepulchris, quarum altera
two are besides laws about tombs of-which one
 privatorum aedificiis, altera ipsis sepulchris cavet. Nam
of-private-men for-the-buildings the-other for-the-very tombs provides for
 quod rogi bustumve novum vetat propius sexaginta pedes
that a-pyre tomb-or new it-forbids nearer sixty feet
 adigi aedes alienas invito domino, incendium veretur
to-be-brought to-houses another's unwilling owner a-fire it-fears
 facerbum vetat; quod autem forum, id est vestibulum
harsh it-forbids that moreover the-forecourt that is the-entrance
 sepulchri, bustumve usu capi vetat, tuetur ius
of-the-tomb tomb-or by-use to-be-acquired it-forbids it-guards the-right
 sepulchrorum. Haec habemus in xii sane secundum
of-tombs these-things we-have in the-twelve surely according-to
 naturam, quae norma legis est; reliqua sunt in more:
nature which the-standard of-law is the-rest are in custom
 funus ut indicatur, si quid ludorum, dominusque funeris
a-funeral that is-announced if anything of-games and-the-master of-the-funeral
 utatur accenso atque lictoribus,
may-use an-attendant and lictors

honoratorum virorum laudes in contione memorentur
of-honored men the-praises in assembly be-recounted
 easque etiam cantus ad tibicinem prosequatur, cui nomen
and-them also song to the-piper accompany to-which name
 neniae, quo vocabulo etiam apud Graecos cantus lugubres
nenia by-which word also among the-Greeks songs mournful
 nominantur.

are-named

ATT. Gaudeo nostra iura ad naturam accommodari maiorumque
I-rejoice our laws to nature to-be-fitted and-of-the-ancestors
 sapientia admodum delector; sed requiro, ut ceteri sumptus,
by-the-wisdom greatly I-am-delighted but I-ask-for as other expenses
 sic etiam sepulchrorum modum.

so also of-tombs a-limit

M. Recte requiris; quos enim ad sumptus progressa iam ista
rightly you-ask-for what for to expenses advanced now that
 res sit, in C. Figuli sepulchro vidisse te credo.

thing has in of-Gaius Figulus tomb to-have-seen that-you I-believe

Minimam olim istius rei fuisse cupiditatem multa extant
least once of-that thing to-have-been desire many survive

exempla maiorum. Nostrae quidem legis interpretes, quo
examples of-ancestors of-our indeed law interpreters by-which
 capite iubentur sumptum et luctum remove a deorum

clause are-ordered expense and grief to-remove from of-the-gods

Manium iure, hoc intellegant in primis, sepulchrorum

Manes the-law this let-them-understand among first of-tombs

magnificentiam esse minuendam.

the-magnificence to-be to-be-lessened

The wisest lawgivers attended to this. At Athens since Cecrops the dead were buried in earth and the ground sown with crops, and at the funeral feast only true praise was spoken. When funerals grew costly, Solon's law restrained them, and the decemvirs copied it into the tenth table, even the ban on wailing. Later Athens limited tombs to what ten men could build in three days, forbade stucco and berms, and restricted funeral praise, and Demetrius of Phalerum curbed display again with burial before dawn and small monuments.

- 63 Nec haec a sapientissimis legum scriptoribus neglecta sunt;
 nor these-things by most-wise of-laws writers neglected were
 nam et Athenis iam ab illo primo rege Cecrope, ut aiunt,
 for both at-Athens already from that first king Cecrops as they-say
 permansit hoc ius terra humandi; †quam quom proxumi
 has- lasted this right in-earth of-burying which when the-nearest
 fecerant obductaque terra erat, frugibus obserebatur, ut
 had-done and-covered with-earth was with-crops it-was-sown so-that
 sinus et gremium quasi matris mortuo tribueretur,
 the-bosom and lap as-it-were of-a-mother to-the-dead might-be-given
 solum autem frugibus expiatum ut vivis redderetur.
 the-soil moreover by-crops purified that to-the-living it-might-be-retained
 Sequebantur epulae, quas inibant propinqui coronati, apud quos
 followed feasts which entered kinsmen garlanded among whom
 de mortui laude †quomni quid veri erat praedicatum
 about of-the-dead the-praise when anything of-true was proclaimed
 (nam mentiri nefas habebatur), †ad iusta confecta erant.
 for to-lie impious was-held to due-rites completed were
- 64 Posteaquam, ut scribit Phalereus, sumptuosa fieri funera
 after as writes Phalereus costly to-be-made funerals
 et lamentabilia coepissent, Solonis lege sublata sunt;
 and mournful had-begun of-Solon by-the-law removed they-were

quam legem eisdem prope verbis nostri decemviri in
which law in-the-same nearly words our decemvirs into
 decimam tabulam coniecerunt; nam de tribus riciniis et
the-tenth table put for about three veils and
 pleraque illa Solonis sunt; de lamentis vero expressa
most those-things of-Solon are about laments indeed copied
 verbis sunt: Mulieres genas ne radunto neve lessum funeris
in-words are women cheeks not let-scratch nor wailing of-funeral
 ergo habento.

on-account-of let-have

De sepulchris autem nihil est apud Solonem amplius,
about tombs moreover nothing is in Solon more
 quam ne quis ea deleat neve alienum inferat, poenaeque
than lest anyone them destroy nor another's-body bring-in and-penalty
 est, si quis bustum (nam id puto appellari τóμβον) aut
is if anyone a-tomb for that I-think to-be-called tomb-mound or
 monumentum, inquit, aut columnam violarit, laeserit,
monument it-says or column shall-have-violated shall-have-damaged
 fregerit. Sed post aliquanto propter has amplitudines
shall-have-broken but after somewhat on-account-of these grandeurs
 sepulchrorum, quas in Ceramico videmus, lege sanctum
of-tombs which in the-Ceramicus we-see by-law sanctioned
 est, ne quis sepulchrum faceret operosius, quam quod
it-was lest anyone a-tomb should-make more-laborious than what
 decem homines effecerint triduo;

ten men could-accomplish in-three-days

neque id opere tectorio exornari nec hermas, quos vocant, 65
nor that with-work stucco to-be-adorned nor herms which they-call
 licebat inponi, nec de mortui laude nisi in publicis
it-was-allowed to-be-placed-on nor about of-the-dead praise except at public
 sepulchris nec ab alio, nisi qui publice ad eam rem
burials nor by another than who publicly for that thing

constitutus esset, dici licebat. Sublata etiam erat
appointed had-been to-be-spoken was-it-allowed removed also had-been
 celebritas virorum ac mulierum, quo lamentatio minueretur;
the-crowding of-men and of-women so-that lamentation might-be-lessened
 auget enim luctum concursus hominum.
increases for grief the-concourse of-people

- 66 Quocirca Pittacus omnino accedere quemquam vetat in funus
wherefore Pittacus at-all to-approach anyone forbids to the-funeral
 aliorum. Sed ait rursus idem Demetrius increbuisse eam
of-others but says again the-same Demetrius to-have-grown that
 funerum sepulchrorumque magnificentiam, quae nunc fere
of-funerals and-of-tombs magnificence which now nearly
 Romae est; quam consuetudinem lege minuit ipse; fuit enim
at-Rome is which custom by-law lessened himself was for
 hic vir, ut scitis, non solum eruditissimus, sed etiam civis e
this man as you-know not only most-learned but also a-citizen from
 re publica maxime tuendaeque civitatis peritissimus. Is igitur
the-thing public most and-of-guarding the-state most-skilled he therefore
 sumptum minuit non solum poena, sed etiam tempore; ante
expense lessened not only by-penalty but also by-time before
 lucem enim iussit efferri. Sepulchris autem novis finivit
light for he-ordered to-be-carried-out for-tombs moreover new he-fixed
 modum; nam super terrae tumulum noluit quicquam statui
a-limit for above of-earth the-mound he-did-not-wish anything to-be-set
 nisi columellam tribus cubitis ne altiore aut mensam aut
except a-small-column than-three cubits not higher or a-table or
 labellum et huic procurationi certum magistratum praefecerat.
a-basin and over-this supervision a-fixed magistrate he-had-set

Plato refers funeral rites to the interpreters of religion, as Rome does. He forbids taking farmland for graves, since earth that feeds the living should not be lessened, limits tombs to what five men can build in five days, allows an epitaph of no more than four heroic lines, and scales funeral costs to wealth. The laws of religion are finished, and Quintus and Atticus urge Cicero on. He promises to finish the laws in one day, as Plato did, beginning with the magistrates, who hold the commonwealth together.

Haec igitur Athenienses tui. Sed videamus Platonem, qui 67
these-things therefore Athenians your but let-us-see Plato who
iusta funerum reicit ad interpretes religionum; quem nos
the-due-rites of-funerals refers to the-interpreters of-religion which we
morem tenemus. De sepulchris autem dicit haec: vetat
custom keep about tombs moreover he-says these-things he-forbids
ex agro culto eo, qui coli possit, ullam partem
from land cultivated that-or which to-be-cultivated can any part
sumi sepulchro; sed quae natura agri tantum modo
to-be-taken for-a-tomb but which the-nature of-the-land only just
efficere possit, ut mortuorum corpora sine detrimento
to-effect can that of-the-dead the-bodies without detriment
vivorum recipiat, ea potissimum ut conpleatur; quae autem
of-the-living it-receive that above-all that be-filled what moreover
terra fruges ferre et ut mater cibos suppeditare possit,
earth crops to-bear and as a-mother foods to-supply can
eam ne quis nobis minuat neve vivos neve mortuos.
that not anyone for-us let-lessen neither the-living nor the-dead
Extrui autem vetat sepulchrum altius, quam quod quinque 68
to-be-built-up moreover he-forbids a-tomb higher than what five
homines quinque diebus absolverint, nec e lapide excitari
men in-five days could-finish nor from stone to-be-raised

plus nec inponi, quam quod capiat laudem mortui incisam

more nor to-be-set-on than what may-hold the-praise of-the-dead carved

ne plus quattuor herois versibus, quos 'longos' appellat Ennius.

not more than-four heroic in-verses which long calls Ennius

Habemus igitur huius quoque auctoritatem de sepulchris

we-have therefore of-this-man also the-authority about tombs

summi viri, a quo item funerum sumptus praefinitur

of-a-supreme man by whom likewise of-funerals the-expense is-limited

ex censibus a minis quinque usque ad minam. Deinceps

according-to ratings from minas five right to a-mina next

dicat eadem illa de immortalitate animorum et reliqua

he-says the-same those-things about the-immortality of-souls and remaining

post mortem tranquillitate bonorum, poenis impiorum.

after death the-tranquility of-the-good the-penalties of-the-impious

69 Habetis igitur explicatum omnem, ut arbitror, religionum locum.

you-have therefore unfolded all as I-think of-religions the-topic

Q. Nos vero, frater, et copiose quidem; sed perge cetera.

we indeed brother and copiously indeed but go-on-with the-rest

M. Pergam equidem et, quoniam libitum est vobis me ad haec

I-will-go-on indeed and since pleasing it-is to-you me to these-things

inpellere, hodierno sermone conficiam, spero, hoc praesertim

to-urge in-today's conversation I-will-finish I-hope this especially

die; video enim Platonem idem fecisse, omnemque orationem

day I-see for that-Plato the-same to-have-done and-all speech

eius de legibus peroratam esse uno aestivo die. Sic igitur

his about laws completed to-have-been in-one summer day so therefore

faciam et dicam de magistratibus; id enim est profecto,

I-will-do and speak about magistrates that for is surely

quod constituta religione rem publicam contineat maxime.

what established with-religion the-thing public holds-together most

ATT. Tu vero dic et istam rationem, quam coepisti, tene.

you indeed speak and that plan which you-began keep

BOOK III

I • THE MAGISTRATE, A SPEAKING LAW

Cicero again praises Plato, and Atticus says that even his own school, which praises only its own, lets him love Plato as he likes. Cicero then praises law itself: a magistrate presides and prescribes what is right and useful, and as laws govern magistrates, magistrates govern the people, so a magistrate is a speaking law and a law a silent magistrate. Nothing fits nature better than command. Peoples who rejected kings refused not all obedience, but obedience always to one man.

