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‘Communis Sensus.’

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shameless darkness, embrace one another in their unspeakable concupiscence, as chance brings them together, and, if not in fact yet in guilt, all are alike incestuous, since whatever can result by the act of individuals is potentially desired by the wishes of all.

But friendship and not polemic is Fronto's forte, and we like him much better when he says of Marcus: 'Of all his virtues, and even more than the others worthy of admiration, is this, that he unites all his friends in harmony.' In his interpretation of the Orpheus legend (which is found in the Catacombs as a constant type and symbol of Christ) he attributes to him the power by his character and goodness of attaching followers of all kinds and of all nations to himself, and inducing them to live together in harmony, 'the gentle with the fierce, the good-natured with the passionate, the meek with the proud, the sensitive with the cruel. Then all of them, he adds, gradually put off their ingrained faults, went after virtue and learned righteousness, exchanged shamelessness for a sense of shame, self-will for deference, ill-feeling for kindness.'

We may now conclude with a passage on 'Love rational and love fortui-

tous,' which the reviser of the MS. calls on the margin *mirus locus*:

'Friendship that is won by desert has not such growth or firmness of texture as the love that is sudden and at first sight.' And a greater man than Fronto said: 'Who ever loved that loved not at first sight.' 'So in orchards and gardens the growth of shrubs, reared and watered by hand, is not like that of the oak and the fir and the cedar on their native hills which, springing up self-sown and set without plan and without order, owe nothing to the toil and services of a planter, but are fostered by the wind and the rain.' And he adds: 'For neither can you match your pyramids, raised by hand and reason, against the hills, nor your aqueducts against the river, nor your cisterns against the fountains.'

This will suffice to give a taste of Fronto's quality, and no one, who comes with an unbiassed mind to the reading of his letters and those of Marcus, will deny that the volume was worth recalling from the limbo of oblivion, and gives us a picture of ancient times that is not without interest and instruction for us.

C. R. HAINES.

'COMMUNIS SENSUS.'

SIR WILLIAM HAMILTON's historical account of the meanings of Common Sense (in his edition of Reid's Works, vol. ii. pp. 756 ff.) had the distinction of being adopted in part by Mayor (on Juvenal VIII. 73) and thence by Munro (on Lucretius I. 422). This latter note has become a *locus classicus*, and through it some interpretations which seem to be certainly wrong have secured currency in our commentaries. Munro gives two meanings: (1) as in Lucretius 'Corpus enim per se communis dedicat esse | sensus,' where the phrase 'has much the same force as *naturalis sensus*, the sense given by nature to all sane men.' Cicero, he says, is fond of using it with the same meaning—*Pro Plancio* § 31, *Pro Cluentio* § 17, *De Oratore* 2. 68; 3. 195, 'passages showing how nearly Cicero connected it with nature.' (2) A

meaning which Hamilton under the last head of his fourfold division defines thus: 'In the fourth signification Common Sense is no longer a natural quality: it denotes an acquired perception or feeling of the common duties and proprieties expected from each member of society—a gravitation of opinion—a sense of conventional decorum—a communional sympathy—general *bienséance*—public spirit, etc.' (One may remark that this is scarcely homogeneous: a gravitation of opinion may be quite different from a feeling of common duties and proprieties, and the former phrase might suit some passages to which the latter is alien.) Munro quotes from Hamilton only the first part of this sentence (down to 'society'), and other editors (e.g. Wilkins on *De Oratore*, Fausset on *Pro Cluentio*, Holden on

Pro Plancio) have taken it over from him. He gives, as instances of this meaning in Cicero, *Pro Plancio* § 34 and *De Oratore* I. 12. Without entering on a full discussion of the term, I think a short study of the passages shows (1) that many of them will not bear the meaning assigned to them by Munro or others (I presume Munro really grouped his first set together because he considered that they all illustrated *communis sensus* as a natural quality, not that in them all it meant 'the sense given to all men'); (2) that the distinction between 'natural' and 'acquired' is irrelevant; (3) that the second meaning is not to be found in Cicero. It is necessary to quote the context somewhat fully in order to show how it determines the meaning: the snippets which editors print are generally of little use for this purpose.

Cicero, *Pro Plancio* § 31: 'Ipso nomine patrio valeret apud clementes iudices et misericordes: valeret, inquam, communi sensu omnium et dulcissima commendatione naturae.' This is obviously different from what Lucretius meant. It is not perception or sensation but sentiment, the general feeling of mankind (towards the relation of father and son), just as in *Pro Cluentio* § 17, which Munro treats in the same way, the plural is used to cover, *along with other general feelings*, that of reluctance to make family quarrels public. Whether the feeling is 'given by nature' or not, and whether the people who have it are 'sane,' does not matter. In both passages Cicero adds a reference to nature.

