

# LEX

## On the Republic

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MARCUS TULLIUS CICERO

*Plain English Translation*

MOUSEIA

LEX

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*Plain English Translation*

Translated by Michael Berardi

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## THIS EDITION

All surviving text in Mueller's 1889 edition, including the Dream of Scipio and fragments. Machine-assisted Plain English directly from Latin, not from Musean or a historical English edition, with Latin-source model review. [...] marks loss; † marks a corrupt reading. In the Original, braces mark deleted words, which are not translated. Unidentified letter remnants remain in the Original.

## TRANSLATOR

Michael Berardi

## THE WORK

Written 54–51 BCE · Political philosophy

## SOURCE

Original text from the Perseus Digital Library.

## GAPS AND UNCERTAINTIES

Much of the six-book work is lost; complete means all surviving text in the pinned edition, not reconstruction. The source's discontinuous numbering and fragment suffixes are retained. No human specialist certification is claimed.

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Edition dated 29 October 2026

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# Book 1



## SECTION 1

### CHAPTER 1

[...] would have freed it from the attack. Nor would C. Duellius, A. Atilius, and L. Metellus have freed it from the terror of Carthage. The two Scipios wouldn't have put out the spreading fire of the Second Punic War with their own blood. When it flared up again with greater forces, Q. Maximus wouldn't have weakened it, M. Marcellus wouldn't have crushed it, and P. Africanus wouldn't have torn it away from this city's gates and driven it inside the enemy's walls. As for M. Cato, a man without a famous name or family background in high office, he certainly could have enjoyed a quiet life at Tusculum, a healthy spot close by. All of us with the same aims look to him as a model of hard work and good conduct. But this madman, as those people think him, preferred to be tossed about in these waves and storms into extreme old age, though nothing forced him to. He could instead have enjoyed a wonderfully pleasant life of peace and leisure. I'm leaving out countless men, each of whom saved this country. And since they aren't far removed from living memory, I'll stop naming them, so no one complains that I've left out either him or some-

one in his family. I insist on just this one point: nature has given human beings such a strong need to do good, and such a strong love of protecting everyone's safety, that this force has overcome every attraction of pleasure and leisure.

## SECTION 2

### CHAPTER 2

Nor is it enough to possess virtue, as if it were some skill, without using it. A skill can still be kept through knowledge alone even when you do not use it. Virtue, however, consists entirely in its use. Its greatest use is governing a state and carrying out in practice, not just in words, the very things these people preach in their corners. No sound and honorable statement made by philosophers fails to have its origin and confirmation in the people who established laws for communities. Where did devotion to duty come from, and who gave us religious practice? Where did the law of nations come from, or what we call civil law? Where did justice, trustworthiness, and fairness come from? What about decency, self-control, avoiding disgrace, and seeking praise and honor? What about courage in hardship and danger? Surely these came from the people who first shaped them through teaching, then reinforced some through custom and gave others the force of law.

## SECTION 3

They even tell us that Xenocrates, a particularly distinguished philosopher, was asked what his students gained from him. He answered that they learned to do willingly what the laws would force them to do. So the citizen who uses his authority and the penalties of law to make everyone do what philosophers can barely persuade a few people to do deserves preference even over the teachers who discuss these questions. What lecture of theirs is so polished that it should be ranked above a state well organized through public law and custom? Just as I think "great and powerful cities," as Ennius calls them, should rank above little villages and forts, so I think the people who guide those cities with their judgment and authority rank far above people with no part in public affairs, even in wisdom itself. We feel a particularly strong drive to increase the resources of the

human race. We work through our planning and effort to make human life safer and richer, and nature itself spurs us toward this satisfaction. So let us keep to the course that the best people have always followed. Let us not listen to the signals sounding a retreat, which aim to call back even those who have already advanced.

#### SECTION 4

### CHAPTER 3

Opponents answer these clear, solid arguments by first pointing to the hard work needed to defend the country. That's hardly an obstacle for anyone alert and hardworking. Even in ordinary studies, duties, or business, it should count for nothing, let alone in such great matters. Next they add the risks to life. They confront brave men with a shameful fear of death. Brave men usually think it's worse to let nature and old age wear them away. They'd rather have the chance to give their lives for their country above all. After all, they must give those lives back to nature anyway. But our opponents think they have plenty to say, and say it well, when they list famous men's misfortunes. They recount the wrongs these men suffered from ungrateful fellow citizens.

#### SECTION 5

That's why they bring up these Greek examples. Miltiades defeated and crushed the Persians, yet died in chains among his own citizens. He had survived the enemy's weapons. The wounds on the front of his body, received in that glorious victory, hadn't yet healed. Themistocles was driven out of the country he'd freed and frightened into flight. He didn't escape to the Greek harbors he'd saved. Instead, he sought shelter in the foreign lands he'd devastated. Examples aren't lacking of how fickle and cruel the Athenians were to their greatest citizens. These practices began and became common among them. We're told they even spilled over into our own very steady country;

#### SECTION 6

people point to Camillus's exile, the hostility Ahala faced, the resentment against Nasica, Laenas's expulsion, Opimius's conviction, Metellus's flight, the terrible disaster that struck C. Marius and the killing of leading citizens, or the deaths of many of those men that followed soon afterward. And now they don't even leave my name out. I suppose it's because they think my judgment and the risks I took kept them alive and at peace that they complain about me even more bitterly—and more lovingly. But I couldn't easily say why, when they themselves cross seas to study or see the sights [...]

#### SECTION 7

### CHAPTER 4

[...] I'd sworn it was safe, as I left office as consul, at a public meeting where the Roman people took the same oath. I could easily offset all the worry and distress caused by the wrongs done to me. In fact, my troubles brought more honor than hardship, and less distress than glory. The good people's longing for me gave me more joy than the bad people's delight gave me pain. But if things had turned out otherwise, as I said, how could I complain? In return for my great achievements, nothing had happened to me that I hadn't foreseen or that was worse than I'd expected. I could have gained more from a quiet life than other people, because of the varied pleasures of the studies I'd pursued since childhood. Or, if something especially harsh happened to everyone, I could have faced the same fate as the rest, rather than being singled out. Yet I didn't hesitate to face the fiercest storms, almost the lightning bolts themselves, to save my fellow citizens. By putting myself in danger, I won a peaceful life for everyone else.

#### SECTION 8

Our country did not give us birth and bring us up on the understanding that it would expect no support from us in return. It was not simply to serve our interests, providing a safe refuge for our leisure and a peaceful place to rest. Instead, it claims for its own use the greatest and largest share of our spirit, ability, and judgment. It leaves us for private use only as much as it can spare.

## SECTION 9

### CHAPTER 5

Then there are the excuses they fall back on to enjoy their leisure more easily. These certainly do not deserve a hearing. They say that the people who enter public life are generally worthless. Being compared with them is degrading, while fighting them is painful and dangerous, especially when the crowd has been stirred up. So, they say, a wise person should not take the reins when he cannot restrain the crowd's wild and uncontrolled impulses. Nor should a free person struggle against filthy, savage opponents and suffer the blows of their insults, or expose himself to wrongs that a wise person should not have to bear. As if good, brave, high-spirited people could have any better reason to enter public life than to avoid being ruled by the wicked, or having to watch those same people tear the state apart when they themselves cannot help it, however much they might wish to!

## SECTION 10

### CHAPTER 6

And who could ever accept this exception? They say a wise person won't take any part in government unless events and necessity force them. As if anyone could face a greater emergency than I did! What could I have done then if I hadn't been consul? And how could I have become consul without following the path I'd taken since childhood? That path took me, born into the equestrian class, to the highest office. So you can't help your country on the spot, or whenever you like, however great its danger. You must already hold a position that lets you do it.

## SECTION 11

There's something I always find especially strange in what educated people say. They claim they can't steer a ship on a calm sea, because they've never learned and have never bothered to find out how. Yet these same people

announce that they'll take the helm when the biggest waves rise. They openly say, and even take great pride in saying, that they've never learned and don't teach anything about how to set up or preserve governments. They think knowledge of these matters should be left to people with practical experience in that field, not to scholars and wise people. So how does it make sense for them to promise their services to the country only when necessity forces them to? They don't know how to govern when no emergency is pressing, which is much easier. Even if it were true that a wise person doesn't normally choose to take part in civic affairs, but would nevertheless accept that duty when circumstances forced them to, I'd still think they must not neglect this knowledge of public affairs. They need to have everything ready that they might someday have to use.

#### SECTION 12

### CHAPTER 7

I have discussed this at some length because in these books I have undertaken a discussion of the state. To keep that discussion from being pointless, I had first to remove people's hesitation about entering public life. Still, if anyone is influenced by the authority of philosophers, let them pay attention for a moment and listen to those with the greatest authority and reputation among the most learned people. Even those who took no part in government, I think, nevertheless performed a public service by their extensive inquiries and writings about the state. As for the seven whom the Greeks called wise men, I find that nearly all of them were deeply involved in public affairs. For there is no activity in which human virtue comes closer to divine power than founding new communities or preserving those already founded.

#### SECTION 13

## CHAPTER 8

On these matters, since we ourselves have had the good fortune both to achieve something worth remembering in public life and, in explaining political principles, a certain ability, not just through experience but also through a love of learning and teaching † we were authorities. By contrast, some earlier men were expert debaters but had no achievements to show. Others did well in public life but were poor at explaining things. Still, we aren't to introduce some new theory of our own invention. Instead, we must recall a discussion among our country's most distinguished and wisest men, all from one generation. Publius Rutilius Rufus once described it to you and me, when you were still a young man. We were together at Smyrna for several days. That discussion left out almost nothing of great importance for understanding matters of every kind.

### SECTION 14

## CHAPTER 9

This Publius Africanus, Paulus's son, had decided to stay in his gardens during the Latin Festival. Tuditanus and Aquilius were consuls. His closest friends had said they'd visit him often during those days. On the festival morning, Quintus Tubero, his sister's son, arrived first. Scipio greeted him warmly and was pleased to see him. "What brings you here so early, Tubero?" he asked. "This holiday gave you a really good chance to get on with your studies." He replied, "I can turn to my books at any time. They're never busy. But it's a real prize to catch you free, especially with the country in such turmoil." Scipio said, "You've caught me all right. But by Hercules, I'm less occupied with work than I am in my mind." He replied, "But you need to let your mind relax too. As we agreed, several of us are ready to spend all this free time with you, if it suits you." Scipio: "I'd be glad to. That way, we'll be reminded of our interest in learning for once."

### SECTION 15

## CHAPTER 10

He then said, “You’re inviting me, in a way, and giving me hope you’ll join in. So, Africanus, before the others arrive, shall we first look into that second sun reported in the senate? What exactly is it? Quite a few people say they’ve seen two suns, and they’re not unreliable people. So it’s less a question of refusing to believe them than of finding an explanation.” Scipio said, “If only we had our friend Panaetius with us! He’s always keen to investigate things, and especially things in the sky. Still, Tubero—I’ll tell you openly what I think—I don’t quite agree with our friend about this whole field. He makes firm claims about things we can barely even guess the nature of. He speaks as if he could see them with his own eyes or actually hold them in his hand. That’s another reason I usually think Socrates was wiser. He set aside all concerns like these. He said questions about nature either went beyond human reason or had nothing at all to do with human life.”

### SECTION 16

Then Tubero said, “Africanus, I don’t know why tradition says Socrates rejected all this kind of discussion. Supposedly, he only asked questions about how we live and behave. But who could we name as a more reliable source about him than Plato? In many passages of Plato’s books, Socrates speaks quite differently. Even when discussing behavior, virtues, or government, he tries to bring in numbers, geometry, and musical harmony, as Pythagoras did.” Then Scipio said, “That’s true. But Tubero, I believe you’ve heard about Plato’s travels after Socrates died. He first went to Egypt to learn, then hurried to Italy and Sicily. He wanted to learn all about Pythagoras’ discoveries. He spent much time with Archytas of Tarentum and Timaeus of Locri, and obtained notebooks from Philolaus. At that time, Pythagoras’ name still carried weight in those places. Plato devoted himself both to Pythagoras’ followers and to their studies. But he loved Socrates above everyone else and wanted to credit him with everything. So he combined Socrates’ charm and subtle conversation with Pythagoras’ hard-to-follow ideas and deep learning across so many fields.”

### SECTION 17

## CHAPTER 11

Scipio had just said this when he spotted L. Furius arriving unexpectedly. He greeted him, took his hand very warmly, and seated him on his own couch. P. Rutilius, who told us about this conversation, had arrived at the same time. Scipio greeted him too and asked him to sit beside Tubero. Then Furius said, "What are you all doing? Have we interrupted some conversation of yours by coming in?" "Not at all," Africanus replied. "You like exploring the very sort of subject Tubero started asking about a little earlier. Our friend Rutilius here sometimes explored questions like this with me even beneath Numantia's walls." "What subject had come up?" asked Philus. Scipio replied, "Those two sons. Philus, I'm keen to hear what you think about them."

### SECTION 18

## CHAPTER 12

He had just said this when a boy announced that Laelius was coming to see him and had already left home. Scipio put on his shoes and clothes and left his bedroom. After walking a little in the porch, he greeted Laelius as he arrived, along with his companions. They were Spurius Mummius, whom Scipio especially liked, and Laelius' sons-in-law, C. Fannius and Quintus Scaevola. These were well-educated young men, now old enough to be quaestors. After greeting them all, he turned back along the porch and put Laelius in the middle of the group. Their friendship had a sort of rule about this. On military service, Laelius honored Africanus like a god because of his outstanding military fame. At home, Scipio in turn treated Laelius like a father because he was older. They exchanged just a few words as they walked back and forth once or twice. Scipio was very pleased and grateful that they had come. Since it was winter, they agreed to sit in the sunniest part of the little lawn. As they were about to do this, M'. Manilius arrived. He was a man of sound judgment whom they all liked and loved. Scipio and the others greeted him very warmly, and he sat beside Laelius.

### SECTION 19

## CHAPTER 13

Then Philus said, “I don’t think their arrival means we need a different subject. Instead, we should look more closely at this one and say something worth their hearing.” At this Laelius said, “What were you discussing? What conversation have we interrupted?” Philus: “Scipio had asked me what I thought about the fact that two suns had been seen.” Laelius: “Really, Philus? We’re asking what happens in the sky. Does that mean we’ve already settled everything about our homes and our country?” Philus replied, “Doesn’t knowing what goes on at home matter to our households? Home isn’t the space our own walls enclose, but this whole universe. The gods gave it to us as a home and country to share with them. Besides, without knowing about these things, we must stay ignorant about many important matters. Learning about things and thinking about them is itself a pleasure to me. By Hercules, Laelius, it’s the same for you and everyone eager for wisdom.”

### SECTION 20

Then Laelius said, “I won’t stand in the way, especially since we are on holiday. But can we hear something, or have we arrived too late?” Philus: “Nothing has been discussed yet. Since the subject is still untouched, Laelius, I would gladly let you discuss it.” Laelius: “No, let us hear you—unless Manilius thinks we should draw up a court order between the two suns, allowing each to possess the sky on the same terms as before.” Then Manilius said, “Are you still making fun of that profession, Laelius? In the first place, you excel at it yourself. And without it, no one can know what belongs to him and what belongs to someone else. But we can deal with that later. For now, let us hear Philus. I see he is already being consulted on greater matters than I am, or Publius Mucius.”

### SECTION 21

## CHAPTER 14

Then Philus said, “I won’t bring you anything new, or anything I have thought up or discovered myself. I remember Gaius Sulpicius Gallus, a very learned man, as you know, being told that this same phenomenon had been seen. He happened to be visiting Marcus Marcellus, who had been consul with him, and asked for a model of the heavens to be brought out. Marcus Marcellus’s grandfather had taken it from the immensely rich and beautifully furnished city of Syracuse after capturing it, though he brought home nothing else from all that plunder. I had very often heard this model mentioned because of Archimedes’ fame, but I was not particularly impressed by its appearance. The other one, also made by Archimedes and placed by the same Marcellus in the Temple of Virtue, was more attractive and better known to the public.

### SECTION 22

But once Gallus began explaining how this machine worked, with such expert knowledge, I judged that the Sicilian’s genius went beyond what seemed humanly possible. Gallus said the invention of the other sphere, solid all the way through, was old. Thales of Miletus had first made it on a lathe. Later, Eudoxus of Cnidus, a pupil of Plato according to Gallus, marked that same sphere with constellations and stars fixed in the sky. Many years later, Aratus took all its patterns and markings from Eudoxus and described them in verse. He did this through a gift for poetry, not knowledge of astronomy. But that solid sphere couldn’t represent this other kind of model. This one included the movements of the sun, moon, and the five stars called wanderers, or rovers. The amazing thing about Archimedes’ invention was this. He had worked out how one turn could maintain their uneven, varied paths despite their very different movements. As Gallus moved this bronze model, the moon followed the sun. This took as many turns as it takes days in the actual sky. As a result, the same eclipse of the sun occurred in the model. And the moon then reached the point that was Earth’s shadow, when the sun opposite [...]

### SECTION 23

## CHAPTER 15

“[...] was that I liked the man myself. I also knew my father Paulus had thought very highly of him and loved him. I remember being in camp as a very young man, when my father was consul in Macedonia. Our army was troubled by religious worries and fear. On a clear night, the bright full moon had suddenly gone dark. He was our deputy commander then, about a year before he was elected consul. The next day, he didn’t hesitate to explain openly in camp that this wasn’t an omen. It had happened then and would always happen at fixed times. This happened whenever the sun was so placed that its light couldn’t reach the moon.” “Really?” said Tubero. “Could he teach this to men who were practically peasants? Did he dare say this to people with no education?” Scipio: “He certainly did, and with great [...] [...]”

### SECTION 24

neither an arrogant display nor a speech out of character for so serious a man. He achieved something important: he removed empty religious fear and terror from men who had been deeply troubled.