MARCUS. Sequar igitur, ut institui, divinum illum virum, 1

I-shall-follow therefore as I-have-begun divine that man

quem quadam admiratione commotus saepius fortasse laudo,
whom by-a-certain admiration moved more-often perhaps I-praise
quam necesse est.

than necessary is

ATT. Platonem videlicet dicis.

Plato evidently you-mean

M. Istum ipsum, Attice.

that-one himself Atticus

ATT. Tu vero eum nec nimis valde umquam nec nimis

you indeed him neither too greatly ever nor too

saepe laudaveris; nam hoc mihi etiam nostri illi, qui

often will-have-praised for this to-me even our those who

neminem nisi suum laudari volunt, concedunt, ut eum

no-one except their-own to-be-praised wish grant that him

arbitratu meo diligam.

at-discretion my I-love

M. Bene hercle faciunt. Quid enim est elegantia tua
well by-Hercules they-do what for is than-refinement your
 dignius? cuius et vita et oratio consecuta mihi videtur
more-worthy whose both life and speech attained to-me seems
 difficillimam illam societatem gravitatis cum humanitate.
most-difficult that partnership of-gravity with humanity

ATT. Sane gaudeo, quod te interpellavi, quoniam quidem
certainly I-rejoice that you I-interrupted since indeed
 tam praeclarum mihi dedisti iudicii tui testimonium.
so splendid to-me you-have-given of-judgment your testimony
 Sed perge, ut coeperas.
but go-on as you-bad-begun

M. Laudemus igitur prius legem ipsam veris et propriis
let-us-praise therefore first law itself true and proper
 generis sui laudibus.
of-kind its-own with-praises

ATT. Sane quidem, sicut de religionum lege fecisti.
certainly indeed as about of-religions the-law you-did

2 M. Videtis igitur magistratus hanc esse vim, ut praesit
you-see therefore of-a-magistrate this to-be the-force that he-preside
 praescribatque recta et utilia et coniuncta cum legibus. Ut
and-prescribe right and useful and joined with laws as
 enim magistratibus leges, ita populo praesunt magistratus,
for over-magistrates laws so over-the-people preside magistrates
 vereque dici potest magistratum legem esse loquentem,
and-truly to-be-said can that-the-magistrate law to-be speaking
 legem autem mutum magistratum.
law moreover mute magistrate

3 Nihil porro tam aptum est ad ius condicionemque naturae
nothing further so fitted is to law and-condition of-nature
 (quod quom dico, legem a me dici intellegi volo)
which when I-say law by me to-be-meant to-be-understood I-wish

quam imperium; sine quo nec domus ulla nec civitas
as command without which neither house any nor state
 nec gens nec hominum universum genus stare nec rerum
nor nation nor of-men the-whole race to-stand nor of-things
 natura omnis nec ipse mundus potest; nam et hic deo
nature all nor itself the-universe can for both this to-god
 paret, et huic oboediunt maria terraeque, et hominum vita
obeys and to-this obey seas and-lands and of-men life
 iussis supremæ legis obtemperat.

to-the-orders of-supreme law complies-with

Atque ut ad hæc citeriora veniam et notiora nobis, omnes 4

and that to these nearer I-may-come and better-known to-us all
 antiquæ gentes regibus quondam paruerunt. Quod genus
ancient nations to-kings once obeyed which kind
 imperii primum ad homines iustissimos et sapientissimos
of-command first to men most-just and most-wise
 deferebatur (idque in re publica nostra maxime valuit,
was-conferred and-that in the-thing public our most prevailed
 quoad ei regalis potestas præfuit), deinde etiam deinceps
as-long-as over-it royal power presided then also in-succession
 posteris prodebatur, quod in iis etiam, qui nunc regnant,
to-descendants was-banded-down which in those even who now reign
 manet. Quibus autem regia potestas non placuit, non ii
remains to-whom however royal power not was-pleasing not they
 nemini, sed non semper uni parere voluerunt. Nos autem
to-no-one but not always to-one to-obey wished we however
 quoniam leges damus liberis populis, quæque de optima re
since laws we-give to-free peoples and-what about the-best thing
 publica sentiremus, in sex libris ante diximus, accommodabimus
public we-thought in six books before we-said we-shall-fit
 hoc tempore leges ad illum, quem probamus, civitatis statum.
at-this time laws to that which we-approve of-state constitution

A state needs magistrates, and citizens must learn to obey as well as rule, for whoever rules well once obeyed. The laws follow: commands must be just and obeyed; magistrates may coerce the disobedient subject to appeal, except in war; lesser magistrates share authority; aediles care for the city, the grain supply, and the games; two censors count the people, guard buildings and morals, and keep the senate free of disgrace; a praetor judges private cases; and two consuls command in war, for whom the safety of the people is the highest law.

- 5 Magistratibus igitur opus est, sine quorum prudentia ac
of-magistrates therefore need is without whose prudence and
diligentia esse civitas non potest, quorumque discriptione omnis
diligence to-be a-state not can and-whose by-arrangement all
rei publicae moderatio continetur. Neque solum his
of-the-thing public government is-contained nor only for-them
praescribendus est imperandi, sed etiam civibus obtemperandi
to-be-prescribed is of-commanding but also for-citizens of-obeying
modus; nam et qui bene imperat, paruerit aliquando necesse
the-measure for both who well commands have-obeyed at-some-time necessary
est, et qui modeste paret, videtur, qui aliquando imperet,
it-is and who modestly obeys seems who at-some-time may-command
dignus esse. Itaque oportet et eum, qui paret, sperare se
worthy to-be and-so it-is-needful both him who obeys to-hope himself
aliquo tempore imperaturum et illum, qui imperat, cogitare
at-some time about-to-command and him who commands to-reflect
breui tempore sibi esse parendum. Nec vero solum ut
in-short time by-himself to-be to-be-obeyed nor indeed only that
obtemperant oboediantque magistratibus, sed etiam ut eos
they-comply and-obey magistrates but also that them
colant diligantque, praescribimus, ut Charondas in suis
they-honor and-love we-prescribe as Charondas in his-own

facit legibus; noster vero Plato Titanum e genere statuit
does laws our indeed Plato of-the-Titans from race decides

eos, qui, ut illi caelestibus, sic hi adversentur magistratibus.
those who as they the-heavenly-ones so these oppose magistrates

Quae quom ita sint, ad ipsas iam leges veniamus, si placet.
which since so they-are to the-very now laws let-us-come if it-pleases

ATT. Mihi vero et istud et ordo iste rerum placet.

to-me indeed both that and order that of-things is-pleasing

M. Iusta imperia sunt, iisque cives modeste ac sine 6

just commands let-be and-to-them citizens modestly and without
 recusatione parento; magistratus nec oboedientem et noxium
refusal let-obey the-magistrate not obedient and harmful

civem multa, vinculis verberibusve coerceto, ni par
citizen by-fine by-chains by-lashes-or let-restrain unless an-equal
 maiorve potestas populusve prohibessit, ad quos provocatio
greater-or power people-or shall-have-forbidden to whom appeal

esto. Quom magistratus iudicassit inrogassitve, per
let-there-be when a-magistrate shall-have-judged shall-have-imposed-or through
 populum multae poenae certatio esto. Militiae ab eo, qui
the-people of-fine of-penalty contest let-there-be in-war from him who
 imperabit, provocatio nec esto, quodque is, qui bellum
shall-command appeal not let-there-be and-what he who war
 geret, imperassit, ius ratumque esto.

shall-wage shall-have-commanded law and-valid let-it-be

Minores magistratus partiti iuris plures in plura sunt.

lesser magistrates of-divided law several in several let-be

Militiae, quibus iussi erunt, imperant eorumque tribuni
in-war over-whom ordered they-shall-be let-them-command and-of-them tribunes

sunt, domi pecuniam publicam custodiunt, vincula sontium
let-them-be at-home money public let-them-guard the-chains of-the-guilty

servant, capitalia vindicant, aes, argentum aurumve

let-them-keep capital-crimes let-them-punish bronze silver gold-or

publice signanto, litis contractas iudicanto, quodcumque

publicly let-them-coin suits contracted let-them-judge whatever

senatus creverit, agunto.

the-senate shall-have-decreed let-them-do

7 Suntuque aediles curatores urbis, annonae ludorumque

and-let-there-be aediles curators of-the-city of-the-grain-supply and-of-games

sollemnium, ollisque ad honoris amplioris gradum is primus

solemn and-to-them to of-honor higher the-step that first

ascensus esto.

ascent let-be

Censores populi aevitates, suboles, familias pecuniasque

censors of-the-people ages offspring households and-properties

censento, urbis tecta templa, vias aquas, aerarium vectigalia

let-assess of-the-city buildings temples roads waters treasury revenues

tuento populiue partis in tribus discribunto, exin pecunias,

let-guard and-of-the-people parts into tribes let-distribute then properties

aevitatis, ordines partiunto, equitum peditumque prolem

ages orders let-divide of-cavalry and-of-infantry the-offspring

discribunto, caelibes esse prohibento, mores populi regunto,

let-distribute unmarried to-be let-forbid the-morals of-the-people let-rule

probrum in senatu ne relinquo; bini sunt, magistratum

disgrace in the-senate not let-leave two let-there-be the-office

quinquennium habento; reliqui magistratus annui sunt;

for-five-years let-hold the-remaining magistrates annual let-be

eaque potestas semper esto.

and-that power always let-be

8 Iuris disceptator, qui privata iudicet iudicarive iubeat, praetor

of-law arbiter who private-cases may-judge to-be-judged-or may-order praetor

esto; is iuris civilis custos esto; huic potestate pari, quotcumque

let-be be of-law civil guardian let-be to-him with-power equal however-many

senatus creverit populusve iusserit, tot sunt.

the-senate shall-have-decreed people-or shall-have-ordered so-many let-there-be

Regio imperio duo sunt, iique a praeundo, iudicando,
with-royal command two let-there-be and-they from going-before judging
 consulendo praetores, iudices, consules appellamino; militiae
consulting praetors judges consuls let-them-be-called in-war
 summum ius habento, nemini parento; ollis salus
highest right let-them-have to-no-one let-them-obey for-them the-safety
 populi suprema lex esto.
of-the-people supreme law let-be

III • DICTATOR, TRIBUNES, AND SENATE

No one may hold the same office again within ten years. In grave war or discord one man may hold consular power for six months as master of the people. Envoys must return with praise; ten tribunes protect the plebs. The senate, drawn from former magistrates, issues binding decrees. Votes are known to the best men and free to the plebs. Laws against individuals are banned, capital cases go to the greatest assembly, officials take no gifts, and censors guard the laws.