Pro Plancio § 34: 'Cum senatus impediretur quominus, id quod hostibus semper erat tributum, responsum equitibus Romanis redderetur, omnibus illa iniuria dolori fuit publicanis, sed eum ipsum dolorem hic tulit paulo apertius, Communis ille sensus in aliis fortasse latuit: hic, quod cum ceteris animo sentiebat, id magis quam ceteri et vultu promptum habuit et lingua.' This, according to Munro, has the second meaning. Holden, in his edition of the speech, repeats the definition (not quite correctly) and translates by 'tact.' What, then, becomes of *latuit*? Cicero is explaining away a certain habit of

saying offensive things, which has been attributed to the elder Plancius. If *communis ille sensus* is 'tact,' surely we should expect something different from *in aliis latuit*: tact in these others (one would rather say) was well to the fore. But *communis ille sensus* is repeated in *quod cum ceteris sentiebat*: it is the feeling which all the *publicani* shared (of resentment at the manner in which the senate had treated them). In others perhaps this feeling was less prominent; Plancius showed it rather too plainly. Here, then, we have neither tact nor the sense given by nature to all sane men, nor yet the general feeling of mankind, but a feeling which was common to a particular class.¹ Whether it was natural or whether they were sane is another matter. Cato, to whom the senate's action was due, would perhaps have denied both: but he could not deny that the *communis sensus* existed. With this plain sense of the words one may compare *De Prov. Cons.* § 2: 'praecipuum illum et proprium sensum doloris mei, quem tamen vos communem semper vobis mecum esse duxistis.'

De Oratore I. 12: 'Quod hoc etiam mirabilis debet videri, quia ceterarum artium studia fere reconditis atque abditis e fontibus hauriuntur, dicendi autem omnis ratio in medio posita communi quodam in usu atque in hominum [m]ore et sermone versatur, ut in ceteris id maxime excellat quod longissime sit ab imperitorum intellegentia sensuque disiunctum, in dicendo autem vitium vel maximum sit a vulgari genere orationis atque a consuetudine communis sensus abhorrere.' Hamilton refers to this under his fourth head; Munro follows him, and is followed by Wilkins. 'Gravitation of opinion' (which Munro does not quote) might be made to apply, if taken in a wide enough sense, but what have we to do here with a feeling of common duties or proprieties? The parallel expression *a vulgari genere orationis* ('ordinary, every-day language') as well as the contrast with those arts in which one tries to get as far as possible *ab imperitorum intellegentia sen-*

¹ Hamilton cites these passages to exemplify *communis sensus* as the source of moral judgment.

suque, and perhaps the addition of *consuetudine*, shows that *communis sensus* is here simply the general way of thinking, the mental attitude of the man in the street. To conform to the thought of the man in the street is just what the orator has to do; he must not talk over the heads of his audience. Cicero puts the same thing by a slightly different phrase in *De Oratore* 1. 108 'Sunt enim varia et ad *volgarem popularemque sensum* adcommodata omnia genera huius forensis nostrae dictionis.' And we may compare 1. 83 where, speaking of the paradox that only the wise man is an orator, he says 'sed haec erat spinosa quaedam et exilis oratio longeque a *nostris sensibus* abhorrebat' ('remote from our way of thinking').¹

The same sense is to be found also in Tacitus, *Dialogus* 31, 'Sunt apud quos adstrictum et collectum et singula statim argumenta concludens dicendi genus plus fidei meretur: apud hos dedisse operam dialecticae proficiet. Alios fusa et aequalis et ex communibus ducta sensibus oratio magis delectat: ad hos permovendos mutuabimur a Peripateticis aptos et in omnem disputationem paratos iam locos.' Some like close-knit logic; others prefer a smooth, flowing discourse which presents the plain man with his own common-place ideas. Wilkins *l.c.* apparently here too takes the phrase to mean 'an instinctive sense of what is required from all members of the same community' (a view which in any case could hardly account for the plural). Peterson says 'the feelings and instincts implanted by nature in all rational beings.' My objections to this are (1) that *sensus* is wider than 'feelings and instincts'; (2) that 'rational beings,' like Munro's 'sane men,' is needless, and is inevitably too much emphasised; (3) that nature should not be mentioned. The phrase, as we see from *Pro Plancio*

§ 34, or *De Oratore* 1. 83 or 108, or *De Prov. Cons.* § 2, implies nothing at all as to the origin of the feeling or thought. When Cicero particularly means a feeling or instinct implanted by nature he says so: e.g. *De Domo* § 97 'An ego poteram . . . infitiri me esse hominem et communem naturae sensum repudiare?' (where in spite of *naturae* Hamilton applies his fourth meaning, 'an acquired perception,' etc. The feeling to which Cicero refers is grief at the loss he had suffered). *De Oratore* 3. 195 'quod ea sunt in communibus infixis sensibus nec earum rerum quemquam funditus natura esse voluit expertem.' *Pro Cluentio* § 17 'Hoc quod in communibus hominum sensibus atque in ipsa natura positum atque infixum est.' *Pro Plancio* § 31 (quoted above). Munro is hardly entitled to say that these passages show how closely Cicero connected *communis sensus* with nature: they rather show, when compared with the other passages, that by itself the phrase does not suggest nature. And if the idea of 'rational being' is wanted, it is to be found in *hominum*. *De Oratore* 2. 68, which Munro includes in the list, is not parallel: 'Equidem omnia quae pertinent ad usum civium, morem hominum, | quae versantur in consuetudine vitae, in ratione rei publicae, | in hac societate civili, in sensu hominis communi, | in natura, in moribus, comprehendenda esse oratori puto.' The phrases here go in carefully balanced pairs, so that *in natura* is quite separated from *in sensu hominis communi*. As for the meaning, Hamilton again includes this under his fourth head, Munro under his first. Is it not simply what men in general feel and think? The whole group is equivalent to 'every department of human life and thought.'

