

1. [Atticus]: Since you have written about the best form of the state, it seems to follow that you yourself should write about laws. For I see that Plato of yours did this. . .¹ (*Leg.* 1.15)

[A.]: Quoniam scriptum est a te de optimo reipublicae statu, consequens esse videtur ut scribas tu idem de legibus. Sic enim fecisse video Platonem illum tuum. . .²

2. [Marcus]: Therefore we must keep to and preserve the form of the state which Scipio taught was best in those six books, and we must accommodate all the laws to that regime, and must also plant moral habits. . . (*Leg.* 1.20)

[M.]: [quoniam] igitur eius reipublicae, quam optimam esse docuit in illis sex libris Scipio, tenendus est nobis et servandus status, omnesque leges accommodandae ad illud civitatis genus, serendi etiam mores. . .

3. “For you are accustomed to search out eagerly the sort of matters which Tubero began to ask about a little earlier... [So] I am eager to hear from you, Philus, what you think about those two suns” (*Rep.* 1.17).

‘Soles enim tu haec studiose investigare, quae sunt in hoc genere de quo instituerat paulo ante Tubero quaerere. . . de solibus istis duobus. . . studeo, Phile, ex te audire quid sentias.’

4. “How fortunate is that man to be considered who alone is able to lay claim to all things as his own not by the law of Roman citizens, but by the law of the wise, and not by any civil tie, but by the common law of nature!” (*Rep.* 1.27)

‘Quam est hic fortunatus putandus, cui soli vere liceat omnia non Quiritium sed sapentium iure pro suis vindicare, nec civili nexu sed communi lege naturae.’

5. [Marcus:] We must include in this discussion the whole cause of universal law and of particular laws... For we must explain the nature of law... [next] we must consider the particular laws by which states ought to be ruled; then we must treat these... laws and statutes of peoples, among which the so called civil laws of our own people will not be hidden either (*Leg.* 1.17).

[M.]: Sed nobis ita complectenda in hac disputatione tota causa est universi iuris ac legum... Natura enim iuris explicanda nobis est... considerandae leges quibus civitates regi debeant; tum haec tractanda... iura et iussa populorum, in quibus ne nostri quidem populi latebunt quae vocantur iura civilia.

¹ Translations from the Latin in this paper are my own.

² Quotations from Cicero’s *de Re Publica* and *de Legibus* in this paper are taken from Powell’s 2006 *OCT* edition.

6. [Quintus:] Fantastic, brother! You just now started to make use of the terms of civil law and particular laws, and I am [still] waiting for your discussion about this subject. . . I don't know if this matter [of the highest good] can ever be decided, but it certainly can't in this conversation, at least if we're going to finish what we started.

[Marcus (or Atticus?):] I was the one who veered off in that direction [towards the discussion of the highest good], and not unwillingly.

[Quintus:] It'll be permitted some other time. Now let's do what we began, especially since this disagreement about the highest evil and good has nothing to do with it.

[Marcus:] You speak very prudently, Quintus. . . (*Leg.* 1.56-7)

[Q.]: Praeclare, frater! Iam nunc a te verba usurpantur civilis iuris ac legum, quo de genere exspecto disputationem tuam. . . Hoc diiudicari nescio an numquam, sed hoc sermone certe non potest, siquidem id quod suscepimus perfecturi sumus.

[M. (vel A.?):] At ego huc declinabam, nec invitus.

[Q.]: Licebit alias; nunc id agamus quod coepimus, cum praesertim ad id nihil pertineat haec de summo malo bonoque dissensio.

[M.]: Prudentissime, Quinte, dicis. . .

7. "But Scipio's detractors and enemies control part of the senate... while the treaties have been broken and those revolutionary extremists, the *triumviri* [of the land commission], are daily scheming some new plan... For which reason, if you'll heed what I say, young men, don't worry about that second sun... we can't know anything about **those** matters. But having one senate and people is something which is both possible and, if it fails to happen, extremely unbearable... [So] let's ask Scipio to explain what form of the state he thinks is the best" (*Rep.* 1.31-33).