Eundem magistratum, ni interfuerint decem anni, ne 9
the-same office unless shall-have-intervened ten years not
 quis capito; aevitatem annali lege servanto.
anyone let-take age year-limit by-law let-them-observe
 Ast quando duellum gravius, discordiae civium escunt, oenus
but when war graver discords of-citizens shall-be one
 ne amplius sex menses, si senatus creverit, idem iuris,
not more six months if the-senate shall-have-decreed the-same of-right
 quod duo consules, teneto, isque ave sinistra dictus
as two consuls let-bold and-be with-bird on-the-left named
 populi magister esto; equitatumque qui regat, habeto
of-the-people master let-be and-the-cavalry who may-rule let-him-have

pari iure cum eo, quicumque erit iuris disceptator;

with-equal right with him whoever shall-be of-law arbiter

reliqui magistratus ne sunt.

the-remaining magistrates not let-there-be

Ast quando consules magisterve populi nec escunt, auspicia

but when consuls master-or of-the-people not shall-be the-auspices

patrum sunt, ollique ec se produnto, qui comitiatu

of-the-fathers let-be and-they from themselves let-put-forth who by-assembly

creare consules rite possint.

to-elect consuls duly can

Imperia, potestates, legationes, quom senatus creverit

commands powers embassies when the-senate shall-have-decreed

populusve iusserit, ex urbe exeunto, duella iusta iuste

people-or shall-have-ordered from the-city let-go-out wars just justly

gerunto, sociis parcunto, se et suos continent, populi

let-wage the-allies let-spare themselves and their-own let-restrain of-people

sui gloriam augento, domum cum laude redeunto.

their the-glory let-increase home with praise let-return

Rei suae ergo ne quis legatus esto.

of-affair his-own for-the-sake not anyone envoy let-be

Plebes quos pro se contra vim auxilii ergo decem

the-plebs whom for itself against force of-help for-the-sake ten

creassit, ei tribuni eius sunt, quodque ii prohibessint

shall-have-elected those tribunes of-it let-be and-what they shall-have-forbidden

quodque plebem rogassint, ratum esto; sanctique

and-what the-plebs they-shall-have-proposed-to valid let-be and-sacrosanct

sunt neve plebem orbam tribunis relinquent.

let-them-be nor the-plebs bereft of-tribunes let-them-leave

Omnes magistratus auspicium iudiciumque habento, exque
all magistrates auspice and-jurisdiction let-have and-from
 eis senatus esto; eius decreta rata sunt; ast potestas par
them the-senate let-be its decrees valid let-be but-if power equal
 maiore prohibessit, perscripta servant.

greater-or shall-have-forbidden written-out let-them-keep

Is ordo vitio vacato, ceteris specimen esto.

that order from-vice let-be-free for-the-rest a-model let-be

Creatio magistratuum, iudicia populi, iussa vetita quom
the-election of-magistrates the-judgments of-the-people orders prohibitions when
 suffragio cosciscuntur, optumatis nota, plebi libera sunt.

by-vote shall-be-decided to-the-best-men known to-the-plebs free let-be

Ast quid erit, quod extra magistratus coerari oesus sit,

but-if anything shall-be which beyond the-magistrates to-be-managed needful is

qui coeret, populus creato eique ius coerandi dato.

who may-manage the-people let-elect and-to-him the-right of-managing let-give

Cum populo patribusque agendi ius esto consuli, praetori,

with the-people and-fathers of-dealing the-right let-be for-consul for-praetor

magistro populi equitumque eique, quem patres prodent

for-master of-the-people and-of-cavalry and-to-him whom the-fathers shall-put-forth

consulum rogandorum ergo; tribunisque, quos sibi plebes

of-consuls to-be-elected for-the-sake and-to-tribunes whom for-itself the-plebs

creassit, ius esto cum patribus agendi; iidem ad

shall-have-elected the-right let-be with the-fathers of-dealing the-same to

plebem, quod oesus erit, ferunto.

the-plebs what needful shall-be let-bring

Quae cum populo quaeque in patribus agentur,

what-things with the-people and-what among the-fathers shall-be-transacted

modica sunt.

moderate let-be

- 11 Senatori, qui nec aderit, aut causa aut culpa esto; loco
for-a-senator who not shall-be-present either excuse or blame let-be in-turn
 senator et modo orato, causas populi teneto.
a-senator and in-measure let-speak the-affairs of-the-people let-know
 Vis in populo abesto. Par maiorque potestas plus valeto.
force among the-people let-be-absent equal greater-or power more let-prevail
 Ast quid turbassitur in agendo, fraus actoris esto.
but-if anything shall-be-disturbed in dealing the-blame of-the-mover let-be
 Intercessor rei malae salutaris civis esto.
the-vetoer of-a-thing bad a-saving citizen let-be
 Qui agent, auspicia servant, auguri publico parento,
who shall-deal auspices let-observe to-the-augur public let-obey
 promulgata proposita in aerario cognita agunto, nec plus
promulgated set-out in the-treasury known let-them-bring nor more
 quam de singulis rebus semel consulunto, rem populum
than about single matters once let-them-consult the-matter the-people
 docento, doceri a magistratibus privatisque patio.
let-them-teach to-be-taught by magistrates and-private-men let-them-allow
 Privilegia ne inroganto; de capite civis nisi per
laws-against-individuals not let-them-propose about the-life of-a-citizen except through
 maximum comitatum omnesque, quos censores in partibus
the-greatest assembly and-those whom censors in the-parts
 populi locassint, ne ferunt.
of-the-people shall-have-placed not let-them-carry
 Donum ne capiunt neve dant neve petenda neve
gift not let-them-take nor give nor being-sought nor
 gerenda neve gesta potestate. Quod quis earum rerum
being-held nor having-been-held power which anyone of-those things
 migravit, noxae poena par esto.
shall-have-transgressed of-the-offense penalty equal let-be

Censores fidem legum custodiunto; privati ad eos acta
censors the-good-faith of-the-laws let-guard private-men to them acts
 referunto nec eo magis lege liberi sunt.
let-report nor by-this more from-law free let-be
 Lex recitata est. Discedere et tabellam iubebo dari.
the-law recited has-been to-depart and the-tablet I-will-order to-be-given

IV · THEORISTS OF MAGISTRACIES

Quintus observes that this is nearly Rome's own arrangement, and Cicero agrees: the balanced constitution Scipio praised required it, and the ancestors had arranged it so wisely that he found nothing to change. Atticus asks for the reasons, and Cicero traces the thinkers on magistracies: Plato, Aristotle, Heraclides, Theophrastus, Dicaearchus, and among the Stoics Dion and Panaetius. Demetrius of Phalerum alone brought learning from the shade into the sun and the battle line. Atticus suggests that one of the three of them might match him.

Q. Quam brevi, frater, in conspectu posita est a te 12
how briefly brother in view placed has-been by you
 omnium magistratuum discriptio, sed ea paene nostrae
of-all magistrates the-arrangement but that almost of-our
 civitatis, etsi a te paulum adlatum est novi.
state although by you a-little brought has-been of-new
 M. Rectissime, Quinte, animadvertis; haec est enim, quam
most-rightly Quintus you-notice this is for which
 Scipio laudat in illis libris et quam maxime probat
Scipio praises in those books and which most approves
 temperationem rei publicae, quae effici non potuisset
the-tempering of-the-thing public which to-be-effected not could-have
 nisi tali discriptione magistratuum. Nam sic habetote,
unless by-such arrangement of-magistrates for thus hold

magistratibus iisque, qui praesint, contineri rem publicam,
by-magistrates and-those who preside to-be-held-together the-thing public
 et ex eorum conpositione, quod cuiusque rei publicae genus
and from their arrangement what of-each thing public the-kind
 sit, intellegi. Quae res quom sapientissime moderatissimeque
is to-be-understood which thing since most-wisely and-most-moderately
 constituta esset a maioribus nostris, nihil habui sane, non
established had-been by ancestors our nothing I-had surely not
 modo multum, quod putarem novandum in legibus.
only much which I-might-think to-be-changed in the-laws

- 13 ATT. Reddes igitur nobis, ut in religionis lege fecisti
you-will-render therefore to-us as in of-religion the-law you-did
 admonitu et rogatu meo, sic de magistratibus ut
at-the-reminding and asking my so about magistrates that
 disputes, quibus de causis maxime placeat ista discriptio.
you-discuss what for reasons most pleases that arrangement
 M. Faciam, Attice, ut vis, et locum istum totum, ut
I-will-do-it Atticus as you-wish and topic that whole as
 a doctissimis Graeciae quaesitum et disputatum est,
by the-most-learned of-Greece inquired and discussed it-has-been
 explicabo et, ut institui, nostra iura attingam.

I-will-unfold and as I-have-begun our laws I-will-touch
 ATT. Istud maxime expecto disserendi genus.