### SECTION 25

## CHAPTER 16

“People say Pericles explained something similar during that great war. The Athenians and Spartans were fighting each other with all their strength. He led his city in influence, speaking skill, and judgment. The sun went dark, darkness fell suddenly, and the Athenians were terribly afraid. He explained to his fellow citizens what he’d learned from Anaxagoras, whose student he’d been. This happens at a set time and must happen when the moon moves fully in front of the sun’s disk. So it doesn’t happen at every new moon, but it can only happen at a particular time during a new moon. By talking them through his reasons, he freed the people from fear. This explanation was new and unfamiliar then: the sun goes dark when the moon blocks it. They say Thales of Miletus was the first to recognize this. Later, our own Ennius knew it too. He writes that around the three hundred fiftieth year after Rome was founded,

On the Nones of June the moon blocked the sun, and night fell.

The calculations and skill involved are so great that earlier solar eclipses have been worked out from that date. We find it recorded in Ennius and the Great Annals. Those calculations go back to the eclipse on the Nones of Quinctilis, when Romulus was king. Even if nature carried Romulus off to a human death during that darkness, people say his fine qualities raised him to heaven.”

#### SECTION 26

### CHAPTER 17

Then Tubero said, “Do you see, Africanus, what seemed otherwise to you a little while ago, [...] [...], which others see. And what could someone who has studied these realms of the gods think impressive in human affairs? Or lasting, once he knows what’s eternal? Or glorious, once he’s seen how small the earth is—first the whole earth, then the part of it people live in—and how we, stuck in a tiny part of it and completely unknown to most peoples, still hope our name will fly and travel far and wide?

#### SECTION 27

“How lucky we should think a man who doesn’t count or describe these things as goods: land, buildings, livestock, and huge amounts of silver and gold! He sees that they offer little enjoyment, little use, and no secure ownership. Often, even the worst people own enormous amounts of them. Only he can truly claim everything as his own. His right isn’t that of a Roman citizen, but that of a wise person. It rests not on a civil contract, but on nature’s law, which applies to everyone. This law allows nothing to belong to anyone who doesn’t know how to handle and use it. He sees our military commands and consulships as necessary jobs, not things to want. They should be taken on to do a duty, not sought for rewards or fame. Finally, he can say about himself what my grandfather Africanus often said, as Cato writes: ‘I never do more than when I’m doing nothing. I’m never less alone than when I’m alone.’”

#### SECTION 28

“Who can really think that Dionysius did more when he worked in every way to rob his fellow citizens of their freedom than his fellow citizen Archimedes did when, apparently doing nothing, he made that very model? And surely people who have no one they want to talk to in the crowded Forum are more alone than those who, with no one watching, either talk to themselves or seem to attend a gathering of the most learned people as they enjoy their discoveries and writings. Who could think anyone richer than a person who lacks nothing that nature requires, or more powerful than one who obtains everything he wants? Who could be happier than someone free of every emotional disturbance, or more secure in his fortune than someone who owns things he can, as they say, carry away with him even from a shipwreck? What command, office, or kingdom could be better than looking down on all human affairs and regarding them as inferior to wisdom, while thinking about nothing but what is eternal and divine? Such a person is convinced that others are called human, but only those refined by the arts proper to humanity truly are human;

#### SECTION 29

“So I find that saying especially good, whether Plato said it or someone else did. They say a storm carried him from the open sea to an unfamiliar land and a deserted shore. The others were afraid because they didn’t know the place. He noticed some geometric shapes drawn in the sand. When he saw them, he called out for them to cheer up: he could see traces of human beings. Clearly, he judged that by the signs of learning, not the planted fields he saw. That’s why, Tubero, I’ve always liked learning, educated people, and these studies of yours.”

#### SECTION 30

### CHAPTER 18

Then Laelius said, “I certainly don’t dare answer those points, Scipio, and not so much you or Philus or Manilius. [...]

“[...] In his own father’s family there was that friend of ours, someone for him  
to take as a model,

‘A remarkably wise man, sharp Sextus Aelius,’

who was ‘remarkably wise’ and ‘sharp,’ as Ennius called him, not because he  
investigated things he would never find out, but because his answers freed  
the people who asked him from worry and trouble. Whenever he argued  
against Gallus’s studies, he always had these words of Achilles from  
Iphigenia on the tip of his tongue:

‘What good is watching the astronomers’ signs in the sky,

When a goat or a scorpion or some other beast’s name rises!

Nobody looks at what’s in front of their feet; they scan the reaches of the  
sky.’

And he also used to say—I listened to him a lot, and gladly—that Pacuvius’s  
Zethus was much too hostile to learning. He preferred Ennius’s Neoptolemus,  
who says he ‘wants to do philosophy, but in small doses; he doesn’t like doing it  
extensively.’ But if you’re so delighted with Greek studies, there are other fields  
more worthy of free citizens and wider in their reach, which we can apply to  
everyday life or even to government itself. Those subjects you’ve mentioned, if  
they’re worth anything at all, are worth this: they sharpen young people’s  
minds a little and, so to speak, prod them, so they can learn more important  
things more easily.”

## SECTION 31

## CHAPTER 19

Then Tubero said, “I don’t disagree with you, Laelius, but I’d like to know  
what you mean by more important things.” Laelius: “I’ll tell you, by Hercules,  
though you may look down on me for it. You’ve asked Scipio about those  
things in the sky, while I think we should look more closely into what’s right in  
front of our eyes. Why, I ask, does someone who is Lucius Paulus’s grandson,  
with this man as his uncle, born into a family of the highest standing and a state

as famous as ours, ask how two suns appeared, but not why one state has two senates and now almost two separate peoples? As you can see, Tiberius Gracchus's death—and, even before that, his whole approach as tribune—split a single people into two sides. Scipio's critics and those who envy him are still keeping one part of the senate at odds with you, under the leadership of Metellus and Publius Mucius. Publius Crassus and Appius Claudius started this, but their deaths haven't changed anything. And they won't let this man, the only one who can help, tackle these grave dangers: the allies and the Latins stirred up, treaties broken, the deeply divisive three-man commission plotting something new every day, and respectable men thrown into turmoil."

#### SECTION 32

"So, young men, if you'll listen to me, don't be afraid of a second sun. Either there can't be one, or let it be real, just as it seemed to be, provided it doesn't cause trouble. Either we can know nothing about such things or, even if we know all about them, that knowledge can't make us better or happier. But having a united senate and people is possible, and not having them united causes serious trouble. Here we know and see that the opposite is true: if we achieve that unity, we'll live both better and happier lives."

#### SECTION 33

### CHAPTER 20

Then Mucius said, "What do you think we should learn, then, Laelius, so we can achieve exactly what you're asking for?" Laelius: "The skills that let us be useful to our state. I think that's wisdom's finest service and the greatest proof—or duty—of virtue. So, to devote these holidays above all to discussions that will really help our state, let's ask Scipio to explain what he thinks is the best form of government. Then we'll look into other questions. Once we understand those, I hope we'll find our way to these very issues and work out how to deal with the problems facing us now."

#### SECTION 34

## CHAPTER 21

When Philus, Manilius, and Mummius had all strongly agreed with this [...]

### SECTION 34(fr1)

(Diom. GL I, p. 365 Keil) “There’s no model we’d rather have our state resemble.”

(Non. p. 85M, p. 289M) “So, if you don’t mind, bring your discussion down from the sky to matters closer to home.”

“[...] I wanted this not just because it was right that the state’s leading man should be the one to speak about the state, but also because I remembered how often you used to debate with Panaetius in front of Polybius, two Greeks with an exceptional knowledge of politics. You used to bring together many arguments and show that by far the best form of government was the one our ancestors had left us. Since you’re better prepared for that discussion, you’ll be doing all of us a favor—and let me speak for the others too—if you explain what you think about government.”

### SECTION 35

## CHAPTER 22

Then Scipio said, “I really cannot say that I usually think about any subject more intensely or carefully than the very one you are putting to me, Laelius. I see that every craftsman who excels at his own work thinks, plans, and cares about nothing except getting better at his particular craft. My parents and ancestors have left me just one task: looking after and running the state. Wouldn’t I be admitting that I was lazier than any craftsman if I put less effort into the greatest skill than they put into the smallest?”

### SECTION 36

“But I’m not satisfied with what Greece’s greatest and wisest men left us in writing on this question. Nor do I dare put my own views above theirs. So I ask you to listen to me in this light. I’m not completely unfamiliar with Greek thought. Nor do I put it above our own, especially on this subject. I’m just a

toga-wearing Roman, given a decent education through my father's care. I've been eager to learn since childhood. Still, experience and Roman teaching have taught me far more than books."

#### SECTION 37

### CHAPTER 23

Here Philus said, "No, by Hercules, Scipio, I don't doubt that no one has surpassed you in ability. And in experience of the greatest affairs of state, you've easily outdone everyone. We also know what studies you've always pursued. So if, as you say, you've also applied your mind to this organized field of study—this art, you might call it—I'm very grateful to Laelius. I expect what you say will be much richer than everything the Greeks have written." Then Scipio said, "You're certainly setting very high expectations for my speech. That's the heaviest burden anyone about to discuss important subjects can carry." And Philus said, "However high they are, you'll exceed them, as you always do. There's no danger you'll run out of things to say when you're discussing government."

#### SECTION 38

### CHAPTER 24

Here Scipio said, "I'll do what you want as well as I can. I'll begin the discussion by following a rule that I think we should use whenever we discuss anything, if we want to avoid confusion. Once we agree on what to call the subject we're examining, we should explain what that name means. Only when we've agreed on that should we begin the conversation. We can never understand what something is like until we've first understood what it is. So, since we're examining the state, let's first see what this thing we're examining actually is." Laelius agreed, and Africanus continued, "But in discussing something so clear and familiar, I won't go back to the basic starting points that scholars usually use in these matters. I won't begin with the first union of a man and a woman,

then move on to their children and family relationships, repeatedly defining what each thing is and all the ways its name is used. I'm speaking to men with good judgment who've served in the greatest state with the highest distinction, both in war and at home. So I won't let my speech overshadow the subject itself. I haven't taken this on to go through everything like a teacher, and I don't promise that no little detail will be left out of this conversation." Then Laelius said, "That's exactly the kind of discussion I'm looking forward to."

#### SECTION 39

### CHAPTER 25

"So," Africanus said, "a state is the people's business. But a people isn't just any collection of human beings gathered together in any way. It's a large group joined together by agreement on law and by shared interests. Their first reason for coming together isn't so much weakness as a natural tendency for human beings to gather together. Our species doesn't live alone or wander by itself. It's born in such a way that not even when everything is plentiful [...]"

#### SECTION 40fr

(August. epist. 138.10) "In a short time, a scattered and wandering crowd had become a community through harmony."

#### SECTION 41

### CHAPTER 26

"[...] certain seeds, so to speak, and no foundation could be found for either the other virtues or the state itself. These groups, then, formed for the reason I've explained, first settled in a particular place to make their homes. After enclosing it with the help of the terrain and their own labor, they called this cluster of buildings a town or city, marked out by shrines and public spaces. So every people—a large group of the kind I've described—every political community, which is a people organized, and every state, which, as I said, is the peo-

ple's business, needs some guiding judgment if it's going to last. That judgment must always be directed first toward the reason that brought the community into being.

#### SECTION 42

"Next, it must be assigned either to one person or to certain chosen people, or taken up by the whole population, everyone together. So when supreme control of everything belongs to one person, we call that person a king and that form of government a monarchy. When it belongs to chosen people, we say that the community is ruled by the judgment of its best citizens. A popular government, as it is called, is one in which everything belongs to the people. Any of these three kinds, if it maintains the bond that first joined people together in political association, is not perfect or, in my opinion, the best, but is nevertheless tolerable, though one may be better than another. For a fair and wise king, or chosen leading citizens, or even the people themselves—though that is the least desirable arrangement—can apparently maintain a reasonably stable condition, provided no injustice or selfish desires intervene.

#### SECTION 43

### CHAPTER 27

"But under kings, everyone else has too little share in the rights and decisions of the community. Under the rule of the best citizens, the population can hardly share in freedom, since it has no part in public decision-making or power. And when everything is managed by the people, however fair and restrained they may be, that very equality is unfair, since it recognizes no differences in standing. So even if Cyrus the Persian was an exceptionally just and wise king, I still don't think his state—the people's business, as I said before—was the most desirable kind, since it was governed by one man's nod and will. Even if the people of Massilia, who are under our protection, are governed with complete justice by chosen, leading citizens, their situation still has something like slavery

about it. And if the Athenians at certain times did away with the Areopagus and acted only through the people's votes and decrees, their state didn't retain its proper dignity, since they had no distinct levels of standing.

#### SECTION 44

### CHAPTER 28

"And I'm talking about these three forms of government when they aren't disrupted or mixed together, but each keeps its own form. Each has the faults I mentioned earlier, and then other destructive faults as well. Every one of these forms of government has a steep, slippery path to a closely related evil. Give that tolerable king—or, if you like, even lovable king—Cyrus, whom I'll single out, the freedom to change his disposition, and the utterly cruel Phalaris is just underneath. Rule by one man easily slides downhill into something like his rule. Close beside the government of Massilia by a few leading citizens lies the united faction of thirty men that once existed at Athens. And then the power of the Athenians themselves over everything, so we needn't look for others, having been turned to the mob's madness and lawlessness [...]

#### SECTION 45

### CHAPTER 29

"[...] the worst, and from this can grow either rule by the best citizens, or that tyrannical rule by a faction, or monarchy, or even, very often, government by the people. And from that, in turn, one of the kinds I mentioned earlier usually grows. There are remarkable cycles—rounds, you might call them—of change and reversal in governments. It takes a wise person to understand them. But to see them coming while steering a state, controlling its course and keeping it in your own hands, takes a truly great citizen, a man who's almost god-like. So I think a fourth kind of government deserves the strongest approval: a balanced blend of the three I described first."

#### SECTION 46

## CHAPTER 30

Then Laelius said: “I know that’s your view, Africanus. I’ve often heard you say so. Still, if you don’t mind, I’d like to know which of those three forms of government you think best. After all, it might offer some help with [...]”

### SECTION 47

## CHAPTER 31

“[...] Every state matches either the character or the wishes of its ruler. So freedom has no home except where the people hold the highest power. Nothing could be sweeter than freedom. And unless everyone has it equally, it isn’t even freedom. But how can freedom be equal? Never mind a kingdom, where slavery isn’t even hidden or in doubt. What about states where everyone is free only in name? People vote, hand out powers and public offices, and get courted and asked for support. But they give what they’d have to give even against their will. Others ask them for things they don’t have themselves. They have no share in power, public decision-making, or the decisions of handpicked judges. These depend on ancient family lines or money. But among a free people, as in Rhodes or Athens, there’s no citizen who [...]”

### SECTION 48

## CHAPTER 32

[...] one or more men had become richer and more powerful than the rest of the people. They say it then arose from these men’s contempt and arrogance, as the timid and weak gave way and submitted to the arrogance of the rich. But if peoples keep hold of their rights, they say that nothing is better, freer, or happier. The people control laws, trials, war, peace, treaties, every individual’s life, and property. They think this alone is properly called a commonwealth, that is, the people’s business. That is why the people’s business is usually freed from the control of kings and aristocrats. Free peoples, on the other hand, do not ask for kings or for the power and resources of aristocrats.

#### SECTION 49

“They also say we shouldn’t reject this whole form of government by a free people because of the faults of an unruly people. Nothing is more stable or secure than a united people that directs everything toward its own safety and freedom. Agreement comes most easily in a state where the same thing benefits everyone. Conflicts arise from differing interests, when different things suit different people. So when the senators held power, the state was never stable. Still less was it stable under kings, where, as Ennius says, ‘There’s no sacred partnership, and no trust.’ Now, law is the bond that holds a society of citizens together, and the rights established by law are equal. So what rights can hold a society of citizens together when its citizens don’t have equal standing? Even if we don’t want to equalize wealth, and everyone’s abilities can’t be equal, surely people who are citizens of the same state should have equal rights. After all, what is a state but a partnership in rights? [...] [...]

#### SECTION 50

### CHAPTER 33

“[...] They don’t even think other states should get the names they want for themselves. Why call a man ‘king,’ using the title of Jupiter the Best? He wants to dominate or hold power alone, ruling over an oppressed people. Why not call him a tyrant instead? A tyrant can be kind just as easily as harsh. So the difference for the people is whether their master is friendly or harsh. Either way, they can’t escape slavery. And how could Sparta ensure it had good, fair kings? This was when people thought its system of government was the best. Yet anyone born into the royal family had to be accepted as king. And who could stand the so-called ‘best men’? They gave themselves this name through their own elections, without the people’s consent. How is that man judged the best? By learning, skills, interests [...] [...]

#### SECTION 51

## CHAPTER 34

“[...] If it does this randomly, it’ll fall as quickly as a ship when a passenger chosen by lot takes the helm. But suppose a free people chooses whom to put in charge. It’ll choose the best people, if it wants to survive. Clearly, states depend for their survival on the judgment of the best people. Nature has made people with the best character and courage lead weaker people. It has also made weaker people want to obey the best. But they say people’s mistaken views have ruined this best form of government. People don’t understand good character: few have it, and few can judge or recognize it. They think men with wealth and plenty of resources, and men of noble birth, are the best. Because of this popular mistake, a few people’s wealth, not their character, begins to control the state. Those leaders cling fiercely to the name ‘best men.’ But they don’t have the real thing. Without judgment and a proper way of living and leading others, wealth, status, and power are shameful and full of overbearing pride. No state looks uglier than one where the richest people count as the best.”

### SECTION 52

“What could be finer than a state governed by excellence? The person who rules others is himself a slave to no desire. He has personally embraced all the things he trains his fellow citizens for and calls on them to do. He doesn’t impose laws on the people that he doesn’t obey himself. Instead, he holds up his own life as a law for his fellow citizens. If one man could adequately manage everything, there’d be no need for more. If everyone together could see what was best and agree on it, no one would look for specially chosen leaders. The difficulty of working out what to do shifted government from a king to several people; the people’s mistakes and recklessness shifted it from the masses to a few. So the best men took the middle position between one man’s limitations and the recklessness of the many. Nothing could be more balanced. With them looking after the state, the people must be as happy as can be, free from every worry or concern. They’ve entrusted their peace and quiet to others, whose job it is to protect it and never let the people think their leaders are neglecting their interests.