'Obtrectatores autem et invidi Scipionis. . . tenent. . . senatus alteram partem. . . foederibus violatis, triumviris seditiosissimis aliquid cotidie novi molientibus. . . Quamobrem si me audietis, adulescentes, solem alterum ne metueritis. . . scire istarum rerum nihil. . . possumus. Senatum vero et populum ut unum habeamus, et fieri potest et permolestum est nisi fit. . . Scipionem rogemus ut explicet quem existimet esse optimum statum civitatis.'

8. "But Scipio's detractors and enemies. . . do not allow him, the one man who is able. . . to bring assistance in the midst of such dangerous affairs" (*Rep.* 1.31).

‘Obtrectatores autem et invidi Scipionis. . . neque hunc, qui unus potest. . . his tam periculosis rebus subvenire patiuntur.’

9. “To you **alone** and to your name will the entire state turn itself. . . you **alone** will be the man upon whom the salvation of the state rests, and, in sum, as dictator it will be for you to establish the state, if you end up escaping the impious hands of your neighbors” (*Rep.* 6.12).

In te **unum** atque in tuum nomen se tota convertet civitas. . . tu eris **unus** in quo nitatur civitatis salus, ac ne multa, dictator rem publicam constituas oportet, si impias propinquorum manus effugeris.

10. [Atticus:] A history is demanded of you. You seem to me to owe this duty to your fatherland, so that the country which was saved by you may, by you also, be adorned (*Leg.* 1.5).

[A.]: Postulatur a te. . . historia. . . mihi videris. . . patriae debere hoc munus, ut ea quae salva per te est, per te eundem sit ornata.

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Appendix: Other Relevant Texts

de Re Publica 1.36

(Scipio:) “I ask you to listen to me in the following way: neither as one altogether unversed in Greek matters, nor as one preferring them to our own (especially in this subject matter [of politics]), but as one of those who wear the toga, liberally educated due to the diligence of my father, and fired with the love of learning from the time I was a boy, but much more learned through experience and through the precepts I received at home than through literature.”

‘Peto a vobis ut me sic audiatis: neque ut omnino expertem Graecarum rerum, neque ut eas nostris in hoc praesertim genere anteponentem; sed ut unum e togatis, patris diligentia non illiberaliter institutum, studioque discendi a pueritia incensum, usu tamen et domesticis praeceptis multo magis eruditum quam litteris.’

de Legibus 3.14

[Marcus]: We can recall men who were merely somewhat learned who were great in politics, and many extremely learned men who were not very experienced in the politics. But who can we easily find, with the exception of [Demetrius of Phalerum], who excelled in both areas, so that he was number one both in the pursuit of learning and in ruling the state?

[Atticus]: I think that we can, and in fact it’s one of us three.

[M.]: Et mediocriter doctos magnos in re publica viros, et doctissimos homines non nimis in re publica versatos multos commemorare possumus; qui vero utraque re excelleret, ut et doctrinae studiis et regenda civitate princeps esset, quis facile praeter hunc inveniri potest?

[A.]: Puto posse, et quidem aliquem de tribus nobis.

Fam. 9.2.5, Cicero to Varro, April 46

Now let us be determined to do the following: to live united in our studies, from which in time before we were wont to seek delight, but now, in addition, safety; not to be found wanting, if anyone wants to make use of us not only as architects but even as builders for the construction of the state, and to come running to her aid quite willingly; if no hires us, nevertheless to write and to read *republics* (“regimes”) and to guide the ship of state and to ask questions about mores and laws, if not in the senate house and in the forum, then in literature and in books, as highly learned men of old have done. These things seem best to me, but what *you* will do and what seems best to *you*, it will be most pleasing to me if you’ll write it to me.

Modo nobis stet illud: una vivere in studiis nostris, a quibus antea delectationem modo petebamus, nunc vero etiam salutem; non deesse, si quis adhibere volet, non modo ut architectos, verum etiam ut fabros, ad aedificandam rem publicam, et potius libenter accurere; si nemo utetur opera, tamen et scribere et legere *πολιτείας* et, si minus in curia atque in foro, at in litteris et libris, ut doctissimi veteres fecerunt, gubernare rem publicam et de moribus ac legibus quaerere. Mihi haec videntur: tu quid sis acturus et quid tibi placeat, pergratum erit, si ad me scripseris.