- that most I-await of-discoursing kind*
 M. Atqui pleraque sunt dicta in illis libris, quod faciendum
and-yet most-things are said in those books which to-be-done
 fuit, quom de optuma re publica quaereretur; sed huius
was since about the-best thing public it-was-inquired but of-this
 loci de magistratibus sunt propria quaedam a Theophrasto
topic about magistrates are proper certain-things by Theophrastus
 primum, deinde a Dione Stoico quaesita subtilius.
first then by Dion the-Stoic inquired more-precisely

ATT. Ain tandem? etiam a Stoicis ista tractata sunt? 14

do-you-say pray even by the-Stoics those-things treated have-been

M. Non sane nisi ab eo, quem modo nominavi, et postea a

not surely except by him whom just-now I-named and afterward by

magno homine et in primis erudito, Panaetio. Nam veteres

a-great man and among the-first learned Panaetius for the-ancients

verbo tenus acute illi quidem, sed non ad hunc usum

word as-far-as sharply they indeed but not for this use

popularem atque civilem de re publica disserebant. Ab

popular and civil about the-thing public discoursed from

hac familia magis ista manarunt Platone principe; post

this household more those-things have-flowed Plato as-chief afterward

Aristoteles inlustravit omnem hunc civilem in disputando

Aristotle illuminated all this civil in discussing

locum Heraclidesque Ponticus profectus ab eodem Platone;

topic and-Heraclides Ponticus proceeding from the-same Plato

Theophrastus vero institutus ab Aristotele habitavit, ut scitis,

Theophrastus moreover trained by Aristotle dwelt as you-know

in eo genere rerum, ab eodemque Aristotele doctus Dicaearchus

in that kind of-things by and-the-same Aristotle taught Dicaearchus

huic rationi studioque non defuit; post a Theophrasto

to-this method and-pursuit not was-wanting afterward from Theophrastus

Phalereus ille Demetrius, de quo feci supra mentionem,

Phalereus that Demetrius about whom I-made above mention

mirabiliter doctrinam ex umbraculis eruditorum otioque non

wonderfully learning from the-shades of-the-learned and-leisure not

modo in solem atque in pulverem, sed in ipsum discrimen

only into the-sun and into the-dust but into the-very crisis

aciemque produxit. Nam et mediocriter doctos magnos in

and-battle-line brought-forth for both moderately learned great in

re publica viros et doctissimos homines non nimis in

the-thing public men and most-learned men not too-much in

re publica versatos multos commemorare possumus; qui
the-thing public engaged many to-mention we-can who
 vero utraque re excelleret, ut et doctrinae studiis et regenda
indeed in-both thing should-excel that both of-learning in-pursuits and in-ruling
 civitate princeps esset, quis facile praeter hunc inveniri potest?
the-state foremost he-was who easily besides this-man to-be-found can
 ATT. Puto posse, et quidem aliquem de tribus nobis; sed
I-think to-be-able and indeed someone of three us but
 perge, ut coeperas.
go-on as you-bad-begun

V • CONSULS AND TRIBUNES

The Greeks asked whether one magistrate should command the rest. Rome kept that power in the consuls without the king's name, and set tribunes against them as Sparta set ephors against its kings. Quintus complains that the tribunate ruined the authority of the best men, and Cicero denies it. Nothing is baser than a senator on an embassy without public business. As consul Cicero was blocked by a tribune from abolishing such embassies, but limited them to a year. Atticus jokes that those abroad will object.

- 15 M. Quaesitum igitur ab illis est, placeretne unum in
asked therefore by them it-was whether-it-pleased one in
 civitate esse magistratum, cui reliqui parerent, quod exactis
the-state to-be magistrate whom the-rest should-obey which expelled
 regibus intellego placuisse nostris maioribus. Sed quoniam
the-kings I-understand to-have-pleased our ancestors but since
 regale civitatis genus probatum quondam postea non tam
the-royal of-state kind approved once afterward not so-much
 regni quam regis vitiis repudiatum est, nomen tantum
of-kingship as of-the-king by-the-vices rejected was the-name only

videbitur regis repudiatum, res manebit, si unus omnibus
will-seem of-king rejected the-thing will-remain if one to-all
 reliquis magistratibus imperabit.

remaining magistrates shall-command

Quare nec ephori Lacedaemone sine causa a Theopompo 16

wherefore neither the-ephors at-Lacedaemon without cause by Theopompus

oppositi regibus nec apud nos consulibus tribuni. Nam illud

set-against the-kings nor among us the-consuls tribunes for that

quidem ipsum, quod in iure positum est, habet consul, ut

indeed itself which in law placed is has the-consul that

ei reliqui magistratus omnes pareant excepto tribuno, qui

him the-remaining magistrates all obey excepted the-tribune who

post exstitit, ne id, quod fuerat, esset. Hoc enim primum

afterward arose lest that which had-been might-be this for first

minuit consulare ius, quod exstitit, ipse qui eo non

lessened consular right that arose himself who by-it not

teneretur, deinde quod attulit auxilium reliquis non modo

was-bound then that he-brought help to-the-remaining not only

magistratibus, sed etiam privatis consuli non parentibus.

magistrates but also private-men to-the-consul not obeying

Q. Magnum dicis malum; nam ista potestate nata gravitas 17

great you-name evil for that power born the-weight

optimatum cecidit convaluitque vis multitudinis.

of-the-best-men fell and-grew-strong the-force of-the-multitude

M. Non est, Quinte, ita. Non ius enim illud solum superbius

not it-is Quintus so not right for that alone prouder

populo et violentius videri necesse erat, quo posteaquam

to-the-people and more-violent to-seem necessary was to-which after

modica et sapiens temperatio accessit *** †convertem

moderate and wise tempering was-added (lacuna) turning

lex in omnis est.

the-law to all is

- 18 Domum cum laude redeunto. Nihil enim praeter laudem
home with praise let-them-return nothing for besides praise
 bonis atque innocentibus neque ex hostibus neque a sociis
for-the-good and innocent neither from enemies nor from allies
 reportandum. Iam illud apertum est profecto, nihil esse turpius
to-be-brought-back now that plain is surely nothing to-be baser
 quam quemquam legari nisi rei publicae causa.
than anyone to-be-sent-as-envoy except of-the-thing public for-the-sake
 Omitto, quem ad modum isti se gerant atque gesserint,
I-pass-over in-what to manner those themselves conduct and have-conducted
 qui legatione hereditatis aut syngraphas suas persequuntur;
who by-embassy inheritances or bonds their-own pursue
 in hominibus est hoc fortasse vitium; sed quaero, quid reapse
in men is this perhaps a-vice but I-ask what in-reality
 sit turpius quam sine procuratione senator legatus, sine
is baser than without commission a-senator envoy without
 mandatis, sine ullo rei publicae munere. Quod quidem
instructions without any of-the-thing public duty which indeed
 genus legationis ego consul, quamquam ad commodum senatus
kind of-embassy I as-consul although to the-advantage of-the-senate
 pertinere videbatur, tamen adprobante senatu frequentissimo,
to-pertain it-seemed still approving the-senate very-full
 nisi mihi levis tribunus plebis tum intercessisset,
unless for-me a-fickle tribune of-the-plebs then had-vetoed
 sustulissem. Minui tamen tempus et, quod erat infinitum,
I-would-have-abolished I-lessened still the-time and what was unlimited
 annum feci. Ita turpitudine manet diuturnitate sublata. Sed
annual I-made so the-baseness remains the-long-duration removed but
 iam, si placet, de provinciis decedatur in urbemque redeatur.
now if it-pleases from the-provinces let-us-withdraw into and-the-city let-us-return

ATT. Nobis vero placet, sed iis, qui in provinciis sunt,
 to-us indeed it-pleases but to-those who in provinces are
 minime placet.
 least it-pleases

VI • QUINTUS AGAINST THE TRIBUNATE

Cicero says the tribunes' power needs no discussion, but Quintus attacks it: born in sedition, killed like a deformed child under the Twelve Tables, revived fouler still, it stripped the senators of honor and made the lowest equal to the highest. He cites the Gracchi, the tribune who jailed two consuls, Saturninus, Sulpicius, and the tribune who overthrew Cicero, a man not even lawfully a tribune. Quintus approves Sulla's law curbing the tribunes and praises Pompey in all else, but on the tribunate keeps silent.

M. At vero, Tite, si parebunt his legibus, nihil erit 19
 but indeed Titus if they-will-obey these laws nothing will-be
 iis urbe, nihil domo sua dulcius nec laboriosius
 to-them than-the-city nothing than-home their-own sweeter nor more-laborious
 molestiusque provincia.
 and-more-troublesome than-a-province
 Sed sequitur lex, quae sancit eam tribunorum plebis
 but follows the-law which sanctions that of-the-tribunes of-the-plebs
 potestatem, quae est in re publica nostra; de qua
 power which is in the-thing public our about which
 disseri nihil necesse est.
 to-be-discussed not-at-all necessary is

Q. At mehercule ego, frater, quaero, de ista potestate quid
 but by-Hercules I brother ask about that power what
 sentias. Nam mihi quidem pestifera videtur, quippe quae
 you-think for to-me indeed pestilent it-seems inasmuch-as which

in seditione et ad seditionem nata sit; cuius primum ortum
in sedition and for sedition born was whose first birth
 si recordari volumus, inter arma civium et occupatis et
if to-recall we-wish among the-arms of-citizens and seized and
 obsessis urbis locis procreatum videmus. Deinde quom
besieged of-the-city places begotten we-see then when
 esset cito necatus tamquam ex xii tabulis insignis
had-been quickly killed as-if by the-twelve tables marked
 ad deformitatem puer, brevi tempore nescio quo pacto
for deformity a-boy in-short time I-know-not in-what way
 recreatus multoque taetrior et foedior renatus est. Quid
revived and-by-much more-hideous and fouler reborn was what
 enim ille non edidit? qui primum, ut impio dignum
for he not brought-forth who first as for-an-impious-man worthy
 fuit, patribus omnem honorem eripuit, omnia infima
was from-the-fathers all honor snatched all-things lowest
 summis paria fecit, turbavit, miscuit; quom afflixisset
to-highest equal made disturbed confounded although he-had-struck-down
 principum gravitatem, numquam tamen conquievit.
of-the-leaders the-weight never still rested

- 20 Namque ut C. Flaminium atque ea, quae iam prisca
for that Gaius Flaminius and those-things which already ancient
 videntur propter vetustatem, relinquam, quid iuris bonis
seem on-account-of age I-may-leave what of-right to-good
 viris Ti. Gracchi tribunatus reliquit? etsi quinquennio
men of-Tiberius Gracchus the-tribunate left although five-years
 ante D. Brutum et P. Scipionem consules (quos et
before Decimus Brutus and Publius Scipio consuls what and
 quantos viros!) homo omnium infimus et sordidissimus,
how-great men a-man of-all lowest and most-sordid
 tribunus plebis C. Curiatius, in vincula coniecit, quod
tribune of-the-plebs Gaius Curiatius into chains threw which

ante factum non erat. C. vero Gracchi ruinis et iis
before done not had-been of-Gaius indeed Gracchus by-the-ruins and by-those
 siccis, quas ipse se proiecisce in forum dixit, quibus
daggers which be-himself himself to-have-thrown into the-forum said with-which
 digladiarentur inter se cives, nonne omnem rei
might-fight-to-the-death among themselves citizens did-not all of-the-thing
 publicae statum permutavit? Quid iam de Saturnino,
public constitution it-transform what now about Saturninus
 Sulpicio, reliquis dicam? quos ne depellere quidem a se
Sulpicius the-rest shall-I-say whom not to-drive-off even from itself
 sine ferro potuit res publica.

without steel could the-thing public

Cur autem aut vetera aut aliena proferam potius
why moreover either old or foreign should-I-bring-forward rather
 quam et nostra et recentia? Quis umquam tam audax,
than both our and recent who ever so bold
 tam nobis inimicus fuisset, ut cogitaret umquam
so to-us hostile would-have-been that he-would-think ever
 de statu nostro labefactando, nisi mucronem aliquem
about condition our overthrowing unless the-point some
 tribuniciū exacuisset in nos? quem quom homines
tribunician he-had-sharpened against us which when men
 scelérati ac perditī non modo ulla in domo, sed nulla in
criminal and desperate not only any in house but no in
 gente reperirent, gentes sibi in tenebris rei publicae
clan could-find clans for-themselves in the-darkness of-the-thing public
 perturbandas putaverunt. Quod nobis quidem egregium
to-be-thrown-into-confusion they-thought which for-us indeed remarkable
 et ad immortalitatem memoriae gloriosum, neminem in
and for immortality of-memory glorious no-one against