### SECTION 53

“For the equality of rights that free peoples embrace can’t be maintained (however unchecked and unrestrained peoples may be, they themselves single out many individuals for all kinds of favors, and they make sharp distinctions between people and their standing). And what they call equality is deeply unfair. When the same honor goes to the highest and the lowest—and every people is bound to have both—equality itself is deeply unfair. That can’t happen in states governed by the best. These, Laelius, and others along the same lines, are roughly the arguments usually offered by those who praise this form of government most.”

### SECTION 54

## CHAPTER 35

Then Laelius said, “What about you, Scipio? Which of those three do you like best?” Scipio: “You’re right to ask which of the three I like best. I don’t approve of any one on its own. I prefer a blend of all three to any single one. But if I had to choose one simple form, I’d choose rule by a king [...] [...] [...] is called here. The word ‘king’ sounds almost like a father’s title. He cares for his citizens as his own children, and works harder to keep them safe than [...] [...] [...] to be supported by the care of one man, the best and greatest.”

### SECTION 55

“The best men step forward. They claim that they can do this same thing better: several men will have more good judgment than one, they say, but the same fairness and loyalty. But look! The people shout at the top of their voices that they do not want to obey either one man or a few. Nothing is sweeter than freedom, even for wild animals. Everyone lacks it if they serve either a king or the best men. So kings attract us through affection, the best men through judgment, and peoples through freedom. When we compare them, it is difficult to choose which we want most.” Laelius: “I agree,” he said. “But we can hardly work out the rest if you leave this question unfinished.”

### SECTION 56

## CHAPTER 36

Scipio: “Then let’s follow Aratus. When he starts speaking about great matters, he thinks he should begin with Jupiter.” Laelius: “Which Jupiter? And what does this discussion have in common with that poem?” Scipio: “Just this,” he said, “that we should properly begin speaking with him. Everyone, educated or not, agrees he alone is king of all gods and humans—†to be polished.” “What?” said Laelius. And he replied, “What do you think, except what’s right in front of us? Perhaps heads of states set up these beliefs to help everyday life. People were to believe one king ruled in heaven. As Homer says, he shook all Olympus with a nod. He was also held to be everyone’s king and father. If so, this carries great weight, and many people back it up—if ‘many’ is a fair word for everyone. The nations agreed on this, plainly following their leaders’ decisions: nothing is better than a king. After all, they think one god’s will rules all the gods. Or perhaps we’ve learned that these beliefs rest on ignorant people’s mistakes and are like made-up stories. Then let’s listen to the teachers all educated people share, so to speak. It’s as if they saw with their own eyes what we barely grasp by hearing about it.” “Who are these men?” said Laelius. And he replied, “The men who studied the nature of everything and understood that this whole universe, by a mind [...] [...]”

### SECTION 58

## CHAPTER 37

[...] “But if you like, Laelius, I’ll give you witnesses who aren’t too ancient or at all barbarian.” Laelius: “Those are the ones I want,” he said. Scipio: “Then do you see that this city has been without kings for less than four hundred years?” Laelius: “Yes, less.” Scipio: “Well, is four hundred years a very long lifetime for a city and its people?” Laelius: “It’s barely grown up,” he said. Scipio: “So Rome had a king four hundred years ago?” Laelius: “Yes, and a proud one at that.” Scipio: “What about before him?” Laelius: “A very fair one, and then back in turn to Romulus. He was king six hundred years before our time.” Scipio: “So even he wasn’t all that long ago?” Laelius: “Not at all. And Greece

was already nearly old by then.” Scipio: “Tell me, Scipio, was Romulus king of barbarians?” Laelius: “The Greeks say everyone is either Greek or barbarian. If that’s right, I’m afraid he was king of barbarians. But suppose that name depends on people’s behavior, not their language. Then I think the Greeks are no less barbarian than the Romans.” And Scipio said, “But for our question, we’re not asking about their race. We’re asking what sort of people they were. Sensible people, not from long ago, wanted kings. So my witnesses are neither very ancient nor uncivilized and savage.”

#### SECTION 59

### CHAPTER 38

Then Laelius said, “I see you’ve got plenty of witnesses, Scipio. But like a good judge, I care more about arguments than witnesses.” Then Scipio said, “Then use your own experience as an argument, Laelius.” “What experience?” he asked. Scipio: “Any time you happened to notice you were angry with someone.” Laelius: “Yes, more often than I’d like.” Scipio: “Well, when you’re angry, do you let that anger rule your mind?” Laelius: “Certainly not, by Hercules,” he said. “I follow the example of Archytas of Tarentum. He once came to his country house and found everything done differently from his orders. He told his farm manager, ‘You miserable man! I’d have beaten you to death by now if I weren’t angry.’” “Very good,” said Scipio.

#### SECTION 60

“So Archytas clearly saw anger fighting against reason as a kind of rebellion in the mind. He was right, and he wanted judgment to calm it down. Add greed. Add the wish to rule. Add the wish for fame. Add cravings. Then you see this: if the mind has a king, just one thing will rule it—judgment. That’s the best part of the mind. When judgment rules, there’s no room for cravings, no room for anger, no room for rashness.” Laelius: “That’s right,” he said. Scipio: “So you approve of a mind arranged like that?” Laelius: “Yes, more than anything,” he said. Scipio: “Then you wouldn’t approve if judgment were driven out and cravings, which are endless, or fits of anger controlled everything?”

Laelius: "I'd find nothing more miserable than that mind, and nothing more miserable than a person with a mind like that." Scipio: "So you want every part of the mind under a king, ruled by judgment?" Laelius: "Yes, that's what I want." Scipio: "Then why aren't you sure what to think about government? If control is handed to several people, you can already see that there will be no ruling power. That power can only exist if it is one."

#### SECTION 61

### CHAPTER 39

Then Laelius said, "What difference is there, please, between one ruler and several, if the several are just?" Scipio replied, "Since I realized that my witnesses made little impression on you, Laelius, I will keep using you as a witness to prove what I say." "Me? How?" he asked. Scipio: "Because recently, when we were at your place at Formiae, I noticed you giving your household strict orders to obey one person." Laelius: "The manager, of course." Scipio: "Well, at home, are several people in charge of your business?" Laelius: "No, just one," he said. Scipio: "And does anyone else besides you govern the whole household?" Laelius: "Certainly not." Scipio: "Then why not admit that the same is true in the state, and that government by individuals is best, provided they are just?" Laelius: "You are bringing me close to agreement," he said.

#### SECTION 62

### CHAPTER 40

And Scipio said: "You'll agree even more, Laelius, if I move on to bigger matters. I'll leave aside comparisons—for example, that it's better to entrust a ship to one captain and a sick person to one doctor than to several, provided they're qualified in their fields." Laelius: "What bigger matters?" Scipio: "Well, don't you see that the outrageous behavior and arrogance of just one man, Tarquin, made these people hate the very title of king?" Laelius: "Yes, I do," he said. Scipio: "Then you also see something I expect to say more about as our

discussion goes on. Once Tarquin was driven out, the people exulted in freedom with a remarkable lack of restraint. Then innocent people were driven into exile. Then many people's property was plundered. Then consuls were appointed for a year at a time. Then the rods of office were lowered before the people. Then there were appeals to the people in every kind of case. Then the common people withdrew in protest more than once. In short, most things were done in a way that put everything in the people's hands." Laelius: "It's as you say," he said.

#### SECTION 63

"It certainly is," said Scipio, "in peaceful, quiet times. You can fool around when you've nothing to fear, as on a ship, or often even during a mild illness. But when the sea suddenly grows rough, someone on board begs one person for help. A sick person does the same when the illness grows worse. It's the same with our people. In peacetime, at home, they give orders and threaten even their own officials. They refuse orders, appeal to other officials, and appeal to the people. But in war they obey as if under a king. Safety matters more than getting their own way. In more serious wars, our people have even wanted one man to hold full power, without a colleague. The very name of these men shows the strength of their power. A dictator gets that name because he is 'named.' But in our books, Laelius, you see him called 'master of the people.'" Laelius: "I do," he said. And Scipio said, "So, wisely, those people of long ago [...]"

[...]

#### SECTION 64

### CHAPTER 41

[...] "When a people loses a just king, 'longing stays long in their hearts,' as Ennius says, 'after the death of an excellent king'; at the same time, among

Themselves they say, 'Romulus, godlike Romulus,'

‘What a guardian of your country the gods brought into the world in you!’

‘Father, founder, blood descended from the gods!’

They did not call the men they had justly obeyed owners or masters, or even kings. They called them guardians of their country, fathers, gods. And not without reason. What do they add?

You brought us into the world of light.

They believed that the king’s justice had given them life, honor, and distinction. Their descendants would have kept the same feelings if the kings had remained the same kind of men. But you see that one man’s injustice brought down that whole form of government.” Laelius: “I certainly do,” he said, “and I am eager to understand these cycles of change, not just in our state but in every state.”

## SECTION 65

### CHAPTER 42

And Scipio said, “Once I’ve explained what I think about the form of government I favor most, I’ll certainly need to discuss changes in government more closely, though I think such changes would be very hard to bring about in that state. But the first and surest change in kingship is this. Once a king starts acting unjustly, that form of government immediately disappears, and the very same man is now a tyrant. That’s the worst form of government, right next to the best. If the leading men overthrow him, as usually happens, the state takes on the second-best of the three forms. It has something like a royal council—that is, a fatherly council of leaders who look after the people’s interests. But if the people themselves kill or drive out the tyrant, they show more restraint, as long as they stay sensible and sane. They’re pleased with what they’ve done and want to protect the state they’ve set up themselves. But sometimes the people attack a just king or strip him of his kingship, or, as happens more often, get a taste of the leading men’s blood and put the whole state at the mercy of their own whims. Don’t imagine there’s any sea or fire so fierce that it wouldn’t be

easier to bring under control than a crowd running wild with arrogance. Then what Plato described so vividly happens—if I can manage to put it into Latin. That’s hard to do, but I’ll try.”

#### SECTION 66

### CHAPTER 43

“He says, ‘When the people’s insatiable throat is parched with thirst for freedom, and using bad servants, it has thirstily drunk freedom not moderately diluted but far too strong, then it pursues, accuses, and denounces its officials and leaders, calling them overbearing men, kings, and tyrants, unless they are very mild and indulgent and provide it with freedom in generous quantities.’ I think you know this passage.” Laelius: “I certainly know it very well,” he said.

#### SECTION 67

Scipio: “So here’s what follows: ‘The people attack those who obey their leaders and call them willing slaves. But officials who want to act like private citizens, and private citizens who make sure there’s no difference between a private citizen and an official, get lavish praise and honors. So in a state like this everything has to be full of freedom. Every private home must be free of anyone’s control, and this evil must reach even the animals. In short, fathers fear their sons, sons pay no attention to their fathers, and all shame disappears, so that they’re completely free. It makes no difference whether someone is a citizen or a foreigner. Teachers fear their students and flatter them, while students look down on their teachers. Young people take on the authority of their elders, and old people lower themselves to the games of the young so as not to seem unpleasant and tiresome to them. As a result, even slaves behave more freely, wives have the same rights as their husbands, and in all this freedom even dogs and horses, and donkeys too, charge about so freely that people have to get out of their way. So,’ he says, ‘this unlimited license leads to a final result: the citizens become so touchy and soft that if the slightest authority is brought to bear on them, they get angry and can’t stand it. That’s how they start ignoring the laws too, so that they won’t have any master at all.’”

## SECTION 68

### CHAPTER 44

Then Laelius said, “You’ve captured exactly what he said.” Scipio: “And now I’ll return to the man whose account I’m following. He says this excessive freedom, which they think is the only real freedom, is the root from which a tyrant grows. Too much power brings down the leading citizens. In the same way, freedom itself enslaves a people that’s too free. Things that thrive too much usually swing to the opposite extreme. This happens in weather, in crops, and in our bodies. *It* happens most of all in states. That excessive freedom ends in excessive slavery, both for peoples and for individuals. So this extreme freedom produces a tyrant and the harshest, most unjust slavery. These unruly, or rather savage, people usually choose a leader against the leading citizens, already beaten down and ousted. He’s bold and corrupt. He shamelessly hounds men who have often served the state well. He wins the people’s favor with other people’s property and his own. Because he faces threats as a private citizen, he’s given powers, and these are extended. Such leaders are even surrounded by bodyguards, as Pisistratus was at Athens. Finally, they become tyrants over the very people who raised them up. If good men overthrow them, as often happens, the state comes back to life. But if ruthless men do it, they form that clique, another set of tyrants. The same clique often emerges even from that highly praised rule by the best men. This happens when some fault leads those very leaders astray. So they snatch control of the state from each other like a ball. Tyrants take it from kings; leading citizens or the people take it from tyrants. Cliques or tyrants then take it from them. No form of government ever stays the same for long.”

## SECTION 69

## CHAPTER 45

“Since that is so, in my opinion kingship is by far the best of the three original forms. But better than kingship itself will be a balanced combination of the three best forms of government. I want the state to have a supreme, royal element; another part assigned and entrusted to the authority of leading men; and certain matters reserved for the people’s judgment and wishes. First, this constitution has a substantial measure of equality, which free people can hardly do without for long. Second, it has stability. Those original forms easily change into their opposite faults: the king becomes a master, the best men become a faction, and the people become a confused mob. The forms themselves also often change into new forms. But this hardly happens in a constitution that combines and blends them in proper measure, unless the leading men have serious faults. There is no reason for change when everyone is firmly placed in their proper position and there is nowhere below for them to plunge and fall.

### SECTION 70

## CHAPTER 46

“But I’m afraid, Laelius, and all of you, my very dear and wise friends, that if I stay on this subject any longer, I’ll sound like someone laying down rules and teaching, rather than thinking things through together with you. So I’ll move on to things everyone knows, but that we’ve been investigating for a long time. This is my judgment, my belief, and my firm claim: no state at all can compare, in its constitution, its organization, or its practices, with the one our fathers handed down to us after receiving it themselves from our ancestors. If you agree, since you wanted to hear from me too what you already knew for yourselves, I’ll show both what it’s like and why it’s the best. Once I’ve set out our own state as a model, I’ll try to apply to it everything I have to say about the best form of government. If I can keep to that and carry it through, I think I’ll have more than fulfilled the task Laelius has assigned me.”

### SECTION 71

## CHAPTER 47

Then Laelius said, “That’s certainly for you, Scipio—you alone. Who could speak better than you about our ancestors’ practices? Your own ancestors were so distinguished. Or about the best form of government? If we have that, who could then be more successful than you? No one could, even now. Or about planning for the future? You’ve removed this city’s two terrors and looked ahead for all time to come.”

BOOK 1

# Fragments of Uncertain Position



## SECTION 1

(Plin. Nat. praef. 7)

not for the greatest scholars either.

“I don’t want †Manius Persius to read this. I want Junius Congus to.”

## SECTION 2

(Non. p. 426M) So our country gives us more benefits and is an older parent than our father. We certainly owe it more thanks than we owe him.

## SECTION 3

(Non. p. 526M) “Nor would Carthage have had such great resources for nearly six hundred years without good judgment and discipline.”

## SECTION 4

(Non. p. 276M) “To get to know that habit of yours and your interest in conversation, by Hercules,” he said.

## SECTION 5

(Lactant. Div. Inst. 3.16.5) “Certainly all their discussion contains very rich sources of excellence and knowledge. Still, compared with their actions and achievements, I fear it may seem to have given people less useful work than

enjoyment.”

#### SECTION 6

(Arusianus Messius GL 7.457K) From which those men were calling away.

# Book 2



## SECTION 1

### CHAPTER 1

Everyone was burning with eagerness to listen, and Scipio began speaking like this: “This comes from old Cato, whom, as you know, I loved dearly and admired enormously. From my youth I devoted myself entirely to him, whether because of both my fathers’ opinion of him or because of my own enthusiasm. I could never get enough of his conversation. He had so much experience in government, which he’d handled both extremely well and for a very long time, at home and on campaign. There was such restraint in his speaking, such wit mixed with seriousness, such eagerness both to learn and to teach, and such a close match between his life and his words.

## SECTION 2

“He used to say that our state’s constitution was better than those of other states for this reason. In those states, generally one individual had established each commonwealth with his own laws and institutions. Minos did so for the Cretans, and Lycurgus for the Spartans. At Athens, where the constitution changed very often, it was Theseus, then Draco, then Solon, then Clisthenes, and then many others. Finally, when it was already drained of life and lying helpless, the learned Demetrius of Phalerum supported it. Our commonwealth,

on the other hand, was established by the abilities of many men, not one, and over several centuries and generations, not one man's lifetime. He said no mind had ever been great enough for anyone, at any time, to overlook nothing. Nor could all minds combined foresee enough at a single moment to cover everything without practical experience and the passage of time.

### SECTION 3

"So my discussion will now go back to the origin of the people, as he used to do. I am glad to use even Cato's own word. I will achieve my purpose more easily if I show you our commonwealth at birth, as it grew, as it reached adulthood, and when it became firm and strong, rather than inventing one myself, as Socrates does in Plato."

### SECTION 4

## CHAPTER 2

Once everyone had agreed, he said, "What state's beginnings are as clear and as familiar to everyone as this city's founding by Romulus? He was said to be the son of Mars. Let's accept the story people tell. It's not just old: our ancestors also had good reason to pass it down. They wanted men who served the community well to be thought divine by birth, not just in talent. The story goes, then, that soon after his birth, Amulius, king of Alba, ordered him abandoned by the Tiber with his brother Remus. The king feared for his throne. There a wild animal fed him at her teats. Shepherds took him in and raised him to a country life of hard work. They say that as he grew up, he outdid everyone in physical strength and fierceness of spirit. So everyone then living in the fields where this city stands today obeyed him willingly and gladly. He took command of their forces. Now, to move from stories to facts, he is said to have crushed Alba Longa, a strong and powerful city then. He is also said to have killed King Amulius."