Communis sensus, then, is any feeling or thought which happens to be common to any number of persons. The particular feeling or thought may be specified; more usually it is easily understood from the context: or the expression may be general. I do not deny that Hamilton's meaning exists. Community of feeling is not the same as feeling of community, yet the latter may arise out of the former. But I place it after Cicero, perhaps after Horace: for in *Sat.* 1. 3,

¹ Dr. Postgate, on insufficient grounds, denied that *sensus* ever means 'thought' in republican Latin (*Journal of Philology*, XXIV. p. 135). Dr. J. S. Reid has produced numerous instances, showing that 'in the best period of Latin the word covers the whole range of meaning which lies between feeling and thought' (*Harvard Studies in Class. Phil.* XXII. p. 44). One would expect *communis sensus* to correspond.

66 'ut forte legentem | aut tacitum impellat quovis sermone molestus: | "Communi sensu plane caret" inquit, where editors render by 'ordinary tact' (Palmer), 'the social sense' (Wickham), 'die taktvolle Rücksichtnahme auf seine Mitmenschen' (Kiessling), one may doubt whether this is necessary, whether in fact it means more than the feeling or perception which men in general have; the reader being left, as usual, to understand what the particular feeling or perception is. But this passage may be a bridge to Seneca *De Ben.* I. 12, 3 'Sit in beneficio sensus communis: tempus, locum observet, personas,' etc.,

or *Ep.* 105, sic vero invidiam effugies, si te non ingesseris oculis, si bona tua non iactaveris, si scieris in sinu gaudere. odium autem ex offensa sic vitabis, neminem lacescendo gratuito: a quo te sensus communis tuebitur.' Landgraf's statement that *sensus communis* is 'tact' or 'feeling of propriety,' while *communis sensus* is 'general feeling,' is refuted by *De Oratore* 2. 68 and by Phaedrus I. 7, 4; though it is true that in the post-Augustan writers, who show the former meaning, *sensus communis* seems to be the stereotyped form.

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SOME DIFFICULTIES IN THE LETTERS OF CICERO.

IT is the common lot of all ancient authors to be glossed sooner or later. The letters of Cicero have by no means been exempt from this fate, as is natural considering their difficulty; but it is worth noting that some MS. in the ancestry of the Medicean passed through the hands of a man who, though no very thorough scholar, had at least a smattering of Greek. This is shown, not only by the fairly numerous Greek words which are written more or less correctly in Latin letters instead of the usual clumsy uncials, but also by certain undoubted glosses which have survived into the text until they were ejected by modern editors. It is noteworthy that these glosses are pretty correct; thus, *Att.* XV. 21, 2, 'ἐποχὴν uestram de re Cani deliberationis probo,' where, save for the case, which a scribe may have corrupted, the Latin word translates the Greek one well enough. Again, XVI. 1, 5, 'sed Xenonem perexigue et γλίσχρως praeberē id est minutatim.' How many other glosses have not only got into the text, but displaced the Greek altogether we cannot say; I am inclined to think that one or two certain cases have been detected and that several more are at least probable.

Ad Fam. XII. 25, 3 M has: 'fuit enim illud quoddam graecum tempus seruitutis,' which most editors retain either with a dagger or with the reading of some of the dett., 'caecum' for 'graecum.'

But surely Cobet's emendation, δούλιον ἡμαρ, makes all clear, and is psychologically very probable, for Cicero was steeped in Homer to such an extent¹ that the Greek of so famous a passage would be probably more familiar to him than any Latin equivalent.

I suggest, with some diffidence, that a similar mistake has caused part of the corruption in *Att.* X. 12a, 2 (= 12, 5), where the MSS. give us the following: 'quare ui aut clam agendum est et si ui forte ne cum pestate clamaut emisitis.' Following earlier conjectures at the beginning and end of the corrupt passage I would read: 'quare . . . est; etsi ui, μὴ σὺν ᾄτῃ; clam autem—di istis!' I take it that the elliptical phrase μὴ σὺν ᾄτῃ bothered the glossator, who wrote over it 'fort. ne cum peste,' and that this was copied into the text along with one word of the Greek, which thus produced the monster *pestate*. For 'di istis' (not 'istos,' as Tyrrel and Purser *ad loc.* suggest) cf. XV. 20, 3, 'di illi mortuo.' In the next sentence, for the MSS. reading 'uides quam turpe est. trahimur,' etc., the usual emendation 'turpe. est<o>; trahimur' is easy; but I am not absolutely certain that Cicero in familiar speech always

¹ He quotes him in fifty-six passages, according to R. B. Steele, *Amer. Jour. Phil.*, XXI. (1900) p. 394, who deals with the letters alone. Add the fairly numerous quotations in the philosophical works.