21

nos mercede ulla tribunum potuisse reperiri, nisi cui
us by-pay any tribune to-have-been-able to-be-found except to-whom
 ne esse quidem licuisset tribuno.
not to-be even had-been-allowed a-tribune

- 22 Sed ille quas strages edidit! eas videlicet, quas sine
but he what havoc brought-about that evidently which without
 ratione ac sine ulla spe bona furor edere potuit
reason and without any hope good madness to-bring-about could
 impurae beluae multorum inflammatus furoribus. Quam
of-a-foul beast of-many inflamed by-the-madnesses which
 ob rem in ista quidem re vehementer Sullam
on-account-of reason in that indeed matter strongly Sulla
 probo, qui tribunis plebis sua lege iniuriae faciendae
I-approve who from-tribunes of-the-plebs by-his-own law of-wrong of-doing
 potestatem ademerit, auxilii ferendi reliquerit, Pompeiumque
the-power took-away of-help of-bringing left and-Pompey
 nostrum ceteris rebus omnibus semper amplissimis summisque
our in-other things all always with-most-ample and-highest
 ecfero laudibus, de tribunicia potestate taceo; nec enim
I-extol praises about tribunician power I-am-silent nor for
 reprehendere libet nec laudare possum.
to-criticize it-pleases nor to-praise can

Cicero replies that listing only faults is unfair, since the consulship too could be condemned that way. The tribunate has evils, but its good could not be had without them. The people's violence is fiercer without a leader, who at least weighs his own danger, and among ten tribunes one is usually sane; Tiberius Gracchus fell by deposing a colleague who vetoed him. The ancestors were wise: once the plebs had this power, arms were laid down, and the humbler felt equal to the leading men, which saved the state.

M. Vitia quidem tribunatus praeclare, Quinte, perspicis, 23
the-vices indeed of-the-tribunate clearly Quintus you-see
 sed est iniqua in omni re accusanda praetermissis bonis
but is unfair in every thing to-be-accused passed-over goods
 malorum enumeratio vitiorumque selectio; nam isto quidem
of-evils the-enumeration and-of-vices selection for in-that indeed
 modo vel consulatus vituperari potest, si consulum, quos
way even the-consulship to-be-blamed can if of-consuls whom
 enumerare nolo, peccata collegeris. Ego enim fateor
to-enumerate I-am-unwilling the-faults you-shall-have-collected I for admit
 in ista ipsa potestate inesse quiddam mali; sed bonum, quod
in that very power to-be-in something of-evil but the-good which
 est quaesitum in ea, sine isto malo non haberemus. —
is sought in it without that evil not we-would-have
 Nimia potestas est tribunorum plebis. — Quis negat? sed
excessive the-power is of-the-tribunes of-the-plebs who denies but
 vis populi multo saevior multoque vehementior, quae
the-force of-the-people by-much more-savage and-by-much more-violent which
 ducem quod habet, interdum lenior est, quam si nullum
a-leader because it-has sometimes milder is than if none

haberet. Dux enim suo se periculo progredi cogitat,
it-had the-leader for at-his-own himself risk to-advance considers
 populi impetus periculi rationem sui non habet. —
of-the-people the-impulse of-danger account its-own not has

- 24 At aliquando incenditur. — Et quidem saepe sedatur. Quod
but sometimes it-is-inflamed and indeed often it-is-calmed what
 enim est tam desperatum collegium, in quo nemo e decem
for is so desperate a-college in which no-one of ten
 sana mente sit? Quin ipsum Ti. Gracchum non solum
of-sound mind is nay himself Tiberius Gracchus not only
 neglectus, sed etiam sublatus intercessor evertit; quid enim
disregarded but also removed the-vetoer overthrew what for
 illum aliud perculit, nisi quod potestatem intercedenti collegae
him else struck-down except that the-power from-vetoing colleague
 abrogavit? Sed tu sapientiam maiorum in illo vide: Concessa
he-took-away but you the-wisdom of-the-ancestors in that see granted
 plebei a patribus ista potestate arma ceciderunt, restincta
to-the-plebs by the-fathers that power arms fell extinguished
 seditio est, inventum est temperamentum, quo tenuiores cum
sedition was found was a-balance by-which the-humbler with
 principibus aequari se putarent; in quo uno fuit civitatis
the-leaders to-be-equalled themselves might-think in which alone was of-the-state
 salus. — At duo Gracchi fuerunt. — Et praeter eos quamvis
the-safety but two Gracchi there-were and besides them however-much
 enumeres multos licet, quom deni creentur, non
you-may-enumerate many it-is-allowed since ten-at-a-time are-elected not
 nullos in omni memoria reperies perniciosos tribunos, leves
none in all memory you-will-find ruinous tribunes fickle
 etiam, non bonos fortasse plures; invidia quidem summus ordo
even not good perhaps more from-envy indeed the-highest order
 caret, plebes de suo iure periculosas contentiones nullas facit.
is-free the-plebs about its-own right dangerous contentions none makes

Either the kings should never have been expelled or the plebs had to be given real liberty, tempered by wise institutions. Cicero's exile had nothing to do with the tribunate: freed prisoners, stirred-up slaves, and military terror drove him out, and he yielded to a crisis for the state's sake. Pompey saw not only what was best but what was necessary, since a people that craved an unknown power could not do without it once known. Quintus is unpersuaded, and Atticus agrees with him.

Quam ob rem aut exigendi reges non fuerunt aut 25
which on-account-of reason either to-be-expelled kings not were or
 plebi re, non verbo danda libertas; quae tamen
to-the-plebs in-substance not in-word to-be-given liberty which still
 sic data est, ut multis institutis praeclarissimis adduceretur,
so given was that by-many institutions most-splendid it-was-induced
 ut auctoritati principum cederet. Nostra autem causa,
that to-the-authority of-the-leaders it-should-yield our moreover case
 quae, optume et dulcissime frater, incidit in tribuniciam
which best and sweetest brother fell into tribunician
 potestatem, nihil habuit contentionis cum tribunatu; non
power nothing had of-contention with the-tribunate not
 enim plebes incitata nostris rebus invidit, sed vincula soluta
for the-plebs roused our fortunes envied but chains loosed
 sunt et servitia concitata adiuncto terrore etiam militari.
were and slaves stirred-up added terror also military
 Neque nobis cum illa tum peste certamen fuit, sed cum
nor for-us with that then plague contest was but with
 gravissimo rei publicae tempore, cui nisi cesissem, non
most-grave of-the-thing public crisis to-which unless I-had-yielded not
 diuturnum beneficii mei patria fructum tulisset. Atque
lasting of-service my the-fatherland fruit would-have-borne and

haec rerum exitus indicavit; quis enim non modo liber, sed
this of-events the-outcome showed who for not only free but
 servus libertate dignus fuit, cui nostra salus cara non esset?
slave of-liberty worthy was to-whom our safety dear not was

- 26 Quodsi is casus fuisset rerum, quas pro salute rei
but-if that the-fortune had-been of-the-deeds which for the-safety of-the-thing
 publicae gessimus, ut non omnibus gratus esset, et si nos
public we-did that not to-all pleasing it-was and if us
 multitudinis furentis inflammata invidia pepulisset tribuniciaque
of-the-multitude raging inflamed envy had-driven-out and-tribunician
 vis in me populum, sicut Gracchus in Laenatem,
force against me the-people as Gracchus against Laenas
 Saturninus in Metellum, incitasset, ferremus, o Quinte
Saturninus against Metellus had-roused we-would-bear-it O Quintus
 frater, consolarenturque nos non tam philosophi, qui Athenis
brother and-would-console us not so-much the-philosophers who at-Athens
 fuerunt, qui hoc facere debent, quam clarissimi viri, qui illa
were who this to-do ought as most-famous men who from-that
 urbe pulsi carere ingrata civitate quam manere in inproba
city driven to-lack an-ungrateful state than to-remain in a-wicked-one
 maluerunt. Pompeium vero quod una ista in re non ita valde
preferred Pompey but because one that in matter not so greatly
 probas, vix satis mihi illud videris attendere, non solum
you-approve scarcely enough to-me that you-seem to-attend-to not only
 ei, quid esset optimum, videndum fuisse, sed etiam quid
for-him what was best to-be-seen to-have-been but also what
 necessarium. Sensit enim deberi non posse huic civitati
necessary be-perceived for to-be-owed not to-be-able to-this state
 illam potestatem; quippe quam tanto opere populus noster
that power inasmuch-as which with-so-great effort people our
 ignotam expetisset, qui posset carere cognita? Sapientis autem
unknown had-sought how could-it lack known of-the-wise moreover

civis fuit causam nec perniciosam et ita popularem, ut
 citizen it-was a-cause neither ruinous and so popular that

non posset obsisti, perniciose populari civi non relinquere.
 not could to-be-resisted ruinously to-a-popular citizen not to-leave

Scis solere, frater, in huius modi sermone, ut transiri
 you-know to-be-customary brother in of-this kind conversation that to-be-passed
 alio possit, dici 'Admodum' aut 'Prorsus ita est.'

elsewhere can to-be-said quite or wholly so it-is

Q. Haud equidem adsentior, tu tamen ad reliqua pergas
 not indeed I-agree you still to the-rest proceed

velim.

I-would-wish

M. Perseveras tu quidem et in tua vetere sententia permanes.
 you-persist you indeed and in your old opinion you-remain

ATT. Nec mehercule ego sane a Quinto nostro dissentio,
 nor by-Hercules I truly from Quintus our disagree

sed ea, quae restant, audiamus.

but those-things which remain let-us-hear

IX · THE SENATE'S AUTHORITY

Every magistrate receives auspices, whose delays hinder useless assemblies, and jurisdiction, so that the people hold a power of appeal. A senate drawn from former magistrates is popular, since no one reaches it except through the people, but its authority tempers this: its decrees are binding. With power in the people and authority in the senate the state stays harmonious, if the senate is free of vice. Quintus says that needs a censor, Atticus that it would exhaust every censor; Cicero answers that the law is for future senators, formed by education.