### SECTION 5

### CHAPTER 3

“After winning this glory, he is said to have first planned to found a city after taking the auspices, and to establish a state securely. He chose an extraordinarily suitable site for the city. Anyone trying to plant a lasting state must give the most careful thought to this. He did not place it beside the sea. With his force of men, he could very easily have advanced into the territory of the Rutulians and Aborigines, or founded the city himself at the Tiber’s mouth, where King Ancus established a colony many years later. But this man of exceptional foresight understood and saw that coastal sites are not the most suitable for cities founded in the hope of lasting and gaining power. First, coastal cities face dangers that are not only numerous but also unseen.

#### SECTION 6

“Land gives advance warning of enemy arrivals, not just expected ones but sudden ones too. It offers many signs, almost making a crash and noise itself. No enemy can rush at us by land without our knowing he’s there. We can also tell who he is and where he’s from. But an enemy attacking by sea can be there before anyone even suspects he’s coming. And when he comes, he doesn’t show who he is, where he’s from, or even what he wants. In short, no sign lets us tell or judge whether he comes in peace or as an enemy.”

#### SECTION 7

### CHAPTER 4

“Coastal cities also suffer a certain corruption and change in their ways. They mix with new languages and teachings. Not only foreign goods but also foreign customs are imported, so nothing in their ancestral institutions can remain unchanged. Moreover, the inhabitants of these cities do not stay attached to their own homes. Their restless hopes and thoughts constantly carry them far from home. Even when they remain there physically, their minds live abroad and wander. Nothing did more to weaken Carthage and Corinth

over time, and eventually destroy them, than this wandering and scattering of their citizens. Their eagerness for trade and seafaring had made them abandon the cultivation of the fields and the practice of arms.

#### SECTION 8

“The sea also supplies many temptations to luxury that ruin states. Some are caught there; others are imported. Its beauty itself offers many temptations to expensive pleasures or lazy living. And what I said about Corinth might well be completely true of all Greece. The Peloponnese itself is almost entirely surrounded by sea. Apart from the people of Phlius, no one there has land that doesn’t touch the sea. Outside the Peloponnese, only the Aenianes, Doris, and the Dolopes are away from the sea. What should I say about the Greek islands? Waves surround them, and they almost float about themselves, along with their cities’ institutions and customs.”

#### SECTION 9

“These examples, as I said before, concern old Greece. But of the colonies the Greeks founded in Asia, Thrace, Italy, Sicily, and Africa, which one, apart from Magnesia alone, isn’t washed by the waves? Greece seems to form a sort of border stitched onto the lands of non-Greeks. Among the non-Greeks themselves, none had previously been seafarers except the Etruscans and Carthaginians—one for trade, the other for piracy. This clearly explains Greece’s troubles and upheavals, given those faults of coastal cities that I touched on very briefly just now. Still, these drawbacks come with one great advantage: whatever is produced anywhere can reach the city you live in by sea, and in return people can carry and send the produce of their own fields to whatever countries they want.

#### SECTION 10

### CHAPTER 5

“So how could Romulus have shown more inspired judgment in gaining the advantages of the sea while avoiding its drawbacks than by placing his city on the bank of a river that flows all year, runs steadily, and empties into the sea

in a broad stream? The city could receive from the sea whatever it needed and send back whatever it had to spare. By that same river it could not only †take in from the sea the goods most essential for food and everyday life, but also receive them when brought in from inland. It seems to me that even then he foresaw that this city would one day provide a seat and home for supreme power. A city could hardly have held such enormous power more easily anywhere else in Italy.

#### SECTION 11

### CHAPTER 6

“And who is so careless that he has not noticed and clearly understood the city’s natural defenses? Through the wisdom of Romulus and the other kings, the line and course of its wall were laid out along steep, rugged hills on every side. The one approach, between the Esquiline and Quirinal hills, was blocked by a huge earthwork and surrounded by an enormous ditch. The citadel was protected by the steep circuit of rock around it, almost as if the rock had been cut away. It remained safe and untouched even during that terrible storm of the Gauls’ arrival. He also chose a place with abundant springs, healthy despite being in an unhealthy region. The hills themselves catch the breezes and provide shade for the valleys.

#### SECTION 12

### CHAPTER 7

“He accomplished all this very quickly. He founded the city and ordered it to be called Rome after himself. To strengthen the new state, he adopted a novel and rather rough plan. Still, as a way to secure the strength of his kingdom and his people, it showed a great man who was already thinking far ahead. At the Consualia festival he ordered the abduction of young unmarried Sabine women from respectable families who’d come to Rome for the games, which he’d just established as an annual event in the circus. He married them into the most prominent families.

### SECTION 13

“When the Sabines went to war against the Romans because of this, and the fighting went back and forth with the outcome uncertain, he made a treaty with T. Tatius, king of the Sabines, at the pleading of the abducted women themselves. Under that treaty he admitted the Sabines as citizens, shared religious rites with them, and shared his rule with their king.

### SECTION 14

## CHAPTER 8

“After Tatius died, all the power returned to Romulus. With Tatius, he had selected leading men for the royal council. They were called ‘fathers’ out of affection. He had also divided the people into three tribes and thirty curiae, naming the tribes after himself, Tatius, and Lucumo, an ally of Romulus who had died in the battle with the Sabines. He named the curiae after the abducted Sabine women who had later pleaded for peace and a treaty. These arrangements had been made while Tatius was alive. Still, after Tatius was killed, Romulus ruled even more through the authority and advice of the fathers.

### SECTION 15

## CHAPTER 9

“After doing this, he first recognized and accepted what Lycurgus had recognized shortly before at Sparta. Cities are better governed and better ruled by a single king when the best citizens add their authority to his power. Supported and protected by this council—a kind of senate—he fought many highly successful wars against his neighbors. He took none of the spoils home himself, but kept making his citizens richer.”

### SECTION 16

“Then Romulus paid the closest attention to the auspices, a practice we still keep today, to the great benefit of the state. He himself founded the city after taking the auspices, and that was the beginning of the state. To assist him with

the auspices in every public undertaking, he appointed one augur from each tribe. He assigned the common people to the leading men as their clients—I'll consider later how useful that was—and kept them in line by imposing fines of sheep and cattle, not by force and executions. Wealth then consisted of livestock and landholdings, which is where the words *pecuniosi* and *locupletes*, both meaning 'wealthy,' came from.

#### SECTION 17

### CHAPTER 10

"And after Romulus had ruled for thirty-seven years and established these two outstanding supports for the state—the taking of omens and the senate—he gained such standing that, when the sun suddenly went dark and he disappeared, people thought he'd been given a place among the gods. No mortal has ever won that reputation without being famous for exceptional excellence.

#### SECTION 18

"This is all the more remarkable in Romulus's case. The others said to have become gods after being human lived in less educated times. That made stories easy to invent, since ignorant people were easily persuaded. But Romulus lived less than six hundred years ago, as we know. Writing and learning were already well established. All the old errors born of humanity's rough early life were gone. Greek records show that Rome was founded in the second year of the seventh Olympiad. If that's right, Romulus lived when Greece was already full of poets and musicians. People were less ready to believe stories, except about the distant past. The first Olympiad was established 108 years after Lycurgus began writing laws. Some confuse the names and think the same Lycurgus established it. Even the shortest estimates place Homer about thirty years before Lycurgus's time."

#### SECTION 19

"So we can see that Homer lived many years before Romulus. People were already educated, and the age itself was learned. There was hardly any room left for invention. Earlier ages accepted made-up stories, sometimes even ones put

together

#### SECTION 19(fr)

(August. C.D. 22.6) clumsily. But this more educated age rejected them. In particular, it laughed at anything that couldn't happen."

#### SECTION 20

"[...] his grandson through his daughter, as some have said. In the very year he died, Simonides was born, during the fifty-sixth Olympiad. This makes it easier to see when people believed Romulus had become immortal. Human life had already been long established, studied, and understood. But his gifts and courage were certainly so great that people believed Proculus Julius, a man from the country, about Romulus. They hadn't believed anything like it about any other human being for many centuries. The senators urged Proculus on, hoping to escape blame for Romulus's death. He is said to have told a public meeting that he'd seen Romulus on the hill now called the Quirinal. Romulus had told him to ask the people to build him a shrine on that hill. He said he was a god and was called Quirinus."

#### SECTION 21

### CHAPTER 11

"So don't you see how one man's planning not only brought a new people into being, but also, instead of leaving it crying in its cradle, left it already well grown and nearly ready for manhood?" Then Laelius said: "We certainly do. And we see that you've begun the discussion with a new approach, one that's nowhere to be found in Greek books. Their leading writer, whom no one has surpassed, took a plot of ground for himself on which to build a state just as he pleased. A splendid one, perhaps, but out of touch with people's lives and habits,

#### SECTION 22

"while the others discussed the different kinds of states and how they work without any definite example or model of government. You seem to me to be planning to do both. You've begun in a way that shows you'd rather credit oth-

ers with your own discoveries than invent things yourself, as Socrates does in Plato. You also give a reasoned explanation of things about the city's location that Romulus did by chance or out of necessity. And instead of letting your discussion wander, you keep it focused on one state. So go on as you've begun. As you take us through the remaining kings, I already feel as if I can see a fully developed state ahead."

#### SECTION 23

### CHAPTER 12

"So," Scipio said, "Romulus's senate consisted of the best men, whom the king himself had honored so highly that he wanted them called 'fathers' and their children 'patricians.' After Romulus's departure, this senate tried to govern the state itself without a king. The people would not tolerate it, and from then on never stopped demanding a king because they missed Romulus. The leaders wisely devised a new way of arranging an interregnum, unheard of among other nations. Until a definite king was announced, the state would neither be without a king nor have any one king for long. They would not let anyone hold power so long that he became either slower to give up command or more securely placed to keep it.

#### SECTION 24

"At that time, this new people nevertheless saw what Lycurgus of Sparta missed. He thought a king should not be chosen—if the matter really was within Lycurgus's power—but that anyone born from Hercules' line should be accepted, whatever sort of person he was. Our people, still country folk at that time, saw that they should look for the excellence and wisdom of a king, not his ancestry.

#### SECTION 25

## CHAPTER 13

“Since Numa Pompilius was said to stand out for these qualities, the people themselves passed over their own citizens and, on the senators’ recommendation, chose a foreigner as their king. They summoned him, a Sabine, from Cures to Rome to rule. When he arrived here, although the people had ordered that he should be king through a vote in the assembly of the curiae, he still personally proposed a law in that assembly to grant him command. When he saw that Romulus’s example had fired the Romans with enthusiasm for war, he thought they needed to be drawn back a little from that habit.

### SECTION 26

## CHAPTER 14

“First, he divided the land Romulus had captured in war among the citizens, giving each man a share. He taught them that by farming they could have plenty of everything, without laying waste to land or plundering it. He gave them a love of quiet and peace, which most readily strengthen justice and good faith, and offer the best protection for farming and gathering crops. This same Pompilius introduced the higher forms of taking omens and added two augurs to the existing number. He also put five pontiffs, chosen from the leading men, in charge of religious rites. By laying down the laws we have in our records, and through religious ceremonies, he calmed spirits fired by the habit of war and the desire to fight. He also added the flamen priests, the Salian priests, and the Vestal Virgins, and gave every part of religion the most sacred standing.

### SECTION 27

“He wanted the proper performance of the rites themselves to require great care, but their equipment to be very simple. He laid down many things to be thoroughly learned and observed, but they cost nothing. So he added effort to religious practice and removed expense. He also established markets, games, and every kind of occasion for gatherings and public celebrations. Through these institutions he brought people’s minds, already made savage and fierce by enthusiasm for war, back to civilized and gentle ways. He ruled for thirty-nine

years in complete peace and harmony. Let us follow our friend Polybius above all, since no one investigated dates more carefully. Then he died, having firmly established two outstanding supports for the state's lasting survival: religion and kindness.

#### SECTION 28

### CHAPTER 15

After Scipio had said this, Manilius asked, "Is it really recorded, Africanus, that King Numa was a student of Pythagoras himself, or at least a follower of his teaching? We've often heard this from older people. We understand that it's the common belief. Yet we don't find it firmly established by the official records." Then Scipio said, "The whole story is false, Manilius. It's not just made up, but made up ignorantly and absurdly. The really intolerable lies are the ones we can see aren't just invented, but couldn't possibly have happened. We find that Pythagoras reached Sybaris, Croton, and that part of Italy when Lucius Tarquinius Superbus was already in his fourth year as king. The sixty-second Olympiad marks both the start of Superbus's reign and Pythagoras's arrival."

#### SECTION 29

"Counting up the years of the kings' reigns shows that Pythagoras first reached Italy about 140 years after Numa's death. People who have studied the yearly records most carefully have never had any doubt about this." Manilius said, "Immortal gods! What a great mistake people have made, and for how long! Still, I am quite happy that our education came not from skills imported from overseas but from good qualities native to our own country."

#### SECTION 30

## CHAPTER 16

“And you will see that much more clearly,” Africanus said, “if you watch our state develop and reach its best form by a kind of natural progress. In fact, you will decide that our ancestors’ wisdom deserves praise for this very reason: you will see that even many things borrowed from elsewhere were made much better here than they had been in the places they came from, where they first appeared. You will see that the Roman people grew strong not by chance but through planning and training, though fortune did not work against them.”

### SECTION 31

## CHAPTER 17

“After King Pompilius died, the people elected Tullus Hostilius king in the assembly of the curiae, on the motion of the interim king. Following Pompilius’s example, he asked the people, voting by curiae, to authorize his command. He gained outstanding military fame and achieved great things in war. With the spoils he also built and enclosed the assembly place and the senate house. He established rules for declaring war. This was an entirely just invention in itself, and he gave it religious force through the fetial priests. Any war that had not been announced and formally declared was to be considered unjust and offensive to the gods. Notice how wisely even our kings understood that some powers had to be given to the people—we will have a great deal to say about this. Tullus did not even dare to use the royal insignia without the people’s permission. For, to obtain permission for twelve lictors carrying the rods of office to walk in front of him [...]

[...]”

### SECTION 33

## CHAPTER 18

“[...] In the account you’ve begun, the state isn’t crawling toward its best form. It’s flying there.” Scipio: “After him, the people made Ancus Marcius king. He was Numa Pompilius’s grandson through his daughter. He too had the curiate assembly pass a law granting his command. After defeating the Latins in war, he made them citizens. He also added the Aventine and Caelian hills to the city. He divided up the land he’d captured and made all the coastal forests he’d taken public property. He founded a town at the mouth of the Tiber and strengthened it with settlers. He died after ruling for twenty-three years.” Then Laelius said, “That king deserves praise too. But Roman history is obscure: we know that king’s mother, yet don’t know his father.” Scipio: “That’s right,” he said. “But from those times, it’s mostly just the kings’ names that are well known.”

### SECTION 34

## CHAPTER 19

“But this seems to be when learning from abroad first made the community better educated. What flowed into our city from Greece wasn’t a little stream. It was a huge river of Greek learning and skills. They say a man called Demaratus of Corinth was by far his city’s leading man in status, influence, and wealth. Unable to bear Cypselus, the tyrant of Corinth, he is said to have fled with a large sum of money. He went to Tarquinii, a most prosperous city in Etruria. When he heard that Cypselus’s rule was becoming firmly established, this free and brave man fled his homeland. The people of Tarquinii made him a citizen, and he settled down and made his home there. With a wife from Tarquinii, he had two sons. He gave them a Greek education in all the arts [...]

[...]”

### SECTION 35

## CHAPTER 20

[...] “had been readily accepted as a citizen, his culture and learning made him a close friend of King Ancus. He was thought to share in all his plans and almost to be his partner in ruling. He was also extremely friendly and very generous to all the citizens, offering his resources, help, and protection, and even gifts. So, when Marcius died, Lucius Tarquinius was unanimously elected king by the people. That was how he had changed his Greek name: he appeared to follow this people’s customs in every way. Once he had brought forward a law authorizing his command, his first act was to double the former number of senators. He called the original senators members of the greater families, and asked them for their opinions first; those he himself had added he called members of the lesser families.”

### SECTION 36

“He then organized the cavalry in the form still kept today. He wanted to change the names Titienses, Rhamnenses, and Luceres, but couldn’t. Attus Navius, a highly respected augur, wouldn’t approve. I see that the Corinthians, too, once carefully managed the assignment and feeding of publicly owned horses. They paid for this through taxes on orphans and widows. Still, he added a second set of cavalry units to the original ones. This doubled their number, bringing the cavalry to 1,800. Later he defeated the Aequi, a large and fierce people threatening Rome’s interests. He also drove the Sabines back from the city’s walls. His cavalry routed them, and he defeated them in war. We are told he was the first to hold the great games called the Roman Games. During the actual fighting in the Sabine war, he promised Jupiter Best and Greatest a temple on the Capitol. He died after reigning for thirty-eight years.”

### SECTION 37

## CHAPTER 21

Then Laelius said, “Now Cato’s point becomes more certain. A state isn’t put together in a single age or by one man. It’s clear how much each king added that was good and useful. But next comes the man who, I think, understood

government best of all.” “That’s right,” said Scipio. “After him, Servius Tullius reportedly became the first king to rule without the people’s authorization. They say his mother was a slave woman from Tarquinii. His father was one of the king’s dependents. He grew up *among* the servants and waited on the king at meals. The spark of talent already shining in the boy didn’t go unnoticed. He was so quick at every task and in every conversation. Tarquin’s own children were then very young. He loved Servius so much that people generally thought Servius was his son. He took great care to teach him all the skills he’d learned himself, following the Greeks’ most refined educational practices.”

#### SECTION 38

“But Tarquinius was murdered in a plot by Ancus’s sons. As I said before, Servius began to reign without an order from the people, but with the citizens’ goodwill and consent. They were falsely told that Tarquinius was alive but ill from his wound. Meanwhile Servius, dressed as king, had administered justice and freed people from debt with his own money. Through many friendly acts he had persuaded people that he was administering justice on Tarquinius’s orders. He did not put his case in the senators’ hands. Instead, once Tarquinius was buried, he himself asked the people to decide about him. When they authorized him to reign, he brought before the curiae a law authorizing his command. First, he avenged the wrongs done by the Etruscans by going to war. As a result, when [...]

[...]”

#### SECTION 39

### CHAPTER 22

“[...] eighteen with the highest property assessment. Then he separated a large cavalry force from the whole population. He divided the remaining people into five classes, separating older men from younger men. He made their voting power unequal, so the rich controlled the vote, not the mass of people. He made sure the largest number didn’t have the most power. Every state must always keep to that rule. If you didn’t know this arrangement, I’d explain it. As

it is, you see how the numbers work. The †cavalry voting groups, with the six voting units, and the first class make eighty-nine groups, counting the extra group assigned to carpenters for the city's most essential needs. Only eight of the remaining 104 groups needed to join them. That settled the vote of the whole people. The much larger number of people in the other ninety-six groups weren't shut out of voting. That would have been arrogant. But they didn't have too much power, either. That would have been dangerous."

#### SECTION 40

"He was careful even about the words and names he used. He called the wealthy *assidui*, from paying a copper coin. Those who reported no more than fifteen hundred copper coins in property, or nothing at all apart from their own person, he called proletarians. This suggested that what was expected from them was, so to speak, offspring—in other words, a new generation for the state. At that time, just one of those ninety-six centuries had more citizens on its rolls than almost the entire first class. So no one was denied the right to vote, but the person with the greatest stake in the state's being in the best possible condition had the most voting power. What's more, for the unarmed reservists, trumpet players, horn players, and proletarians [...] [...]

#### SECTION 41

### CHAPTER 23

(Non. p. 342M) "A state has the best constitution when it is a balanced combination of those three forms—royal, aristocratic, and popular—and does not stir up a savage, brutal spirit by punishment."

#### SECTION 42

[...] "sixty-five years older, because it was founded thirty-nine years before the first Olympiad. And Lycurgus, who lived so long ago, saw much the same things. So I think we shared this balance and this three-part form of government with those peoples. But there is something special about our state, something that could not be better. If I can, I will explain it more closely. It is some-

thing you will not find in any other state. The elements I have described so far were combined in this community, in Sparta, and in Carthage, but they were not balanced in any way.”

#### SECTION 43

“In a state where one man holds permanent power, especially royal power, the royal position is still supreme. There may be a senate, as there was at Rome under the kings, and at Sparta under Lycurgus’s laws. The people may even have some rights, as they did under our kings. But such a state cannot fail to be a monarchy or to be called one. This form of government is particularly liable to change for this reason: one man’s failings can very easily push it over into the most destructive form. Monarchy itself is not only free from blame; I am not sure it should not be ranked far above the other simple forms, if I approved of any simple form of government. But that holds only as long as it keeps its proper character. Its character is this: the safety, fair treatment, and peace of the citizens are directed by the permanent power, justice, and complete wisdom of one man. A people living under a king lacks many things altogether, especially freedom. Freedom does not mean having a just master, but having none [...] [...]”

#### SECTION 44

### CHAPTER 24

“[...] they endured. For some time, good luck helped that unjust and harsh master succeed. He defeated all Latium in war. He captured Suessa Pometia, a rich city stocked with supplies. An enormous haul of gold and silver made him wealthy. By building the temple on the Capitol, he fulfilled his father’s promise. He also founded colonies. Following the customs of the people he came from, he sent magnificent gifts to Apollo at Delphi. They were like first offerings from the spoils.”

#### SECTION 45

## CHAPTER 25

“Now that cycle will begin to turn. Learn to recognize its natural movement and course from the start. The central task of political understanding—the subject of this whole discussion—is to see the paths and turns that states take. When you know the direction each situation is taking, you can hold it back or head it off. The king I am speaking of was, to begin with, stained by the murder of an excellent king and was not sound of mind. He himself feared the severest punishment for his crime, and wanted others to fear him. Then, supported by his victories and riches, he became wildly arrogant. He could control neither his own behavior nor the desires of his own people.”

### SECTION 46

“So his elder son raped Lucretia, Tricipitinus’s daughter and Collatinus’s wife. This respected woman of noble birth punished herself with death for that outrage. Then Lucius Brutus, a man of outstanding intelligence and courage, freed his fellow citizens from that unjust burden of cruel slavery. Although he held no public office, he took responsibility for the whole state. He was the first in this city to teach this lesson: when citizens’ freedom needs defending, nobody is merely a private person. At his urging and under his leadership, the citizens rose up. Lucretia’s father and relatives stirred them with this fresh complaint. They also remembered Tarquin’s arrogance and the many wrongs he and his sons had done. They ordered the king himself, his children, and the Tarquin family into exile.”

### SECTION 47

## CHAPTER 26

“So do you see how a king became a master, and how one man’s failings changed a form of government from good to the worst of all? This master of the people is what the Greeks call a tyrant. By ‘king’ they mean someone who looks after the people like a parent, and keeps those in his care in the best possible living conditions. As I said, it is certainly a good form of government. But it leans toward, and is almost ready to fall into, the most destructive condition.”

#### SECTION 48

“As soon as this king turns toward more unjust domination, he immediately becomes a tyrant. No living creature can be imagined more disgusting, more repulsive, or more hated by gods and humans. Though he has a human shape, the brutality of his behavior outdoes the most savage beasts. Who could rightly call someone human if he wants no legal bond or human fellowship with his fellow citizens, or indeed with the whole human race? But we will have a more suitable place to discuss this sort of person when the subject itself calls on us to speak against those who sought absolute power even after the community had been freed.”

#### SECTION 49

### CHAPTER 27

“So there you have the first appearance of a tyrant. The Greeks chose this name for an unjust king. Our people, however, called everyone a king who alone held permanent power over a people. So Spurius Cassius, Marcus Manlius, and Spurius Maelius were said to have wanted to seize royal power, and recently *Tiberius Gracchus* [...]

[...]”

#### SECTION 50

### CHAPTER 28

[...] “Lycurgus called them ‘elders’ at Sparta. There were certainly too few of them, twenty-eight. He wanted them to have the final say in deliberation, while the king held supreme command. Our people followed and translated that same usage. What he called elders they named a senate, as we have said Romulus had already done after choosing the fathers. Still, the king’s strength, power, and title stand out above the rest. Give the people some power too, as Lycurgus and Romulus did. You will not satisfy their desire for freedom. You will inflame it, since you have only given them a chance to taste it. There will

certainly always be the fear that the king will turn unjust, as happens very often. So the people's well-being is insecure when, as I said before, it depends on one man's wishes or character."

#### SECTION 51

### CHAPTER 29

"So let's first find this form, shape, and origin of a tyrant in the state Romulus founded after taking the auspices. Not in the one Socrates pictured for himself in that three-part conversation, as Plato recorded it fully. Let's see how Tarquin overturned this whole form of king-led government. He hadn't gained any new power. He simply used the power he had unjustly. Against him, set another man: good and wise, who understands the community's interests and honor. He acts as a guardian and manager of the state. Let's call anyone who leads and guides the state by that name. Make sure you recognize this man. *He* can protect the community through his judgment and work. Since this name is still less familiar in our language, and we will often have to *discuss* this kind of man in the rest of our talk [...]

[...]"

#### SECTION 52

### CHAPTER 30

"[...] sought and created a state people could wish for rather than expect. He made it as small as possible. It wasn't a state that could exist, but one that showed how government works. If I can only manage it, I'll use the same principles he recognized. But I'll work with a vast republic, not a state's shadow and image. I'll try to point out the cause of every public good and evil, as if touching it with a little rod. Those 240 years of kingship had passed—a little longer, roughly, counting the intervals between kings—and Tarquin had been expelled. The Roman people then hated the title of king as deeply as they had missed

Romulus after his death—or rather, his departure. Back then, they couldn’t bear being without a king. After Tarquin’s expulsion, they couldn’t bear even hearing the title. Here, an opportunity, when [...] [...]”

#### SECTION 53fr

### CHAPTER 31

(Non. 526M) “So that excellent constitution of Romulus, after it had stood firm for about 220 years [...]”

#### SECTION 53

[...] “that law was entirely repealed. It was in this spirit that our ancestors expelled the innocent Collatinus, suspected because of his family ties, and the other Tarquinii because their name gave offense. In the same spirit, Publius Valerius was the first to order the rods of office lowered when he began to address a public meeting. He also moved his house below the Velia. He had begun building higher up on the Velia, on the very site where King Tullus had lived, and realized that this was making the people suspicious. His greatest act as ‘Publicola,’ the people’s friend, was to bring a law before the people—the first passed in the assembly of the centuries—forbidding any magistrate to kill or flog a Roman citizen against his appeal.”

#### SECTION 54

“The pontiffs’ books show that appeals were possible even against kings. Our augurs’ books indicate this too. Several laws in the Twelve Tables also show that appeals were allowed against any judgment or penalty. Tradition says the ten men who wrote the laws were appointed without a right of appeal. That should sufficiently show that other magistrates weren’t exempt from appeals. Lucius Valerius Potitus and Marcus Horatius Barbatus wisely supported the people’s interests to promote harmony. Their law as consuls forbade appointing any magistrate without a right of appeal. As you know, there are three Porcian laws, passed by three members of the Porcius family. They added nothing new except penalties for breaking the law.”

#### SECTION 55

“Once Publicola had passed that law on appeals, he immediately ordered the axes removed from the bundles of rods. The next day he appointed Spurius Lucretius to fill the vacant consulship alongside him. Since Lucretius was older, Publicola ordered his own lictors to go over to him. He first established the practice of having lictors lead each consul in alternate months. A free people should have no more symbols of authority than they had under kings. As I see it, this was no ordinary man. By giving the people a measured amount of freedom, he more easily maintained the leading men’s authority. I’m not going over these ancient, forgotten things for no reason. I’m identifying examples of people and events from famous lives and times. These will guide the rest of my discussion.”

#### SECTION 56

### CHAPTER 32

“At that time, then, the senate kept the state in this condition: the people were free, but few things were done by the people. Most were done by the senate’s authority, following established practice and custom. The consuls’ power was limited to a year, but in its nature and legal scope it was royal. There was also a firmly maintained rule that did more than almost anything to preserve the nobles’ power: decisions in the people’s assemblies were not valid unless the fathers had given their authoritative approval. In this same period, about ten years after the first consuls, a dictator was appointed, Titus Larcus. This was seen as a new kind of command, very close to royal power. Still, the leading men held everything under their very great authority, with the people giving way. And in those days very brave men holding supreme command, dictators and consuls, achieved great things in war.”

#### SECTION 57

## CHAPTER 33

But the very nature of things made it inevitable that the people, once freed from kings, would claim a little more power for themselves. They got it not long afterward, around the sixteenth year, when Postumus Cominius and Spurius Cassius were consuls. Sound judgment may have been missing in this, but the very nature of governments often gets the better of sound judgment. Remember what I said at the beginning: unless a state has this even balance of rights, duties, and burdens, with enough power for the officials, enough authority for the council of leading citizens, and enough freedom for the people, this stable political order can't be preserved.

### SECTION 58

“For when debt threw the community into turmoil, the common people occupied first the Sacred Mount and then the Aventine. Even Lycurgus's system did not keep the Greeks under those restraints. At Sparta, too, during Theopompus's reign, five officials called ephors were established; in Crete there were ten called ‘cosmoi,’ or directors. Just as our tribunes of the people were set against the consuls' command, these were set against royal power.”

### SECTION 59

## CHAPTER 34

† There may have been some way for our ancestors to deal with that debt problem. Such a remedy hadn't escaped Solon of Athens not long before, or our own Senate some time afterward, when one man's lust led to the ending of all the citizens' debt bondage, and people stopped being bound for debt after that. Whenever the common people, weakened by expenses during a public disaster, could no longer keep going, some relief and remedy has always been sought for people in that position, for everyone's safety. Neglecting that policy then gave the people grounds, once two tribunes of the plebs had been elected in an uprising, to reduce the Senate's power and authority. Still, its authority remained strong and considerable, with the wisest and bravest men protecting the state both with weapons and with their judgment. Their authority was

especially strong because, although they stood far above everyone else in honor, they indulged in pleasures less and generally weren't any richer. Each man's worth in public life was all the more appreciated because in private matters they took great care to help individual citizens with their work, advice, and money.

#### SECTION 60

### CHAPTER 35

"Under this form of government, Spurius Cassius was plotting to seize the kingship. He enjoyed enormous popularity, but a quaestor brought charges against him. As you've heard, his father said he had discovered his son's guilt, and Cassius was put to death while the people stood aside. About 54 years after the first consuls, the consuls Spurius Tarpeius and Aulus Aternius passed another welcome law. They put it through the centuriate assembly, covering fines and deposits in lawsuits. Twenty years later, the consuls Gaius Julius and Publius Papirius passed a law setting low values for livestock paid as fines. This followed the censors Lucius Papirius and Publius Pinarius taking large numbers of cattle from private owners into state hands through fines."

#### SECTION 61

### CHAPTER 36

"But some years earlier, the senate held supreme authority, and the people accepted and obeyed it. A plan was agreed on: both the consuls and the people's tribunes would resign. Ten men would then be appointed with the greatest power, without a right of appeal. They would hold supreme command and write the laws. They drew up ten tables of laws with great fairness and good judgment. Then they appointed another group of ten for the following year. Their honesty and fairness didn't earn the same praise. Still, one member of that group, Gaius Julius, deserves exceptional praise for this action. He said a dead man had been dug up in the bedroom of a nobleman, Lucius Sestius, in his presence. Julius had supreme power because he was one of the ten, with no

appeal against his decisions. Even so, he demanded bail guarantors from Sestius. He said he wouldn't disregard that excellent law which protected a Roman citizen's life. It forbade decisions in capital cases anywhere except the centuriate assembly."

#### SECTION 62

### CHAPTER 37

"A third year of the ten men's rule followed. The same men remained in office and would not appoint replacements. I have already said several times that this condition of government could not last, because it was not balanced fairly among all the community's ranks. The entire state was in the hands of the leading men. Ten men of the highest birth headed it, with no tribunes of the people to oppose them, no other magistrates alongside them, and no appeal to the people left against execution and flogging."

#### SECTION 63

"So their injustice suddenly brought enormous turmoil and a complete change of government. They added two tables of unfair laws. One utterly inhumane law forbade marriage between commoners and patricians—a right usually granted even between separate peoples. The Canuleian vote of the commoners later repealed it. They used all their power to rule the people as they pleased, harshly and greedily. The following story is certainly well known and recorded in many written accounts. A certain Decimus Verginius killed his unmarried daughter with his own hand in the forum because one of those ten men couldn't control his lust. Grieving, he fled to the army, which was then on Mount Algidus. The soldiers abandoned the war they were fighting. They *occupied under arms* first the Sacred Mount, as had happened earlier in a similar situation, and then the Aventine [...] [...]"

#### SECTION 63fr

(Philarg., Serv. G. 3.125) "after Lucius Quinctius had been appointed dictator.

[...] I think our ancestors approved most strongly and preserved most wisely.”

#### SECTION 64

### CHAPTER 38

When Scipio had finished, everyone waited silently for him to continue. Then Tubero said, “Since these older men aren’t asking you for anything more, Africanus, you’ll hear what I find missing in your discussion.” “Certainly,” Scipio said, “and gladly.” Then Tubero said, “You seem to have praised our republic. But Laelius asked you about government in general, not about ours. And your discussion still hasn’t taught me something. What education, customs, or laws can we use to establish or preserve this very republic you’re praising?”

#### SECTION 65

### CHAPTER 39

At this Africanus said, “Tubero, I think we will soon have a better opportunity to discuss how to establish and preserve communities. As for the best form of government, I thought I had answered Laelius’s question well enough. First, I identified three acceptable types of community and the same number of destructive ones opposed to them. None of them on its own was the best. What surpassed each of them was a balanced mixture of the first three.”

#### SECTION 66

“My use of our own community as an example did not help to define the best form of government. That could have been done without an example. Its purpose was to let us see, in a very great community in actual life, what our reasoning and discussion were describing. But if you are looking for the best form itself, without an example from any people, we must use nature as our model, since, as for this picture of a city and a people, you [...]

[...]”

## SECTION 67

### CHAPTER 40

“[...] who I’ve been looking for all this time and want to get to.” Laelius: “Maybe you’re looking for a man with good judgment?” Then he said, “That’s exactly who I mean.” Laelius: “You have a fine choice among the very people here. You could even start with yourself.” Then Scipio said, “If only the Senate as a whole had its fair share of such people! But still, a man who sits on a huge, wild beast, as we often saw in Africa, knows what he’s doing. He holds the beast in check and guides it wherever he wants. He turns that wild animal with a light signal, †not force.” Laelius: “I know him, and I often saw him when I was your deputy.” Scipio: “So that Indian or Carthaginian controls just one beast, and a tame one used to human ways at that. But what’s hidden in human souls—the part of the soul called the mind—doesn’t rein in and tame just one beast, or one that’s easy to subdue, if it ever manages it at all, which it very rarely can. For that fierce one too must be kept in check [...] [...]”

## SECTION 68

### CHAPTER 41

(Non. 300M) “which feeds on blood and delights so much in every act of cruelty that even people’s painful deaths can hardly satisfy it.

(Non. 491M) but to someone eager, seeking, lustful, and wallowing in pleasures.

(Non. 72M) and fourth, anxiety, inclined to mourning, grieving, and constantly troubling itself.

(Non. 228M) but to be crushed by distress, to be crushed by misery or cast down by fear and cowardice.

(Non. 292M) Like an untrained driver, he is dragged from the chariot, trampled, torn apart, and crushed.”