- 27 M. Deinceps igitur omnibus magistratibus auspicia et
next therefore to-all magistrates auspices and
 iudicia dantur, iudicia, ut esset populi potestas, ad
jurisdictions are-given jurisdictions that there-might-be of-the-people a-power to
 quam provocaretur, auspicia, ut multos inutiles comitiatus
which appeal-might-be-made auspices that many useless assemblies
 probabiles inpedirent morae; saepe enim populi impetum
plausible might-binder delays often for of-the-people the-impulse
 iniustum auspiciis di immortales represserunt. Ex iis autem,
unjust by-auspices the-gods immortal have-checked of those moreover
 qui magistratum ceperunt, quod senatus efficitur, populare
who office have-taken that the-senate is-made popular
 est sane neminem in summum locum nisi per populum
is surely no-one into the-highest place except through the-people
 venire sublata cooptatione censoria. Sed praesto est huius vitii
to-come removed cooption censorial but at-hand is of-this fault
 temperatio, quod senatus lege nostra confirmatur auctoritas;
the-tempering that of-the-senate by-law our is-confirmed the-authority
- 28 sequitur enim: Eius decreta rata sunt. Nam ita se res
follows for its decrees valid let-be for so itself the-thing
 habet, ut, si senatus dominus sit publici consilii, quodque is
has that if the-senate master be of-public counsel and-what it
 creverit, defendant omnes, et, si ordines reliqui principis
shall-have-decreed defend all and if the-orders remaining of-the-chief
 ordinis consilio rem publicam gubernari velint, possit ex
order by-the-counsel the-thing public to-be-steered wish can from
 temperatione iuris, quom potestas in populo, auctoritas in
the-tempering of-right when power in the-people authority in
 senatu sit, teneri ille moderatus et concors civitatis status,
the-senate is to-be-held that moderate and harmonious of-the-state constitution

praesertim si proximae legi parebitur. Nam proximum est:
especially if the-next law will-be-obeyed for next is

Is ordo vitio careto, ceteris specimen esto.

that order from-vice let-be-free for-the-rest a-model let-be

Q. Praeclara vero, frater, ista lex, sed et late patet, ut
splendid indeed brother that law but both widely extends that
 vitio careat ordo, et censorem quaerit interpretem.

from-vice be-free the-order and a-censor requires as-interpret

ATT. Ille vero, etsi tuus est totus ordo gratissimamque 29

that indeed although yours is whole order and-most-grateful
 memoriam retinet consulatus tui, pace tua dixerim, non
memory retains of-consulship your by-leave your I-would-say not
 modo censores, sed etiam iudices omnes potest defatigare.

only censors but also judges all can exhaust

M. Omitte ista, Attice; non enim de hoc senatu nec his
let-go those-things Atticus not for about this senate nor these
 de hominibus, qui nunc sunt, sed de futuris, si qui forte
about men who now are but about future-ones if any perhaps
 his legibus parere voluerint, haec habetur oratio. Nam

these laws to-obey shall-have-wished this is-held speech for

quom omni vitio carere lex iubeat, ne veniet quidem

since from-every vice to-be-free the-law orders not will-come even

in eum ordinem quisquam vitii particeps. Id autem difficile

into that order anyone of-vice partaking that however difficult

factu est nisi educatione quadam et disciplina; de qua

to-do is except by-education a-certain and training about which

dicemus aliquid fortasse, si quid fuerit loci aut temporis.

we-shall-say something perhaps if any there-shall-be of-place or of-time

The senate is to be a model to the rest, and if that holds, everything holds, for a state takes on its leaders' vices and virtues. Lucullus defended his lavish villa by pointing to his neighbors' but they only copied him. The worst harm of leaders' sins is the many who imitate them: as the leading men change, the people change. This is truer than Plato's view that states change with music. Vicious leaders harm more by example than by their faults, and a few prominent men can corrupt or correct a people.

- 30 ATT. Locus certe non deerit, quoniam tenes ordinem
 place surely not will-be-lacking since you-hold the-order
 legum, tempus vero largitur longitudo diei. Ego autem,
 of-the-laws time indeed grants the-length of-the-day I moreover
 etiamsi praeterieris, repetam a te istum de
 even-if you-shall-have-passed-over will-reclaim from you that about
 educatione et de disciplina locum.
 education and about training topic
- M. Tu vero et istum, Attice, et si quem alium
 you indeed both that Atticus and if any other
 praeteriero. Ceteris specimen esto. Quod si tenemus,
 I-shall-have-passed-over for-the-rest a-model let-be which if we-hold
 tenemus omnia. Ut enim cupiditatibus principum et vitiis
 we-hold all-things as for by-the-desires of-leaders and vices
 infici solet tota civitas, sic emendari et corrigi
 to-be-tainted is-wont the-whole state so to-be-amended and to-be-corrected
 continentia. Vir magnus et nobis omnibus amicus, L.
 by-self-restraint a-man great and to-us all friendly Lucius
 Lucullus, ferebatur, quasi commodissime respondisset, quom
 Lucullus was-reported as-if most-aptly be-bad-answered when
 esset obiecta magnificentia villae Tusculanae, duo se
 had-been reproached the-magnificence of-villa Tusculan two himself

habere vicinos, superiorem equitem Romanum, inferiorem
to-have neighbors the-upper a-knight Roman the-lower
 libertinum; quorum quom essent magnificae villae, concedi
a-freedman of-whom since were magnificent villas to-be-granted
 sibi oportere, quod iis, qui inferioris ordinis essent,
to-himself to-be-proper what to-those who of-lower rank were
 liceret. Non vides, Luculle, a te id ipsum natum, ut
was-allowed not you-see Lucullus from you that itself sprung that
 illi cuperent? quibus id, si tu non faceres, non liceret.
they desired to-whom that if you not did not was-allowed
 Quis enim ferret istos, quom videret eorum villas signis 31
who for would-bear those when he-saw their villas with-statues
 et tabulis refertas, partim publicis, partim etiam sacris et
and paintings stuffed partly public partly even sacred and
 religiosis? quis non frangeret eorum libidines, nisi illi ipsi,
consecrated who not would-break their lusts unless they themselves
 qui eas frangere deberent, cupiditatis eiusdem tenerentur? Nec
who them to-break ought of-desire the-same were-held nor
 enim tantum mali est peccare principes, quamquam est magnum
for so-much of-evil is to-sin leaders although it-is great
 hoc per se ipsum malum, quantum illud, quod permulti
this through itself it-itself evil as that that very-many
 imitatores principum existunt. Nam licet videre, si velis
imitators of-leaders arise for it-is-allowed to-see if you-wish
 replicare memoriam temporum, qualescumque summi civitatis
to-unroll the-memory of-times of-whatever-sort the-highest of-the-state
 viri fuerint, talem civitatem fuisse; quaecumque mutatio
men were such the-state to-have-been whatever change
 morum in principibus extiterit, eandem in populo secutam.
of-morals in leaders has-appeared the-same in the-people followed

32 Idque haud paulo est verius, quam quod Platoni nostro
and-that not by-a-little is truer than what to-Plato our
 placet, qui musicorum cantibus ait mutatis mutari civitatum
pleases who of-musicians songs says changed to-be-changed of-states
 status; ego autem nobilium vita victuque mutato mores
the-constitutions I however of-nobles life and-living changed the-morals
 mutari civitatum puto. Quo perniciosius de re publica
to-be-changed of-states think by-which more-ruinously of the-thing public
 merentur vitiosi principes, quod non solum vitia concipiunt
deserve faulty leaders because not only vices conceive
 ipsi, sed ea infundunt in civitatem, neque solum obsunt,
themselves but them pour into the-state nor only harm
 quod ipsi corrumpuntur, sed etiam quod corrumpunt,
because themselves are-corrupted but also because corrupt
 plusque exemplo quam peccato nocent. Atque haec lex
and-more by-example than by-sin do-damage and this law
 dilatata in ordinem cunctum coangustari etiam potest; pauci
extended to order whole to-be-narrowed also can few
 enim atque admodum pauci honore et gloria amplificati
for and very few with-honor and glory enlarged
 vel corrumpere mores civitatis vel corrigere possunt. Sed
either to-corrupt the-morals of-the-state or to-correct can but
 haec et nunc satis et in illis libris tractata sunt
these-things both now enough and in those books treated have-been
 diligentius. Quare ad reliqua veniamus.
more-carefully wherefore to the-rest let-us-come

The law on votes follows: known to the best men, free to the people. Cicero shares Quintus' view that open voting is best, but asks whether it can be maintained. Quintus replies that yielding to the people is the error: the ballot laws destroyed the authority of the best men and gave corrupt votes a hiding place. He names three of the four: the Gabinian, by an unknown and sordid man; the Cassian, by a noble courting popularity; and Carbo's, by a seditious citizen.

Proximum autem est de suffragiis, quae iubeo nota esse 33
 next moreover is about votes which I-order known to-be
 optimatibus, populo libera.

to-the-best-men to-the-people free

ATT. Ita mehercule attendi nec satis intellexi, quid sibi
 so by-Hercules I-attended nor enough understood what for-itself
 lex aut quid verba ista vellent.

the-law or what words those wished

M. Dicam, Tite, et versabor in re difficili ac multum
I-will-tell Titus and I-shall-be-engaged in a-matter difficult and much
 et saepe quaesita, suffragia in magistratu mandando ac de
and often inquired votes in office to-be-entrusted and about
 reo iudicando sciscendaque in lege aut rogatione clam
a-defendant to-be-judged and-to-be-enacted in a-law or a-bill secretly
 an palam ferri melius esset.

or openly to-be-cast better were

Q. An etiam id dubium est? vereor, ne a te rursus
 or even that doubtful is I-fear lest from you again
 dissentiam.

I-disagree

M. Non facies, Quinte. Nam ego in ista sum sententia, qua
not you-will-do-so Quintus for I in that am opinion in-which
 te fuisse semper scio, nihil ut fuerit in suffragiis voce
you to-have-been always I-know nothing that has-been in votes than-voice
 melius; sed obtineri ne ea non possint, videndum est.
better but to-be-maintained whether those not can to-be-seen is

34 Q. Atqui, frater, bona tua venia dixerim, ista sententia maxime
and-yet brother by-good your leave I-would-say that opinion most
 et fallit imperitos et obest saepissime rei publicae, quom
both deceives the-unskilled and harms very-often to-the-thing public when
 aliquid verum et rectum esse dicitur, sed obtineri, id est
something true and right to-be is-said but to-be-maintained that is
 obsisti posse populo, negatur. Primum enim obsistitur,
to-be-resisted to-be-able to-the-people is-denied first for it-is-resisted
 quom agitur severe, deinde vi opprimi in bona causa
when it-is-dealt severely then by-force to-be-overwhelmed in a-good cause
 est melius quam malae cedere. Quis autem non sentit omnem
is better than to-a-bad to-yield who moreover not perceives all
 auctoritatem optimatum tabellariam legem abstulisse? quam
authority of-the-best-men ballot law to-have-taken-away which
 populus liber numquam desideravit, idem oppressus dominatu
the-people free never wanted the-same oppressed by-domination
 ac potentia principum flagitavit. Itaque graviora iudicia de
and power of-leaders demanded and-so weightier judgments about
 potentissimis hominibus extant vocis quam tabellae. Quam
most-powerful men survive of-voice than of-ballot which
 ob rem suffragandi nimia libido in non bonis causis
on-account-of reason of-voting excessive lust in not good causes
 eripienda fuit potentibus, non latebra danda populo,
to-be-snatched-away was from-the-powerful not a-hiding-place to-be-given to-the-people
 in qua bonis ignorantibus, quid quisque sentiret, tabella
in which the-good not-knowing what each thought the-ballot

vitiosum occultaret suffragium. Itaque isti rogationi neque
faulty should-hide vote and-so for-that bill neither
 lator quisquam est inventus nec auctor umquam bonus.
proposer any was found nor sponsor ever good
 Sunt enim quattuor leges tabellariae, quarum prima de 35
are for four laws ballot of-which the-first about
 magistratibus mandandis. Ea est Gabinia, lata ab homine
magistracies to-be-entrusted that is Gabinian carried by a-man
 ignoto et sordido. Secuta biennio post Cassia est de
unknown and sordid followed two-years after the-Cassian has about
 populi iudiciis a nobili homine lata, L. Cassio, sed, pace
of-the-people judgments by a-noble man carried Lucius Cassius but by-leave
 familiae dixerim, dissidente a bonis atque omnis rumusculos
of-the-family I-would-say disagreeing from the-good and all gossip
 populari ratione aucupante. Carbonis est tertia de iubendis
by-popular method hunting of-Carbo is the-third about ordering
 legibus ac vetandis, seditiosi atque inprobi civis, cui ne
laws and forbidding of-a-seditious and wicked citizen to-whom not
 reditus quidem ad bonos salutem a bonis potuit adferre.
return even to the-good safety from the-good could bring