## SECTION 69

## CHAPTER 42

[...] “could be said.” Then Laelius said, “I now see what duty and task you are assigning to that man I have been waiting for.” Africanus said, “Almost this one alone, of course—for practically all the others are contained in it: never to stop watching and examining himself, to invite others to follow his example, and through the brilliance of his character and life to offer himself to the citizens like a mirror. On stringed instruments and pipes, and in singing and voices themselves, a certain harmony must be kept among the different notes. Trained ears cannot stand it when this is changed or out of tune. By balancing very different voices, that harmony is nevertheless made unified and consistent. In the same way a community, reasonably balanced out of the highest, lowest, and intermediate ranks, like notes, through the agreement

(August. C.D. 2.21) of very different people makes a harmony. What musicians call harmony in singing is agreement in a community. It is the strongest and best bond of security in every state, and it cannot possibly exist without justice.”

### SECTION 70

## CHAPTER 44

[...] to be full of justice. Then Scipio: “I agree. And I tell you, we should consider nothing said about the state so far. Nor can we go further until we’ve established two things. It’s false that we can’t run a state without injustice. More importantly, it’s absolutely true that we can’t run one without the greatest justice. But let’s stop here for today, if you agree. Let’s leave the rest for tomorrow; there’s still quite a lot.” Everyone agreed, and the discussion ended for that day.

# Book 3



## SECTION 1

[...]

## SECTION 3

### CHAPTER 2

[...] and vehicles to make up for slowness. And when that same intelligence found people making rough, confused noises with unformed sounds, it broke those sounds up and divided them into distinct parts. It attached words to things like labels, and bound people who'd previously been separate to one another with the very pleasant bond of conversation. Similar intelligence also invented a few symbols to mark and represent all the sounds of the voice, which had seemed endless. These could preserve conversations with people who weren't there, expressions of people's wishes, and records of past events. Then came number, something both necessary for life and uniquely unchanging and eternal. It was also the first thing to prompt us to look up at the sky, to study the movements of the stars with a purpose, and, by counting nights and days [...]

[...]

## SECTION 4

### CHAPTER 3

[...] whose minds rose higher and could either accomplish or think of something worthy of the gods' gift, as I said before. So let us regard those who discuss how to live as great men, as they are. Let them be learned men and teachers of truth and virtue. But let us also acknowledge this particular subject, political understanding and the training of peoples. Whether it was invented by men experienced in the changing affairs of states or studied by those thinkers in their leisure and writings, it is certainly not to be looked down on. When applied to good natural abilities, it produces, as it has already done very often, an almost unbelievable and divine excellence.

#### SECTION 5

But suppose someone thought he should add education and a fuller knowledge of things to the mental resources he'd gained from nature and society's institutions, as the very men taking part in the discussion in these books did. Everyone ought to rank such men above all others. What could be finer than combining the handling of great affairs and practical experience with the study and knowledge of those arts? Or can anyone imagine a more fully developed man than P. Scipio, C. Laelius, or L. Philus? They added this teaching from abroad, which came from Socrates, to their native customs and ancestral traditions, so they wouldn't leave out anything that could bring distinguished men the highest praise.

#### SECTION 6

That's why I think anyone who wanted and was able to equip himself with both our ancestors' institutions and learning has achieved everything needed to earn praise. But if one of these two paths to wisdom has to be chosen, then even if someone thinks a quiet life spent on the best studies and arts is happier, a life in public service is certainly more praiseworthy and more distinguished. That way of life brings honor to the greatest men, such as M'. Curius,

Who no one could defeat with iron or gold,

or [...]

#### SECTION 7

## CHAPTER 4

“[...] was wisdom. Still, the two approaches differed in this respect: those men nurtured the beginnings supplied by nature through words and systematic study, while these men did it through institutions and laws. This one state has produced more men who, if not wise—since those thinkers use that name so narrowly—certainly deserve the highest praise, because they put wise men’s teachings and discoveries into practice. And think how many states there are, and have been, that deserve praise! Since establishing a government that can last takes by far the greatest judgment in the world, what a huge number of outstanding men we’d find if we counted just one for each state! And if we wanted to survey in our minds Italy’s Latium, or its Sabine or Volscian people, or Samnium, Etruria, or that Greater Greece, and then the Assyrians, the Persians, the Carthaginians, or these [...]

“[...]

### SECTION 8

## CHAPTER 5

“[...]” And Philus: “What a splendid case you’re handing me, asking me to take up the defense of wrongdoing!” “Oh yes,” Laelius said, “you should worry that if you repeat the usual arguments against justice, people might think you actually believe them! After all, you’re practically the one model of old-fashioned honesty and good faith, and everyone knows your habit of arguing both sides, because you think that’s the easiest way to find the truth.” And Philus: “All right, then,” he said, “I’ll do what you want and knowingly get myself dirty. Gold miners don’t think they should refuse to do that. So when we’re looking for justice, something worth far more than all the gold in the world, we certainly shouldn’t shrink from any trouble. And I wish that, just as I’ll be using someone else’s arguments, I could use someone else’s mouth too! As it is, L. Furius Philus has to say what Carneades, a Greek who was used to using words however it suited him [...] [...]”

### SECTION 9

(Non. 263M) “so that you can answer Carneades, who often uses clever quibbling to make a mockery of the strongest cases.

#### SECTION 11

### CHAPTER 7

(Non. 373M) “Justice looks outward, projects itself entirely outward, and stands out.

(Non. 299M) This virtue, more than the others, reaches out and extends itself entirely toward other people’s interests.”

#### SECTION 12

### CHAPTER 8

“[...] could both discover it and defend it, while the other filled four really large books with justice itself. I never expected anything great or grand from Chrysippus. He has his own way of talking, weighing everything by the force of words rather than the weight of facts. It was up to those heroes to lift this virtue from where it lay and place it on that divine throne, not far from wisdom—the one virtue, if it exists at all, that’s supremely generous and openhanded, loves everyone else more than itself, and was born for others rather than itself.

#### SECTION 13

“They certainly did not lack willingness. What other reason or purpose did they have for writing? Nor did they lack talent, in which they surpassed everyone. But their subject defeated both their willingness and their resources. The justice we are investigating is something belonging to a particular community; there is no natural justice. If there were, the same things would be just and unjust for everyone, just as the same things are hot and cold, bitter and sweet.”

#### SECTION 14

## CHAPTER 9

“As things are, suppose someone could, in Pacuvius’s words, ‘ride in a chariot of winged snakes,’ and look down on and survey many different peoples and cities. First he would see, among that exceptionally uncorrupted Egyptian people, whose writings preserve the memory of so many centuries and events, that a certain ox, whom the Egyptians call Apis, is considered a god. Among them, many other monsters and beasts of every kind are also included among the gods. Then he would see in Greece, as among us, magnificent shrines consecrated to images in human form. The Persians considered these an offense against the gods. Xerxes is said to have ordered the burning of the Athenians’ temples for this reason alone: he thought it wrong to shut up within walls the gods whose home was this whole universe.”

### SECTION 15

“Later, both Philip, who planned a war against the Persians, and Alexander, who fought it, gave this reason for going to war: they wanted to avenge Greece’s temples. The Greeks had decided not even to rebuild them, so that later generations would always have visible proof of the Persians’ crime. How many peoples—the Taurians on the Black Sea, the Gauls, the Carthaginians—and rulers like Busiris, king of Egypt, have thought that sacrificing human beings was a religious duty and especially pleasing to the immortal gods! Ways of life differ so much that the Cretans and Aetolians think robbery is honorable, while the Spartans kept saying that every field a spear could reach belonged to them. The Athenians even used to swear publicly that all land producing olives or grain was theirs. The Gauls think it’s shameful to get grain by working with their hands, so they harvest other people’s fields with weapons in hand;

### SECTION 16

“and we’re such just people: we won’t let the peoples beyond the Alps plant olives or vines, so that our own olive groves and vineyards will be worth more. When we do that, we’re said to act wisely, but not justly. That should show you

that wisdom and fairness don't agree. And Lycurgus, who devised those excellent laws and that exceptionally fair legal system, assigned the rich men's fields to the common people to farm as slaves.

#### SECTION 17

### CHAPTER 10

"If I wanted to describe the different kinds of law, institutions, customs, and practices, I could show not only how they vary among so many peoples, but how they've changed a thousand times within a single city, even this very one. Our legal expert here, Manilius, now says that one set of rules applies to women's legacies and inheritances, whereas he used to say something different when he was young, before the Voconian law had been passed. That very law, introduced for men's benefit, is full of injustice toward women. Why shouldn't a woman own money? Why can she be heir to a Vestal Virgin, but not to her own mother? And if a limit had to be set on women's wealth, why could Publius Crassus's daughter, if she were her father's only child, have a hundred million without breaking the law, while mine couldn't have three million [...]

"[...]

#### SECTION 18

### CHAPTER 11

"[...] had laid down laws for us, and everyone would follow the same ones, and the same people wouldn't follow different ones at different times. But I ask: if it's the mark of a just person and a good man to obey laws, which laws? Whatever laws happen to exist? But virtue doesn't admit inconsistency, and nature doesn't allow variation. And what gives laws their authority is punishment, not our justice. So law has nothing natural about it. It follows that people aren't just by nature either. Or do they say that laws vary, but that good men naturally follow justice as it really is, not as people think it is? For, they say, what makes a man good and just is giving each person what they deserve.

## SECTION 19

“So, first of all, will we give anything to the animals that cannot speak? Not ordinary men but great and learned ones, Pythagoras and Empedocles, declare that all living creatures share one legal standing. They cry out that punishments which can never be paid off hang over those who have harmed an animal. So it is a crime to harm a beast, and anyone willing to commit that crime [...] [...]”

## SECTION 23

### CHAPTER 13

“[...] Everyone who has power over a people’s life and death is a tyrant, but they prefer to be called kings, taking their title from Jupiter the Best. When certain men control the state because of wealth, birth, or some other source of power, that’s a faction, but they’re called ‘the best men.’ If the people have the most power and everything is governed by their decisions, that’s called freedom, but it’s really people doing whatever they please. But when everyone fears everyone else—one person fears another, and one class fears another—then, because no one trusts their own strength, a sort of agreement is made between the people and the powerful. This produces the mixed form of government that Scipio praised. For justice is born not from nature or choice, but from weakness. There are three options: to do wrong without suffering it, to do wrong and suffer it, or to do neither. The best is to do wrong, if you can get away with it. Second best is neither to do it nor suffer it. The most miserable option is to fight it out constantly, now doing wrong and now suffering it. So those who to attain that first option [...]

“[...]”

## SECTION 24fr

## CHAPTER 14

(Non. 125M,318M,534M) “For when he was asked what criminal impulse had led him to make the sea unsafe with a single pirate ship, he said, ‘The same one that makes you do it to the whole world.’

### SECTION 24

## CHAPTER 15

[...] all [...] Wisdom tells us to increase our power, expand our wealth, extend our borders (after all, how could that praise carved on the monuments of the greatest generals—“He extended the empire’s borders”—have arisen unless something belonging to someone else had been added?), rule over as many people as possible, enjoy pleasures, be powerful, reign as kings, and act as masters. Justice, on the other hand, tells us to spare everyone, look out for the human race, give everyone what belongs to them, and leave sacred property, public property, and other people’s property alone. So what do you get if you follow wisdom? Wealth, authority, power, honors, commands, and kingdoms, for individuals or whole peoples. But since we’re talking about the state, actions taken by states stand out more. And since the principle of justice is the same in both cases, I think we should talk about a people’s wisdom. To leave other peoples aside for now, this people of ours, whose history Africanus traced from its roots in yesterday’s discussion, and whose rule now holds the whole world—has it grown from the smallest of all to the greatest through justice or wisdom? [...]

[...]

### SECTION 25

[...] except the Arcadians and Athenians, who, I suppose, feared that justice might someday issue this prohibition. So they made up the story that they had sprung from the earth, like these little mice from the fields.

### SECTION 26

## CHAPTER 16

The first answer usually given to this comes from people who are far from bad at arguing. Their authority in this case is all the greater because, when discussing a good man, whom we want to be open and straightforward, they don't argue with cunning, trickery, or bad faith. They say that a wise man isn't good because goodness and justice please him of their own accord and for their own sake, but because good men live free of fear, worry, anxiety, and danger. Bad men, by contrast, always have some prick of conscience lodged in their minds; trials and punishments are always before their eyes. No advantage, no reward gained through injustice is great enough to make it worth always being afraid, always thinking some punishment is close at hand, always thinking it's hanging over you, losses [...]

[...]

SECTION 27fr

## CHAPTER 17

(Lactant. Div. Inst. 5.12.5) "I ask you to suppose there are two men. One is an excellent man, perfectly fair, completely just, and exceptionally trustworthy. The other is remarkably wicked and shameless. Suppose the community is so mistaken that it thinks the good man is wicked, criminal, and evil, but considers the thoroughly bad man perfectly honest and trustworthy. Because all the citizens hold this opinion, the good man is harassed, seized, and finally physically attacked; his eyes are gouged out; he is convicted, chained, burned, driven into exile, and left in need,"

SECTION 27

finally he seems to everyone, with very good reason, the most miserable of men, while that wicked man, by contrast, is praised, respected, and loved by everyone; every honor, every command, all wealth, and every kind of resource from every quarter are handed to him. In short, everyone judges him the best of men and the one who most deserves every blessing. Who, then, would be so crazy as to hesitate over which of the two he'd rather be?

## SECTION 28

### CHAPTER 18

What's true of individuals is also true of peoples: no state is so foolish that it wouldn't rather rule unjustly than be enslaved justly. And I don't need to look far for an example. When I was consul, I investigated the treaty with Numantia, with you sitting on my council. Who didn't know that Q. Pompeius had made a treaty, and that Mancinus was in the same position? One, a very good man, even spoke in favor of the bill I brought forward on the Senate's instructions; the other defended himself fiercely. If we're looking for decency, honesty, and good faith, Mancinus showed them. If we're looking for calculation, judgment, and shrewdness, Pompeius comes out ahead. Which [...] [...]

## SECTION 32

### CHAPTER 21

(Gel. N.A. 1.22.8) I wouldn't object, Laelius, except that I think these men want you to take some part in this discussion of ours, and I'm eager for that myself, especially since you said yourself yesterday that you'd even give us more than we needed. But that really can't happen. We all ask you not to let us down.

(Non. 323M, 324M) but our young people certainly shouldn't listen to him. If he really thinks what he says, he's a foul man; if he thinks something else, as I'd prefer, his speech is still monstrous.

## SECTION 33

### CHAPTER 22

(Lactant. Div. Inst. 6.8.6) True law is sound reason in line with nature, reaching everyone, consistent and everlasting. Its commands call us to duty, and its prohibitions keep us from wrongdoing. Its commands and prohibitions are never wasted on good people, but they don't move bad people. It's wrong to pass a law that overrides this one. No part of it may be repealed, and it can't be

abolished altogether. Neither the Senate nor the people can release us from this law, and we don't need to look for anyone else to explain or interpret it. There won't be one law in Rome and another in Athens, one now and another in the future. Instead, one everlasting, unchanging law will bind all peoples at all times. There will be one god who is, so to speak, the teacher and ruler we all share. He is this law's author, judge, and lawgiver. Anyone who doesn't obey him will be running away from himself. By rejecting human nature, he'll suffer the worst penalties in that very act, even if he escapes all the other things people call punishments.

SECTION 34fr

## CHAPTER 23

(August. C.D. 22.6) "that the best state undertakes no war except to keep faith or protect its safety."

SECTION 34

But individuals often escape the penalties that even the greatest fools can feel—poverty, exile, imprisonment, beatings—when death comes quickly. For states, though, death itself is a punishment, even though it seems to free individuals from punishment. A state ought to be set up so that it lasts forever. So no state's destruction is natural, as a human being's death is: for a person, death is not only unavoidable but very often something to wish for. But when a state is wiped out, destroyed, and extinguished, it's rather like—to compare small things with great ones—this whole universe dying and collapsing.

SECTION 35afr

(Isid. Orig. 18.1.2sq.) Unjust wars are those begun without a reason. No war can be just unless it's fought to avenge a wrong or drive back enemies.

(Isid. Orig. 18.1.2sq.) No war is considered just unless notice has been given, war has been declared, and a demand has been made for the return of what's been taken.

SECTION 35bfr

(Non. 498M) “Our people, however, have now gained control of the entire world by defending their allies.”

SECTION 36

CHAPTER 24

(August. C.D. 19.21) “Why, then, does a god command a human being, the mind the body, and reason desire and the other faulty parts of the soul?”

SECTION 37

CHAPTER 25

(August. c. Iul. 4.12.61) Don’t we see that nature itself has given the best people authority, to the great benefit of the weak? Why, then, does God rule human beings, the mind rule the body, and reason rule desire, anger, and the other flawed parts of that same mind?

(August. c. Iul. 4.12.61) But we need to recognize differences in both ruling and serving. The mind is said to rule the body, and it’s also said to rule desire. But it rules the body as a king rules his citizens or a parent his children, while it rules desire as a master rules slaves, restraining and breaking it. In the same way, kings, commanders, officials, fathers, and peoples exercise authority over citizens and allies as the mind does over the body. Masters, on the other hand, drive their slaves hard, just as the best part of the mind—that is, wisdom—does the flawed and weak parts of that same mind: desires, bursts of anger, and other emotional disturbances.

(August. C.D. 14.23) that the body’s limbs are ruled like sons because they obey so readily, while the flawed parts of the mind are restrained like slaves under a harsher rule?

(Non. 109M) There is a kind of unjust slavery, when people belong to someone else even though they could belong to themselves. But when people serve [...]

SECTION 39

## CHAPTER 27

(Prisc. GL 2.399K) “In these cases I agree that a justice full of anxiety and danger is not for a wise person.”

### SECTION 40

## CHAPTER 28

(Lactant. Div. Inst. 5.18.4) “Goodness certainly wants honor, and goodness has no other reward [...]. Yet it accepts honor readily and does not demand it harshly [...]. What wealth will you put before a man like this? What commands? What kingdoms? He thinks those things belong to the human sphere, but considers his own good qualities divine [...]. But if everyone is ungrateful, or many are envious, or powerful enemies rob goodness of its rewards, it certainly finds comfort in many things. Above all, its own worth sustains it.

(August. C.D. 22.4) “Their bodies were not raised into heaven. Nature would not allow something made of earth to remain anywhere but on earth.

(Non. 125M) “Never did the bravest men, of courage, of tireless effort, of endurance [...]

(Non. 132M) “Of course Fabricius lacked the chance to enjoy Pyrrhus’s generosity, or Curius the Samnites’ riches!

(Non. 522M,68M) “Our friend Cato used to visit Curius’s hearth when he came to his own place in Sabine territory, as he himself used to tell us. Sitting beside that hearth, Curius had refused gifts from the Samnites, once his enemies and by then his clients.”

### SECTION 41

## CHAPTER 29

“[...] Asia, Tiberius Gracchus, persisted in the case of citizens, but ignored the rights and treaties of our allies and the Latin peoples. If this practice and this disregard for restraint begin to spread more widely, and turn our rule from justice to force, those who so far obey us willingly will be held in check by fear.

Although we at our age have almost finished our watch, I still worry about our descendants and about the lasting life of our republic. It could have continued forever if people had lived by our ancestors' institutions and customs."

#### SECTION 42

### CHAPTER 30

When Laelius had said this, everyone present showed that they'd thoroughly enjoyed what he'd said. But Scipio, more than anyone, seemed swept up in joy. "You've often argued many cases so well, Laelius," he said, "that in my eyes, beside you, not only Servius Galba, our colleague, whom you ranked above everyone else as long as he lived, but not even any of the Athenian speakers, whether for charm [...]."

[...]

(Non. 262M) that he'd lacked two things needed to speak to the public and in court: confidence and a voice [...]

(Sch. Juvenal. Sat. 6.480) The bull bellowed with the groans of the men shut inside it.

#### SECTION 43

### CHAPTER 31

"[...] bring back. So who would call that the people's business—that is, a state—when everyone was crushed by one man's cruelty, and there was no common bond of law and no group united by agreement and partnership, which is what a people is? The same goes for Syracuse. That famous city, which Timaeus calls the largest of the Greek cities and the most beautiful of all, had a citadel worth seeing, harbors extending into the town's bays and right up to the city's edges, wide streets, colonnades, temples, and walls. But none of that made it a state while Dionysius controlled it. Nothing belonged to the people, and

the people themselves belonged to one man. So where there's a tyrant, we must say there's not a defective state, as I was saying yesterday, but—as our reasoning now forces us to say—simply no state at all.”

#### SECTION 44

### CHAPTER 32

“That’s very well put,” Laelius said. “Now I can see where your argument is going.” Scipio: “So you see that a state entirely under a faction’s control can’t truly be called a state either.” Laelius: “That’s exactly what I think.” Scipio: “And you’re absolutely right. What kind of state did the Athenians have when those thirty men ruled their city so unjustly after that great Peloponnesian War? Did the city’s old glory, the town’s splendid appearance, its theater, gymnasiums, colonnades, famous gateways, citadel, the wonderful works of Phidias, or that magnificent Piraeus make it a state?” “Not at all,” Laelius said, “since it didn’t belong to the people.” Scipio: “What about when the ten commissioners at Rome ruled without any right of appeal in that third year, when freedom itself had lost its legal claim?” Laelius: “Nothing belonged to the people. In fact, the people acted to recover what was theirs.”

#### SECTION 45

### CHAPTER 33

Scipio: “I now come to the third kind, where there may seem to be difficulties. Everything is said to be done through the people and to be under their control. The crowd executes anyone it wants. People do, seize, hold, and squander whatever they like. Can you then deny, Laelius, that this is a republic? Everything belongs to the people, and our definition of a republic is the people’s common concern.” Then Laelius said, “In fact, there is no state I would more readily deny is a republic than one wholly [...] It was not accepted that there was a republic at Syracuse, Agrigentum, or Athens when tyrants ruled, or here when the ten commissioners ruled. I cannot see why the name ‘republic’

should apply any more when a crowd rules. First of all, Scipio, as you defined it so well, I do not consider a group a people unless it is held together by agreement about law. That gathering is just as much a tyrant as a single person would be. It is even more repulsive, because no beast is more savage than this crowd that imitates the appearance and name of a people. And it is surely inconsistent, when the law places mad people's property under their relatives' control, because their own already [...]"

#### SECTION 46

### CHAPTER 34

"[...] can be said, why that should be a republic and the people's common concern, as was said about kingship." "Much more so, in fact," said Mummius. "A king is more like a slave owner, because he is just one man. But nothing could be happier than a republic in which several good men hold power. Still, I prefer even kingship to a people free to rule itself. That is the third and most defective kind of republic you still have left."

#### SECTION 47

### CHAPTER 35

Here Scipio said, "I recognize that familiar attitude of yours, Spurius, opposed to popular government. And although one can put up with it more calmly than you usually do, I agree that none of these three forms deserves less support. But I don't agree with you that rule by the best men is better than a king. If wisdom is what runs the state, what difference does it make whether it's in one person or several? But this way of arguing leads us into a mistake. When people are called 'the best men,' nothing can seem preferable. What could anyone imagine that's better than the best? But when a king is mentioned, an unjust king also comes to mind. Yet right now, as we examine government

under a king in itself, we're not talking about an unjust king. So think of King Romulus, or Pompilius, or Tullius. Perhaps you won't feel so dissatisfied with that kind of government."

#### SECTION 48

Mummius: "Then what praise do you leave for a republic governed by the people?" Scipio: "Well, Spurius, do you think the Rhodians have no republic? We were there together recently." Mummius: "I certainly think they do, and it deserves very little criticism." Scipio: "You are right. But if you remember, the same men all served at one time as ordinary citizens, at another as senators. They took turns, with specified months for doing the people's work and others for doing the senate's. They were paid to attend in both roles. Both in the theater and in the senate house, the same men judged capital cases and all the others. The senate had as much power and standing as the mass of the people [...] [...]"

BOOK 3

# Fragments of Uncertain Position



## SECTION 1

(Non. 301M) So there is something restless in each person that either jumps with pleasure or breaks down under distress.

## SECTION 2

(Non. 364M) But as they themselves †or if test the mind—I am—they see what they think they will do.

## SECTION 3

(Non. 431M) The Carthaginians were the first to bring greed, extravagant spending, and an endless appetite for everything into Greece through their trade and merchandise.

## SECTION 4

(Sch. Juvenal. Sat. 10.362) That Sardanapallus, whose faults were far uglier than his very name.

## SECTION 5

(Prisc. GL 2.255K) unless someone wants to turn the whole of Athos into a monument. For what Athos or Olympus is big enough?

## BOOK 4

# Surviving Fragments



## SECTION 1

### CHAPTER 1

(Non. 500M) And the very same mind that sees what's coming remembers what's past.

(Lactant. Div. Inst. 5.11.2) After all, everyone would rather die than be changed into the shape of some animal, even if they'd keep a human mind. So how much more miserable it is to have a savage mind in a human shape! To me, at least, it's worse by as much as the mind is better than the body.

(August. c. Iul. 5.12.59) that he didn't think what was good for a ram was the same as what was good for P. Africanus.

(Non. 234M) and that, by getting in the way, it too creates shadow and night, suited both to counting days and to resting from work.

(Non. 343M) And when the earth has opened itself up in the fall to conceive crops, relaxed in winter to †conceive them, and in summer's ripeness softened some things and scorched others.

(Non. 159M) when they put shepherds in charge of the flocks.

## SECTION 2

## CHAPTER 2

“[...] favor. How conveniently the orders, age groups, property classes, and cavalry have been arranged! Senators also have votes in the cavalry. Far too many people now foolishly want to take away this advantage. They are looking for a new handout through some decree of the people requiring the return of the horses.”

### SECTION 3

## CHAPTER 3

“Now consider how wisely everything else has been provided for that partnership among citizens in living happily and honorably. That is the main reason for coming together. A republic should secure it for people, partly through institutions and in other ways through laws. First, they did not want the education of freeborn children to have any fixed system laid down by law, publicly prescribed, or uniform for everyone. The Greeks spent much effort on this without success. It is the only point on which our guest-friend Polybius criticizes our institutions for neglect. For [...]

### SECTION 3(fr1)

(Serv. A. 5.546) “that young men entering military service used to be given supervisors to guide them during their first year.

### SECTION 3(fr2)

(Non. 20M) “not just as at Sparta, where boys learn to rob and steal.

### SECTION 3(fr3)

(Serv. A. 10.325) “that young men were disgraced if they had no lovers.”

### SECTION 4

## CHAPTER 4

[...] a boy who's reached puberty to be stripped naked. So they've traced what you might call the foundations of modesty far back. But how misguided the training of young people in the gymnasiums is! How undisciplined that

military service of the young recruits! How loose and unchecked the fondling and love affairs! I'll leave aside the people of Elis and Thebes, where lust in relationships with freeborn boys is openly permitted and given free rein. Even the Spartans, who allow everything in love with young men except actual intercourse, put a very thin wall around what they forbid. They allow embracing and lying in bed together, with cloaks between them. Here Laelius said, "I see perfectly well, Scipio, that in these Greek practices you criticize, you'd rather wrestle with the most famous peoples than with your own Plato, whom you don't even lay a hand on, especially since [...]"

#### SECTION 5

### CHAPTER 5

(Non. 362M) "And our Plato even more than Lycurgus: he orders absolutely everything to be shared, so that no citizen can call anything his own or his private property.

(Non. 308M) "For my part, to the very same place where he sends Homer, crowned with garlands and soaked in perfumes, out of that city he imagines for himself."

#### SECTION 6

### CHAPTER 6

(Non. 24M) A censor's judgment brings the person condemned little more than a blush. So, since this whole judgment concerns only a person's name, that censure was called *ignominia*, "disgrace."

(Non. 423M) It's said that the state at first shuddered †at their severity.

(Non. 499M) Nor should an overseer be put in charge of women, as is commonly done among the Greeks. Instead, there should be a censor who teaches men to control their wives.

(Non. 5M) Training people to feel shame has such great power: all women go without wine.

(Non. 306M) And if any woman had a bad reputation, her relatives wouldn't offer her a kiss.

(Non. 23M) So petulantia, "pushiness," gets its name from petere, "going after something," and procacitas, "insolence," from procari, that is, "demanding."

## SECTION 7

### CHAPTER 7

(Non. 24M) I don't want the same people to be both the world's commander and its customs collector. I think thrift is the best source of income, both in private households and in the state. Even the word fides, "good faith," seems to me to get its name from doing what you say.

(Non. 194M) that in a prominent citizen, a man of noble birth, flattery, fawning, courting favor—†my—to be signs of a shallow character.

## SECTION 8

### CHAPTER 8

(Non. 430Msq.) I admire the elegance not just of the ideas but of the words too. "If they quarrel," it says. A dispute between people who mean each other well, not a lawsuit between enemies, is called a quarrel [...]. So the law treats neighbors as quarreling with one another, not as going to court.

(Non. 174M) the same limits for people's concerns and their lives; so, under the pontiffs' law, the sacredness of burial.

(Non. 293M) that they put innocent men to death for leaving unburied people they hadn't been able to recover from the sea because the storm was so violent.

(Non. 519M) and in this dispute I didn't take the people's side, but the side of good men.

(Prisc. GL 3.76K) It's not easy to stand up to a strong people if you give them no rights, or too few.

(Non. 469M) For whom indeed I wish I had predicted truly, faithfully, †abounding.

#### SECTION 9

### CHAPTER 9

(August. C.D. 2.14ext.) When these men are joined by the people's shouting and approval, as though from some great and wise teacher, what darkness they spread, what fears they bring on, what desires they set on fire!

#### SECTION 10

### CHAPTER 10

(August. C.D. 2.13) Since they considered acting and the whole theater disgraceful, they wanted that class of people not only to lack the standing of other citizens but also to be removed from their tribe by a censor's mark of disgrace.

#### SECTION 11

(August. C.D. 2.9) Comedies could never have won approval in theaters for their shameful acts if everyday behavior hadn't allowed it. [...] Who did comedy not touch—or rather, who didn't it harass? Who did it spare? Granted, it attacked bad popular leaders who stirred up unrest in the state: Cleon, Cleophon, Hyperbolus. Let's allow that, though it's better for a censor than a poet to brand such citizens. But Pericles had already led his state for many years with the greatest authority, at home and at war. Having him attacked in verse and having those verses performed onstage was no more fitting than if our own Plautus or Naevius had wanted to insult Publius and Gnaeus Scipio, or Caecilius had wanted to insult Marcus Cato [...]

#### SECTION 12

() Our Twelve Tables, by contrast, made very few acts punishable by death, but they thought this one too should carry that penalty: if anyone chanted abuse or composed a song that brought disgrace or shame on someone else. Quite right: our lives should be open to the judgments of magistrates and to

hearings under the law, not to poets' inventions. And we shouldn't have to listen to abuse unless we're allowed to reply and defend ourselves in court. [...] that the ancient Romans disapproved of any living person being either praised or criticized onstage.

### SECTION 13

## CHAPTER 11

(August. C.D. 2.11)

"The Athenian Aeschines, an extremely eloquent man, entered politics after regularly acting in tragedies as a young man. The Athenians also often sent Aristodemus, another tragic actor, as their envoy to Philip on the most important matters of peace and war."

## BOOK 5

# Surviving Fragments



## SECTION 1

### CHAPTER 1

(August. C.D. 2.21, Non. 417M)

(Ennius)

The Roman state stands on ancient customs and men,

That line, both for its brevity and for its truth, seems to me like something he spoke as an oracle. For neither the men, unless the state had had those customs, nor the customs, unless those men had led it, could have founded or held together for so long a state so great and ruling so far and wide. So before our time, our ancestors' way of life itself called on outstanding men, and outstanding men kept up the old way of life and our ancestors' institutions.

SECTION 2(fr)

But our generation inherited the state like a wonderful painting that was already fading with age. It not only failed to renew it with the same colors it had had, but (August. C.D. 2.21, Non. 417M) didn't even take care to preserve at least its shape and, so to speak, its outer outlines. What's left of the ancient customs on which he said the Roman state stood? We see they've faded so com-

pletely from memory that they're not only no longer followed; they're no longer even known. And what can I say about the men? The customs themselves died out for lack of men. For this terrible evil we must not only give an account; in a way, we must also plead our case like defendants facing the death penalty. Because of our own faults, not some accident, we keep the state in name, but in reality we've long since lost it.

### SECTION 3

## CHAPTER 2

that nothing suits a king so well as explaining what's fair, which included interpreting the law. Private citizens used to ask kings for legal rulings. For these reasons, broad, rich crop fields, orchards, and pastures were marked out as royal property to be farmed without any work or effort from the kings, so that no worries about their private business would draw them away from the people's affairs. Nor did any private citizen decide disputes or serve as an arbitrator in a lawsuit: everything was settled by royal judgments. And I think our Numa followed this old practice of the Greek kings most closely. The others, though they also carried out this duty, spent much of their time fighting wars and dealing with the laws of war. But Numa's long peace was the mother of law and religion in this city. He had also written laws, which you know still exist—something characteristic of the citizen we're talking about [...]

### SECTION 4

## CHAPTER 3

(Non. 497M)

but still, just as a good head of a household needs some practical experience of farming, building, and keeping accounts.

### SECTION 5

“[...] will it bother you to learn about roots and seeds?” Speaker M: “Not at all, as long as there’s work to show for it.” Speaker S: “Do you think that’s a farm manager’s field of study?” Speaker M: “Certainly not, since farming so often runs short of labor.” Speaker S: “So, just as a farm manager knows the nature of the soil and an accountant knows how to read and write, while both turn from enjoying knowledge to getting useful work done, our leader here should certainly have studied law and legislation. Above all, he should have looked closely at their sources. But he shouldn’t tie himself up constantly giving legal opinions, reading, and writing. That way he can, so to speak, keep the state’s accounts and, in a sense, manage its farm. He should know the highest principles of justice inside out—no one can be just without that—and know civil law too, but as a ship’s pilot knows the stars and a doctor knows natural science. Both use that knowledge in their own work without letting it get in the way of their duties. But this man will see to this [...].”

#### SECTION 6

### CHAPTER 4

[...] states, where the best people seek praise and honor and avoid shame and disgrace. What frightens them isn’t so much fear and the punishment laid down by law as the sense of shame that nature has given people—a kind of fear of criticism they deserve. That leader of states strengthened this through people’s beliefs and developed it fully through institutions and education, so that shame would keep citizens from wrongdoing no less than fear. These points concern praise, and they could have been discussed more broadly and fully.

#### SECTION 7

### CHAPTER 5

“As for life and the practice of living, the system has been arranged through lawful marriage, legitimate children, and the sacred homes of the household gods and family Lares. Everyone was to enjoy both shared benefits and their

own. Without a good republic, people could not live well, and nothing could be happier than a well-organized state. So I often find it very strange what such a great [...] could be”

#### SECTION 8

### CHAPTER 6

(Cic. Att. 8.11.1) “Just as the helmsman’s goal is a successful voyage, the doctor’s health, and the commander’s victory, so the goal set for this governor of the republic is a happy life for the citizens: secure in resources, rich in supplies, great in glory, and honorable through goodness. I want him to accomplish this work, the greatest and best among human beings.

(August. epist. 104.7) “And what about the fact that your own writings praise a ruler of his country who looks after the people’s interests rather than their wishes?”

#### SECTION 9

### CHAPTER 7

(August. C.D. 5.13) “that he should be sustained by glory [...] that their ancestors had done many wonderful and distinguished things through their desire for glory.

(P.Pictav. Bibl. Lugd. 22.824) “that the state’s leading man should be sustained by glory, and that the republic would stand as long as everyone showed honor to its leading man.

(Non. 233M) “Then through goodness, hard work, and diligence he would maintain the character of a very great man, unless his excessively bold and headstrong nature carried him in some direction I cannot say [...]

(Non. 201M) “that quality is called courage, which includes greatness of spirit and a great disregard for death and pain.”

#### SECTION 10

## CHAPTER 8

(Non. 337M) “Marcellus as energetic and combative, Maximus as thoughtful and slow to act.