XII · VOTES KNOWN TO THE BEST

Gaius Coelius extended the ballot to treason trials and regretted it all his life, and Cicero's grandfather fought Gratidius' ballot law at Arpinum. Quintus urges Cicero to propose what is best, not what the people will accept. Cicero grants the people the ballot as a pledge of liberty, provided it is shown and freely offered to the best citizens, and his law repeals the laws that hide the vote. The people keep the appearance of liberty, the good keep their authority, and the cause of strife is removed.

- 36 Uno in genere relinqui videbatur vocis suffragium, quod ipse
one in kind to-be-left seemed of-voice the-vote which himself
 Cassius exceperat, perduellionis. Dedit huic quoque iudicio C.
Cassius had-excepted of-treason gave to-this also trial Gaius
 Coelius tabellam doluitque, quoad vixit, se, ut opprimeret
Coelius the-ballot and-grieved as-long-as he-lived himself that he-might-crush
 C. Popilium, nocuisse rei publicae. Et avus
Gaius Popilius to-have-harmed to-the-thing public and grandfather
 quidem noster singulari virtute in hoc municipio, quoad vixit,
indeed our of-singular virtue in this town as-long-as he-lived
 restitit M. Gratidio, cuius in matrimonio sororem, aviam
resisted Marcus Gratidius whose in marriage sister grandmother
 nostram, habebat, ferenti legem tabellariam; excitabat enim
our he-had proposing a-law ballot stirred-up for
 fluctus in simulo, ut dicitur, Gratidius, quos post filius eius
waves in a-ladle as is-said Gratidius which afterward son his
 Marius in Aegaeo excitavit mari. Ac nostro quidem †qui quom
Marius in the-Aegean stirred-up sea and to-our indeed who when
 res esset ad se delata, M. Scaurus consul: 'Utinam',
the-matter had-been to himself reported Marcus Scaurus consul would-that
 inquit, 'M. Cicero, isto animo atque virtute in summa re
says Marcus Cicero with-that spirit and virtue in the-highest thing
 publica nobiscum versari quam in municipali maluisses!'
public with-us to-be-engaged than in municipal you-had-preferred
- 37 Quam ob rem, quoniam non recognoscimus nunc
which on-account-of reason since not we-review now
 leges populi Romani, sed aut repetimus ereptas aut novas
the-laws of-the-people Roman but either we-seek-back snatched or new
 scribimus, non quid hoc populo obtineri possit, sed quid
we-write not what with-this people to-be-maintained can but what
 optimum sit, tibi dicendum puto. Nam Cassiae legis culpam
best is by-you to-be-said I-think for of-the-Cassian law the-blame

Scipio tuus sustinet, quo auctore lata esse dicitur. Tu

Scipio your bears by-whom as-sponsor carried to-have-been it-is-said you

si tabellariam tuleris, ipse praestabis; nec enim mihi

if a-ballot-law shall-have-proposed yourself will-answer-for-it nor for to-me

placet nec Attico nostro, quantum e vultu eius intellego.

it-pleases nor to-Atticus our as-far-as from face his I-understand

ATT. Mihi vero nihil umquam popolare placuit, eamque

to-me indeed nothing ever popular has-pleased and-that

optimam rem publicam esse dico, quam hic consul

best thing public to-be I-say which this-man as-consul

constituerat, quae sit in potestate optimorum.

had-established which is in the-power of-the-best

M. Vos quidem, ut video, legem antiquastis sine tabella. 38

you indeed as I-see the-law have-rejected without ballot

Sed ego, etsi satis dixit pro se in illis libris Scipio,

but I although enough said for himself in those books Scipio

tamen ita libertatem istam largior populo, ut auctoritate

still so liberty that grant to-the-people that by-authority

et valeant et utantur boni. Sic enim a me recitata

both may-prevail and may-use the-good so for by me recited

lex est de suffragiis: Optimatibus nota, plebi libera

the-law has-been about votes to-the-best-men known to-the-plebs free

sunto. Quae lex hanc sententiam continet, ut omnes leges

let-be which law this meaning contains that all laws

tollat, quae postea latae sunt, quae tegunt omni ratione

it-removes which afterward carried were which cover in-every way

suffragium, ne quis inspiciat tabellam, ne roget, ne appellet;

the-vote lest anyone inspect the-ballot lest he-ask lest he-address

pontes etiam lex Maria fecit angustos.

the-bridges even the-law Marian made narrow

- 39 Quae si opposita sunt ambitiosis, ut sunt fere, non
which if opposed are to-the-self-seeking as they-are generally not
 reprehendo; sin ꝑvaluerint tamen leges ut ne sim
I-criticize but-if shall-have-prevailed still the-laws that not I-be
 ambitus, habeat sane populus tabellam quasi vindicem
of-corruption let-have surely the-people the-ballot as-it-were champion
 libertatis, dum modo haec optimo cuique et gravissimo
of-liberty provided only this to-best each and weightiest
 civi ostendatur ultroque offeratur, ut in eo sit ipso libertas,
citizen be-shown and-willingly be-offered that in that be itself liberty
 in quo populo potestas honeste bonis gratificandi datur.
in which to-the-people power honorably to-the-good of-obliging is-given
 Eoque nunc fit illud, quod a te modo, Quinte, dictum
and-by-that now happens that which by you just-now Quintus said
 est, ut minus multos tabella condemnet, quam solebat vox,
was that less many the-ballot condemns than was-wont the-voice
 quia populo licere satis est. Hoc retento reliqua
because for-the-people to-be-allowed enough is this retained the-remaining
 voluntas auctoritati aut gratiae traditur. Itaque, ut omittam
will to-authority or to-favor is-handed-over and-so that I-may-omit
 largitione corrupta suffragia, non vides, si quando ambitus
by-largest corrupted votes not you-see if ever corruption
 sileat, quaeri in suffragiis, quid optimi viri sentiant?
be-silent to-be-sought in votes what the-best men think
 Quam ob rem lege nostra libertatis species datur,
which on-account-of reason by-law our of-liberty the-appearance is-given
 auctoritas bonorum retinetur, contentionis causa tollitur.
the-authority of-the-good is-retained of-contention the-cause is-removed

Proceedings before the people and senate must be moderate, since the speaker shapes his hearers' minds and even their faces. A senator must attend, speak in his turn, and be brief, speaking at length only to block a harmful decree or when a great cause needs eloquence, as Cato did. He must know the state: its soldiers, treasury, allies, and precedents. Violence is to be absent from assemblies, the veto obeyed, and the presiding officer held responsible for disorder, as Crassus argued. Augurs must stand ready to serve the state.

Deinde sequitur, quibus ius sit cum populo agendi aut 40
 then follows to-whom the-right be with the-people of-dealing or
 cum senatu; tum gravis et, ut arbitror, praeclara lex: Quae
 with the-senate then weighty and as I-think splendid law what-things
 cum populo quaeque in patribus agentur, modica sunt, id
 with the-people and-what among the-fathers shall-be-dealt moderate let-be that
 est modesta atque sedata; actor enim moderatur et fingit
 is modest and calm the-mover for governs and shapes
 non modo mentem ac voluntates, sed paene vultus eorum,
 not only mind and wills but almost faces of-those
 apud quos agit. Quod est in senatu non difficile, est enim
 among whom he-deals which is in the-senate not difficult it-is for
 ipse senator is, cuius non ad auctorem referatur animus, sed
 himself a-senator one whose not to a-sponsor is-referred mind but
 qui per se ipse spectari velit. Huic iussa tria sunt:
 who through himself he-himself to-be-regarded wishes to-him orders three are
 ut adsit; nam gravitatem res habet, quom frequens
 that he-be-present for weight the-matter has when full
 ordo est; ut loco dicat, id est rogatus: ut modo, ne
 the-order is that in-turn he-speak that is asked that in-measure not
 sit infinitus; nam brevitatem non modo senatoris, sed etiam
 he-be endless for brevity not only of-a-senator but also

oratoris magna laus est in sententia. Nec est umquam
of-an-orator great praise is in a-motion nor is ever
 longa oratione utendum, nisi aut peccante senatu (quod
long speech to-be-used unless either erring the-senate which
 fit ambitione saepissime) nullo magistratu adiuvante
happens through-canvassing very-often no magistrate helping
 tolli diem utile est, aut quom tanta causa est, ut opus
to-be-used-up the-day useful is or when so-great the-case is that need
 sit oratoris copia vel ad hortandum vel ad docendum;
be of-the-orator for-fullness either for exhorting or for teaching
 quorum generum in utroque magnus noster Cato est.
of-which kinds in each great our Cato is

- 41 Quodque addit: causas, populi teneto, est senatori
and-what it-adds the-cases of-the-people let-hold is for-a-senator
 necessarium nosse rem publicam (idque late patet: quid
necessary to-know the-thing public and-that widely extends what
 habeat militum, quid valeat aerario, quos socios res
it-has of-soldiers what it-avails in-treasury what allies the-thing
 publica habeat, quos amicos, quos stipendiarios; qua
public has what friends what tributaries by-what
 quisque sit lege, condicione, foedere), tenere consuetudinem
each is law condition treaty to-hold the-custom
 decernendi, nosse exempla maiorum. Videtis iam genus
of-decreeing to-know the-precedents of-the-ancestors you-see now kind
 hoc omne scientiae, diligentiae, memoriae, sine quo paratus
this all of-knowledge of-diligence of-memory without which prepared
 esse senator nullo pacto potest.
to-be a-senator in-no way can