(Char. GL 1.139K) “contained within the world [...]

(Non. 37M) “so that he could share the troubles of his old age with your families.”

### SECTION 11

## CHAPTER 9

(Gel. N.A. 12.2.6sq.) just as Menelaus the Spartan had a certain charm in his pleasant way of speaking [...] he should make a habit of keeping his speeches short.

(Amm. Marc. 30.4.10) Since nothing in the state ought to be as free from corruption as a vote or a verdict, I don’t understand why someone who corrupts them with money deserves punishment, while someone who does it through eloquence even wins praise. It seems to me that someone who corrupts a judge with a speech does more harm than someone who does it with money. No one can corrupt a judge who has a sense of shame with money, but they can by speaking.

(Non. 521M) When Scipio had said this, Mummius strongly approving; for he was steeped in hatred †of which orators [...]

(C. anon. Verg. G. I, 2.348 Bandin.) then excellent seeds had been scattered in the best crop.

## BOOK 6

# Surviving Fragments



## SECTION 1

### CHAPTER 1

(Non. 42M) So you expect this leader's full practical wisdom. Its very name comes from looking ahead.

(Non. 256M) That's why this citizen must prepare himself. He must always be armed against whatever threatens the state's stability.

(Non. 25M, Serv. A. 1.149) This split among citizens is called "sedition," because people go off into separate groups.

(Non. 519M) In civil conflict, good citizens count for more than large numbers. So I think citizens should be weighed, not counted.

(Non. 424M) Desires are harsh masters of our thoughts, forcing and ordering us to pursue things without limit. They can never be fulfilled or satisfied in any way. So they drive people they've set alight with their temptations into every kind of crime.

(Non. 492M) who has crushed his violence and that wild, unbridled savagery.

## SECTION 2

## CHAPTER 2

(Gel. N.A. 7.16.11, Non. 290M) That was greater still because the two colleagues were in the same situation. Yet people didn't hate them equally. Their love for Gracchus even softened their hatred of Claudius.

(Non. 409M) Who † number of the nobles and leaders offered, he with words and of his own gravity left that stern sound, full of dignity.

(Non. 501M) so that, as that writer says, a thousand men went down to the forum daily wearing cloaks dyed with shellfish purple.

(Non. 517M) among these, as you remember, a crowd of utterly fickle people gathered and pooled their money, and a funeral was suddenly arranged.

(Non. 512M, Prisc. GL 3.70K) Our ancestors wanted marriages to be firmly established.

(Non. 398M) Laelius's speech, which we all have at hand: how much the immortal gods like the priests' ladles and, as he writes, Samian cups.

### SECTION 3

## CHAPTER 3

(Eulog. somn. Scip. 401Or.) [...] who had come back to life after being placed on a funeral pyre, and had told many secrets about the underworld [...] these things said about the soul's immortality and heaven were *not* inventions of dreaming philosophers. Nor were they unbelievable stories that the Epicureans laugh at. They were the conjectures of thoughtful people.

### SECTION 4

## CHAPTER 4

(August. C.D. 22.28) that he had been joking rather than having meant to say † that someone affirms this to be true.

### SECTION 8

## CHAPTER 8

(Macr. Sat. 1.4.2sq.) “But although, for the wise, the very awareness of their outstanding deeds is the greatest reward for goodness, that godlike goodness still seeks more lasting and fresher rewards than statues fixed in lead or triumphs with withering laurels.” “What exactly are those rewards?” said Laelius. Then Scipio said, “Allow me, since we are now in our third day of holiday [...]”

## BOOK 6

# Dream of Scipio



## SECTION 9

#### Dream

## CHAPTER 9

## CHAPTER 1

“When I came to Africa as a military tribune in the fourth legion under the consul Manius Manilius, as you know, nothing mattered more to me than meeting King Masinissa. With good reason, he was a very close friend of our family. When I came to him, the old man embraced me and wept. After a while he looked up at the sky and said, ‘I thank you, supreme Sun, and you other heavenly beings, because before I leave this life I see Publius Cornelius Scipio in my kingdom and under this roof. His very name gives me new life. The memory of that best and most invincible of men never leaves my mind.’ Then I asked him about his kingdom, and he asked me about our republic. We spent the rest of the day in a long exchange of conversation.”

## SECTION 10

## CHAPTER 10

Afterward, we were entertained in royal style and talked late into the night. The old man talked about nothing but Africanus. He remembered everything Africanus had done, and everything he'd said. Then we went off to bed. I was tired from traveling and had stayed awake late into the night. Sleep took hold of me more deeply than usual. Then Africanus appeared to me. I think this came from our conversation. Our thoughts and conversations often produce something similar in our sleep. Ennius writes of such a dream about Homer. Clearly, he'd very often thought and talked about Homer while awake. Africanus's appearance was more familiar to me from his portrait than from the man himself. When I recognized him, I shuddered. But he said, "Be brave, Scipio, and stop being afraid. Remember what I'm going to say."

### SECTION 11

## CHAPTER 2

## CHAPTER 11

"‘Do you see that city? I forced it to obey the Roman people, but it is renewing its old wars and cannot keep quiet.’ He was pointing out Carthage from a high place full of stars, bright and clear. ‘You are now coming to attack it as almost an ordinary soldier. Within these two years, you will destroy it as consul. Then you will earn for yourself the name you so far have inherited from us. After destroying Carthage, celebrating a triumph, serving as censor, and visiting Egypt, Syria, Asia, and Greece as an envoy, you will be elected consul again in your absence. You will finish a very great war and wipe out Numantia. But when you have ridden in your chariot up to the Capitol, you will find the republic thrown into disorder by the plans of my grandson.’”

### SECTION 12

## CHAPTER 12

“At that point, Africanus, you must show your country the light of your courage, talent, and judgment. But I see fate’s road branching in two at that time. Your life will complete eight times seven turns and returns of the sun. Each of these two numbers is considered perfect, for different reasons. Together, through nature’s cycle, they’ll reach the total fate has set for you. Then the whole state will turn to you alone and to your name. The senate will look to you. All good men will look to you. The allies will look to you. The Latins will look to you. You alone will be the person the state’s safety rests on. In short, you must put the state in order as dictator—if you escape your relatives’ wicked hands.” At this, Laelius cried out, and the others groaned loudly. Scipio smiled gently and said, “Shh! Please don’t wake me from my dream. Listen a little longer to the rest.”

### SECTION 13

## CHAPTER 13

### CHAPTER 3

“But to make you more eager to protect the state, Africanus, know this. Everyone who has saved, helped, or enlarged their country has a fixed place set aside in heaven. There they enjoy happiness forever. Nothing done on earth pleases the supreme god who rules the whole universe more than human gatherings joined together by law. These are what we call states. Their rulers and protectors came from here and return here.”

### SECTION 14

## CHAPTER 14

“At this, although I was terrified—not so much by fear of death as by the thought of a plot by my own relatives—I still asked whether he himself, my father Paulus, and the others we thought dead were alive. ‘Certainly,’ he said.

‘Those who have flown out of the bonds of their bodies, as if from a prison, are the ones who are alive. What you call life is really death. Look! Don’t you see your father Paulus coming toward you?’ When I saw him, I burst into tears. But he embraced and kissed me, and told me not to cry.”

#### SECTION 15

### CHAPTER 15

As soon as I held back my tears and could speak, I said, “Please, my father, so holy and so good, since this is life, as I hear Africanus say, why stay on earth? Why don’t I hurry to join you here?” “That’s not how it works,” he said. “The god who owns this whole temple you see must release you from your body’s prison. Until then, you can’t enter here. People were born with this duty: to guard that globe. You see it in the middle of this temple; it’s called earth. Their souls came from those everlasting fires you call constellations and stars. Round and spherical, these fires have divine minds within them. They complete their circles and orbits at an amazing speed. So you, Publius, and all dutiful people must keep your souls imprisoned in your bodies. You mustn’t leave human life without permission from the one who gave you your souls. Otherwise, you may seem to have deserted the human task the god assigned you.”

#### SECTION 16

### CHAPTER 16

“But, Scipio, like your grandfather here, and like me, your father, practice justice and devotion. You owe great devotion to your parents and relatives, but the greatest to your country. That way of life is the road to heaven and to this gathering of those who’ve already lived their lives. Freed from their bodies, they live in that place you see”—it was a circle shining with dazzling whiteness among the flames—“which you call the Milky Way, a name you took from the Greeks.” As I looked out from there, everything else seemed splendid and wonderful. There were stars we’ve never seen from down here, and all the heavenly

bodies were of sizes we'd never imagined. The smallest of them was the one farthest from heaven and closest to earth, shining with borrowed light. The globes of the stars were easily bigger than the earth. The earth itself now looked so small to me that I felt disappointed in our empire, which covers what amounts to a pinpoint on it.

#### SECTION 17

### CHAPTER 17

#### CHAPTER 4

As I looked at it more closely, Africanus said, "Tell me, how long will your mind stay fixed on the ground? Don't you see what temples you've entered? Everything is joined together in nine rings, or rather spheres. One is the outermost sphere, the heavens, which encloses all the rest. It is the supreme god himself, restraining and containing the others. Fixed in it are the stars' endless circling paths. Beneath it are seven spheres, turning backward, opposite to the heavens. One of these spheres belongs to the star people on earth call Saturn. Next is the bright light called Jupiter, which brings people help and good fortune. Then comes the red one you call Mars, which terrifies the earth. Below that, the sun occupies roughly the middle region. It leads, rules, and directs all the other lights. It is the world's mind and keeps it in balance. It is so large that its light illuminates and fills everything. The paths of Venus and Mercury follow it like companions. The moon circles in the lowest sphere, lit by the sun's rays. Below it, everything dies and passes away, except the souls the gods gave to the human race. Everything above the moon lasts forever. Earth is the ninth sphere, at the center and lowest of all. It doesn't move. All heavy things fall toward it under their own weight."

#### SECTION 18

## CHAPTER 18

### CHAPTER 5

I stared at all this in amazement. When I recovered, I said, “What’s this? What is this loud, sweet sound that fills my ears?” He said, “The push and movement of these very spheres produce it. The intervals between its notes are unequal, but fixed in exact proportion. It blends high notes with low ones to produce varied, balanced harmonies. Such great movements can’t take place in silence. By nature, one extreme produces low sounds, the other high ones. So the highest, star-filled sphere of heaven spins faster and makes a high, piercing sound. This lowest sphere, the moon’s, makes the deepest sound. Earth is the ninth, always still in one position, occupying the universe’s center. Those eight moving spheres produce seven sounds, each separated by an interval. Two of the spheres have the same pitch. This number ties almost everything together. Learned people copied this music with strings and singing. In doing so, they opened a path back here for themselves. Others did the same by using their outstanding minds to pursue divine studies during human life.”

#### SECTION 19

“People’s ears have been filled with this sound and have grown deaf to it. No sense of yours is duller. It’s like the people who live where the Nile plunges from very high mountains at the places called Catadupa: the sheer volume of the sound leaves them unable to hear. The sound here, made by the extremely rapid turning of the whole universe, is so loud that human ears can’t take it in. In the same way, you can’t look straight at the sun: its rays overwhelm your eyesight and your power to see.” Though I was amazed by all this, I still kept turning my eyes back toward the earth.

#### SECTION 20

## CHAPTER 19

### CHAPTER 6

Then Africanus said, “I can see you’re still looking at humanity’s home and dwelling place. If it looks small to you, as it really is, always look at these things in heaven and look down on human affairs. How widely can people ever talk about you? What fame can you gain that’s worth wanting? You see that people live only in a few small, widely scattered places on earth. Even within those inhabited patches, huge empty stretches lie between them. The people living on earth aren’t just cut off from one another so that nothing can pass from one group to another. Some also stand at an angle to you, some crosswise to you, and some even directly opposite you. You certainly can’t expect any fame from them.

#### SECTION 21

## CHAPTER 20

“You can also see that same earth ringed and surrounded by what look like bands. You see that two of them, the farthest apart from one another and lying right under the sky’s poles, one on either side, are frozen stiff with frost. But the largest band, in the middle, is scorched by the sun’s heat. Two bands can be lived in. The southern one, where people stand with their feet facing yours, has nothing to do with your part of the human race. As for this other one, which lies under the north wind and which you live in, look how small a part of it you occupy. All the land you live on, narrow at its tips and wider at its sides, is just a small island surrounded by that sea which you on earth call the Atlantic, which you call the Great Sea, which you call Ocean. Yet you can see how small it is, despite its great name.

#### SECTION 22

“Even from these inhabited and familiar lands, could your name or the name of any of us cross these Caucasus mountains you see, or swim across that Ganges? Who will hear your name in the other distant regions of sunrise or

sunset, of north or south? Once these places are cut out, you can certainly see how cramped the space is in which your glory wants to spread. And those who do talk about us—how long will they talk?”

#### SECTION 23

### CHAPTER 21

#### CHAPTER 7

“Even if that succession of future generations wanted to pass on to their descendants the praises of each of us that they had received from their fathers, floods and burnings of lands must occur at fixed times. Because of these, we cannot achieve glory that is even long-lasting, much less eternal. Besides, what difference does it make that people born later will talk about you, when people born earlier never did,

#### SECTION 24

### CHAPTER 22

who were no fewer and certainly better men, especially since no one can be remembered for one year, even by those who can hear our name? People commonly measure a year only by the return of the sun, that is, of a single star. But when all the stars have returned to the place they once set out from and, after long intervals, have restored the same arrangement of the whole sky, then that can truly be called the revolving year. I hardly dare say how many human generations that year contains. For just as the sun once seemed to people to fail and go out when Romulus’s soul entered these very regions of the sky, so, when the sun is eclipsed again in the same part of the sky at the same time, count the year as complete, with all the constellations and stars returned to their starting point. You should know that not yet a twentieth of that year has turned.”

#### SECTION 25

## CHAPTER 23

“So if you’ve given up hope of returning to this place, where great and outstanding men have everything, what, after all, is that fame among people worth? It can barely last for a tiny part of a single year. So if you want to look high up and keep your eyes on this resting place and eternal home, don’t give yourself over to what the crowd says or pin your hopes for what you do on human rewards. Goodness itself must draw you toward true honor through its own appeal. What other people say about you is their concern. Still, they will talk. But all that talk is confined within the narrow boundaries of the lands you see. It has never lasted forever for anyone. It’s buried when people die and wiped out when later generations forget.”

### SECTION 26

## CHAPTER 24

## CHAPTER 8

When he’d said this, I said, “Yes, Africanus. Since a kind of path to heaven’s entrance lies open to those who’ve served their country well, even though I’ve followed in my father’s footsteps and yours since childhood and haven’t fallen short of the honor you’ve earned, now that such a great reward has been set before me, I’ll work with much greater care.” And he said: “Yes, keep working. And understand this: you’re not mortal; this body is. You aren’t the person that outward shape presents. Each person is their mind, not the shape you can point to with a finger. So know that you’re a god, if a god is a being that lives, that feels, that remembers, that looks ahead, that rules and guides and moves the body it’s in charge of, just as the supreme god rules and guides and moves this universe. And just as the eternal god moves a universe that’s partly mortal, so the everlasting soul moves a frail body.

### SECTION 27

## CHAPTER 25

“For what is always moving is eternal. But something that gives movement to another thing, and is itself moved by something else, must stop living when its movement ends. Only what moves itself never stops moving, because it never abandons itself. In fact, it is also the source and starting point of movement for everything else that moves. A starting point has no origin. Everything arises from a starting point, but it cannot itself be born from anything else. If it were produced from something else, it would not be a starting point. And if it is never born, it never dies either. If a starting point were destroyed, it could not itself be reborn from anything else or create anything else from itself, since everything must arise from a starting point. It follows that the starting point of movement is what moves itself. It cannot be born or die. Otherwise all heaven and all nature would have to collapse and come to a standstill, and never gain any force to set them moving again from an initial impulse.”

### SECTION 28

## CHAPTER 26

## CHAPTER 9

“So whatever moves itself clearly lasts forever. Who, then, can deny that souls have this nature? Anything moved by an outside push is lifeless. A living thing moves through its own inner motion. This is the soul’s special nature and power. If, of all things, it alone moves itself, it certainly was never born and lasts forever.”

### SECTION 29

“Exercise your soul in the best pursuits! And the best concerns are those for your country’s safety. Stirred and exercised by them, the soul will fly more quickly to this resting place, its home. And it’ll do that sooner if, while it’s still shut inside the body, it reaches beyond it and, by reflecting on what lies outside, draws itself away from the body as much as it can. For the souls of those who’ve given themselves over to bodily pleasures and made themselves their servants, as

it were, and who've broken the laws of gods and humans at the urging of desires that obey those pleasures, tumble around the earth itself after slipping free of their bodies. They don't return to this place until they've been driven about for many ages." He left; I woke up.

# Fragments of Uncertain Book



## SECTION 1

(Non. 321M) and nature itself would not merely invite this but compel it.

## SECTION 2

(Diom. GL 1.339K) strive

## SECTION 3

(Diom. GL 1.374K) they excel

## SECTION 5

(Serv. A. 6.877) “Fannius, praising a boy is a difficult task. What is to be praised is not his achievement but his promise.”

## SECTION 6

(Lactant. Div. Inst. 1.18.11)

“If anyone is allowed to rise to the regions of the heavenly beings,

Heaven’s greatest gate stands open to me alone,”

[...] “It certainly does, Africanus, for that same gate also stood open to  
Hercules.”

## SECTION 7

(Sen. Ep. 108.32sq.) in fact [...] himself [...] Since his interruption has called us  
back just as we were reaching the end [...].

For whom no citizen or enemy

Could offer an equal return for his deeds.

#### SECTION 8

(Anon. Parad. Koronne, Bielowsk) Those who win people's good opinion  
through feasts, dinner parties, and lavish spending plainly show that they lack  
the true honor that comes from goodness and dignity.

#### SECTION 9

(Cod. ms. note 458 p. 82bib. Ossol.) the strings should be shaken not with  
force and violence, but gently and calmly [...]