- 42 Deinceps sunt cum populo actiones, in quibus primum
next are with the-people proceedings in which first
 et maximum: Vis abesto. Nihil est enim exitiosius
and greatest force let-be-absent nothing is for more-destructive

civitatibus, nihil tam contrarium iuri ac legibus, nihil
to-states nothing so contrary to-right and laws nothing
 minus et civile et humanum quam composita et constituta
less both civil and humane than settled and established
 re publica quicquam agi per vim. Parere iubet
the-thing public anything to-be-done through force to-obey it-orders
 intercessori, quo nihil praestantius; inpediri enim bonam
the-vetoer than-which nothing more-excellent to-be-hindered for a-good
 rem melius quam concedi malae.

thing better than to-be-yielded to-a-bad
 Quod vero actoris iubeo esse fraudem, id totum dixi ex
that indeed of-the-mover I-order to-be the-blame that whole I-said from
 Crassi, sapientissimi hominis, sententia; quem est senatus
of-Crassus most-wise man the-opinion whom has the-senate
 secutus, quom decrevisset C. Claudio consule de Cn.
followed when it-had-decreed Gaius Claudius consul about of-Gnaeus

Carbonis seditione referente invito eo, qui cum populo
Carbo the-sedition reporting unwilling him who with the-people
 ageret, seditionem non posse fieri, quippe cui
was-dealing sedition not to-be-able to-happen inasmuch-as to-whom
 liceat concilium, simul atque intercessum turbarique
it-is-allowed the-assembly as-soon as vetoed and-to-be-disturbed
 coeptum sit, dimittere. Quod qui permovet, quom agi
begun it-has to-dismiss which who stirs-up when to-be-done
 nihil potest, vim quaerit, cuius impunitatem amittit hac lege.
nothing can force seeks whose impunity he-loses by-this law

Sequitur illud: Intercessor rei malae salutaris civis esto.
follows that the-vetoer of-a-thing bad a-saving citizen let-be
 Quis non studiose rei publicae subvenerit hac tam
who not zealously to-the-thing public would-aid by-this so
 praeclara legis voce laudatus?
splendid of-law voice praised

Sunt deinde posita deinceps, quae habemus etiam in publicis
are then placed next what we-have also in public
 institutis atque legibus: Auspicia servant, auguri parento.
institutions and laws auspices let-them-observe to-the-augur let-them-obey
 Est autem boni auguris meminisse se maximis rei
is moreover of-a-good augur to-remember himself in-the-greatest of-the-thing
 publicae temporibus praesto esse debere, Iovique optimo
public crises at-hand to-be to-be-bound and-to-Jupiter best
 maximo se consiliarium atque administrum datum, ut sibi
greatest himself counselor and assistant given as to-him
 eos, quos in auspicio esse iusserit, caelique partes
those whom in the-auspice to-be he-shall-have-ordered and-of-heaven parts
 sibi definitas esse traditas, e quibus saepe opem
to-himself defined to-have-been handed-over from which often help
 rei publicae ferre possit. Deinde de promulgatione, de
to-the-thing public to-bring he-can then about promulgation about
 singulis rebus agendis, de privatis magistratibusve audiendis.
single matters to-be-dealt about private-men magistrates-or to-be-heard

XIV · LAWS AGAINST INDIVIDUALS

Two laws from the Twelve Tables forbid bills aimed at individuals and any proposal touching a citizen's life except before the centuries, where the people are arranged by rating, order, and age. So Lucius Cotta held that nothing lawful had been done about Cicero, whose exile an assembly of armed slaves had voted, though it seemed better that all Italy declare its judgment. Penalties must fit the offense: violence punished by death, greed by fines, ambition by disgrace. Rome keeps no guardians of its laws, as the Greeks did.

Tum leges praeclarissimae de duodecim tabulis translatae 44
then laws most-splendid from the-twelve tables transferred
 duae, quarum altera privilegia tollit, altera de capite
two of-which one laws-against-individuals removes the-other about the-life
 civis rogari nisi maximo comitiatu vetat. Et nondum
of-a-citizen to-be-proposed except in-the-greatest assembly forbids and not-yet
 inventis seditiosis tribunis plebis, ne cogitatis quidem,
invented seditious tribunes of-the-plebs not thought-of even
 admirandum tantum maiores in posterum providisse. In
to-be-admired so-much the-ancestors for the-future to-have-foreseen against
 privatos homines leges ferri noluerunt; id est enim
private men laws to-be-carried they-did-not-wish that is for
 privilegium; quo quid est iniustius? quom legis
a-law-against-an-individual than-which what is more-unjust since of-law
 haec vis sit: scitum et iussum in omnis. Ferri
this the-force is decree and order upon all to-be-carried
 de singulis nisi centuriatis comitiis noluerunt; discriptus
about individuals except in-centuriate assemblies they-did-not-wish arranged
 enim populus censu, ordinibus, aetatibus plus adhibet ad
for the-people by-rating by-orders by-ages more applies to
 suffragium consilii quam fuse in tribus convocatus.
the-vote of-judgment than diffusely in tribes called-together
 Quo verius in causa nostra vir magni ingenii summaque 45
by-which more-truly in case our a-man of-great talent and-of-highest
 prudentia, L. Cotta, dicebat nihil omnino actum esse
prudence Lucius Cotta used-to-say nothing at-all done to-have-been
 de nobis; praeter enim quam quod comitia illa essent armis
about us besides for than that assemblies those had-been with-arms
 gesta servilibus, praeterea neque tributa capitis comitia rata
conducted servile besides neither tribal of-life assemblies valid
 esse posse neque ulla privilegii; quocirca nihil
to-be to-be-able nor any of-a-law-against-an-individual wherefore nothing

nobis opus esse lege, de quibus nihil omnino actum esset
for-us need to-be of-a-law about whom nothing at-all done had-been
 legibus. Sed visum est et vobis et clarissimis viris melius,
by-laws but seemed-good it-was both to-you and to-most-famous men better
 de quo servi et latrones scivisse se aliquid dicerent,
about whom slaves and robbers to-have-enacted themselves something said
 de hoc eodem cunctam Italiam, quid sentiret, ostendere.
about this same the-whole Italy what it-thought to-show

- 46 Sequitur de captis pecuniis et de ambitu. Legesque quom
follows about taken moneys and about corruption and-laws since
 magis iudiciis quam verbis sancienda sint, adiungitur: Noxiae
more by-courts than by-words to-be-sanctioned are is-added to-the-offense
 poena par esto, ut in suo vitio quisque plectatur, vis capite,
penalty equal let-be that in his-own vice each be-punished violence with-life
 avaritia multa, honoris cupiditas ignominia sanciantur. Extremae
avarice with-fine of-honor desire with-disgrace be-sanctioned the-last
 leges sunt nobis non usitatae, rei publicae necessariae.
laws are to-us not customary for-the-thing public necessary
 Legum custodiam nullam habemus; itaque eae leges sunt, quas
of-laws guardianship none we-have and-so those laws are which
 apparitores nostri volunt; a librariis petimus, publicis litteris
attendants our wish from copyists we-seek in-public letters
 consignatam memoriam publicam nullam habemus. Graeci hoc
recorded record public none we-have the-Greeks this
 diligentius, apud quos νομοφύλακες creabantur, nec ii solum
more-carefully among whom law-guardians were-elected nor they only
 litteras (nam id quidem etiam apud maiores nostros erat), sed
the-letters for that indeed also among ancestors our was but
 etiam facta hominum observabant ad legesque revocabant.
also the-deeds of-men watched to and-the-laws recalled

The censors should guard the laws, and magistrates leaving office should render account before them, while prosecution in court stays open. Asked what follows, Cicero suggests the courts, but Atticus wants the law of the magistrates' powers, since many officials know only as much of their rights as their clerks allow. Cicero agrees to speak briefly, since Marcus Junius wrote at length on it to Atticus' father, and to treat natural right from his own reflection and Roman law as tradition left it. Here the text breaks off.

Haec detur cura censoribus, quandoquidem eos in re 47
this let-be-given care to-censors since them in the-thing
 publica semper volumus esse. Apud eosdem, qui magistratu
public always we-wish to-be before the-same who from-office
 abierint, edant et exponant, quid in magistratu
have-gone let-them-declare and set-forth what in office
 gesserint, deque iis censores praeiudicent. Hoc in Graecia
they-have-done and-about them the-censors prejudice this in Greece
 fit publice constitutis accusatoribus; qui quidem graves
is-done publicly appointed accusers who indeed weighty
 esse non possunt, nisi sunt voluntarii. Quocirca melius
to-be not can unless they-are voluntary wherefore better
 rationes referri, causamque exponi censoribus; integram
accounts to-be-rendered and-the-case to-be-set-forth to-censors intact
 tamen legi, accusatori iudicioque servari.
still for-law for-accuser and-for-trial to-be-preserved
 Sed satis iam disputatum est de magistratibus, nisi
but enough now discussed has-been about magistrates unless
 forte quid desideratis.
perhaps anything you-want

ATT. Quid? si nos tacemus, locus ipse te non admonet,
what if we are-silent the-topic itself you not admonishes
 quid tibi sit deinde dicendum?

what by-you is next to-be-said

M. Mihine? de iudiciis arbitror, Pomponi; id est enim
to-me about courts I-think Pomponius that is for
 iunctum magistratibus.

joined to-magistrates

48 ATT. Quid? de iure populi Romani, quem ad modum
what about the-law of-the-people Roman in-what to manner
 instituisti, dicendum nihil putas?

you-have-begun to-be-said nothing do-you-think

M. Quid tandem hoc loco est quod requiras?

what pray in-this place is which you-require

ATT. Egone? quod ignorari ab iis, qui in re publica
I that to-be-unknown by those who in the-thing public
 versantur, turpissimum puto. Nam ut modo a te dictum
are-engaged most-base I-think for as just-now by you said
 est leges a librariis peti, sic animadverto plerosque
was laws from copyists to-be-sought so I-notice most
 in magistratibus ignoratione iuris sui tantum sapere,
in offices from-ignorance of-right their-own so-much to-know
 quantum apparitores velint. Quam ob rem, si de
as-much-as attendants wish which on-account-of reason if about
 sacrorum alienatione dicendum putasti, quoniam de religione
of-rites alienation to-be-said you-thought since about religion
 leges proposueras, faciendum tibi est, ut magistratibus lege
laws you-had-proposed to-be-done by-you it-is that magistrates by-law
 constitutis de potestatum iure disputes.
established about of-powers the-right you-discuss

M. Faciam breviter, si consequi potuero; nam pluribus 49

I-will-do-it briefly if to-achieve I-shall-be-able for in-more

verbis scripsit ad patrem tuum M. Iunius sodalis perite

words wrote to father your Marcus Junius comrade skillfully

meo quidem iudicio et diligenter; nos autem de iure

in-my indeed judgment and carefully we moreover about the-right

naturae cogitare per nos atque dicere debemus, de iure

of-nature to-think by ourselves and to-speak ought about the-law

populi Romani quae relictæ sunt et tradita.

of-the-people Roman what left are and handed-down

ATT. Sic prorsum censeo et id ipsum, quod dicis, expecto.

so wholly I-judge and that itself which you-say I-await

