The Classical Quarterly

<http://journals.cambridge.org/CAQ>

Additional services for *The Classical Quarterly*:

Email alerts: [Click here](#)

Subscriptions: [Click here](#)

Commercial reprints: [Click here](#)

Terms of use : [Click here](#)

Notes on the *Controversiae* of the Elder Seneca

Walter C. Summers

The Classical Quarterly / Volume 5 / Issue 01 / January 1911, pp 17 - 23

DOI: 10.1017/S0009838800019236, Published online: 11 February 2009

Link to this article: http://journals.cambridge.org/abstract_S0009838800019236

How to cite this article:

Walter C. Summers (1911). Notes on the *Controversiae* of the Elder Seneca. The Classical Quarterly, 5, pp 17-23 doi:10.1017/S0009838800019236

Request Permissions : [Click here](#)

NOTES ON THE *CONTROVERSIAE* OF THE ELDER SENECA.

BOOK I.

CONTR. I. The characters of this declamation are two brothers, at deadly enmity with each other, and the son of one of them, who, when his uncle is reduced to beggary, supports him in spite of his father's prohibition. Disowned by the latter, he is adopted by his uncle, who presently grows rich—at the very moment when his brother loses everything. The young man again reveals his tender-heartedness, supports the unfortunate man in the face of his adopted father's orders, and is once more disowned. He pleads his case before a jury.

§ 2 'ipse' inquit 'me aluit.' *imitationem alienae culpa innocentiam uocas?*

The subject of *inquit* is the adopted father; the words *imitationem . . . uocas* form the son's reply. Modern editors read 'ipse . . . me ali uetuit,' with E. (MSS. which contain each controversy in an abridged form). This no doubt represents the actual facts, but although there is no doubt that the excerpts do enable us pretty often to emend the fuller MSS., they require very careful use, as they also very frequently make considerable changes in the actual words used by Seneca. Here I think the MSS. reading should be kept, except for the slight alteration involved by the insertion between *ipse* and *inquit* of the particle *enim*, often used to mark the irony of a statement or question: cp. e.g. I. 3. 1 'id enim derat, ut . . .,' 2. 3. 5 'uides enim: turpiter uiuo.'

§ 4 ego indicabo cur me abdicēs: tu indica cur adoptaueris. quaedam accedunt noua.

Here again the youth addresses his adopted father: the answer to each question is 'because I supported a man in distress,' and the implication is that the adopted father is not acting with much consistency. In the last clause Gronov and Schultingh substitute for *accedunt accidunt* and *acciderunt* respectively, the latter also changing *quaedam* to *quaenam*. Modern editors follow G., though I can see no force in the remark 'Some new things happen.' S.'s text is at any rate intelligible, but I believe *accedunt* to be perfectly sound: cp. I. 3. 2 where it is claimed that a Vestal who has survived the ordeal of being flung down a precipice for unchastity must face it again, and her prosecutor says: 'She was proved guilty before: quid postea accessit quod

illam uirginem faceret?' In that passage, it is true, the perfect is used, but it does not seem to me essential, especially if we emend *-dam* of the pronoun to *-iam*. Read then *quae iam accedunt noua*? 'what fresh circumstances are involved?'

§ 6 quid faciam? qui alunt abdicantur, mendicant qui non alunt.

Müller adopts for *mendicant uindicantur*, an emendation of Gertz's. But *mendicant* is perfectly intelligible. This youth's support, first of his uncle and then of his father, has in each case ended in his *abdicatio*. On the other hand, he has seen his father, who refused to give support, reduced to beggary, and such a fate may well befall *him* if he imitates such conduct. For the idea cp. § 16 where, explaining why he could not refrain from helping his father, he says 'stare ante oculos Fortuna uidebatur et dicere . . . *esuriunt qui suos non alunt*.' That the thought is the same here is, I think, shewn by the words that immediately follow: 'illud tamen deos testor: diuitem te relinquam,' in which the adopted father is evidently warned that Nemesis may make *him* poor too.

§ 7 'fratrem' inquit 'alere noluit.' inuenisti quod possem defendere.

I see no reason for the lacuna which Müller (after Trabant) assumes after *noluit*. The two clauses seem to me to be intimately connected. The adopted father repeats the plea of § 2: 'Well, *he* wouldn't help me when *I* was a beggar.' And the young man replies: 'You've thought of a charge on which I fancy I could clear him,' i.e. 'your present treatment of him shews you to possess a nature so base that he may have had some justification for *his* treatment of you.' Cp. what he says a few lines below, to the same person: 'Do you want to punish him thoroughly? *sentiat quam bono fratri iniuriam fecerit*,' 'heap coals of fire on his head' so to speak, and Sen. *Thy.* 514 where Thyestes, surprised at the apparently generous behaviour of his brother, says, in just the converse sense, 'pessimam causam meam | hodierna pietas (*sc. Atræi*) fecit.' Of course the argument that the exaction of a tooth for a tooth justifies the original operation is a childish one, but then such *sententiae* are quite common in the declamations and by no means confined to the cases in which Seneca himself affixes the label *puerilis*.

§ 23 audimus fratrum fabulosa certamina et incredibilia nisi nos fuissimus; impias epulas, detestabili parricidio †futurum diem.

The reference is of course to the banquet of Thyestes. As none of the various conjectures (*furuum*, *fuscatum*, *funestum*) seem very satisfactory, I suggest *fugituum*. The loss of 'g' between vowels is common in these MSS.: *agit* and *ait* are constantly confused, and in 1. 7. 15 all MSS. have *fuisse* for *fugisse*. *Fuituum* would almost inevitably become *futurum*. For the (? military) metaphor cp. Sen. *Thy.* 836 sqq. (of this same portent) 'non aeternae facis exortu | dux astrorum saecula ducens | dabit aestatis brumaeque notas,' Mart. 3. 45. 1 'fugerit an Phoebus mensasque dapesque Thyestae | ignoro.'

CONTR. II. The subject of this declamation is similar to that of an episode in the story of Apollonius of Tyre, itself the source of a scene in *Pericles*. A maiden captured by pirates and sold to the keeper of a brothel manages to remain unmolested by those who visit her until the arrival of a certain soldier, whom she finds obdurate, but contrives to kill. Acquitted of the charge of murder she returns to her own country and there stands for the office of priestess. She is attacked, as unable to satisfy the conditions of the law, not being *casta e castis, pura e puris*.

§ 1 'si nihil aliud, certe osculatus est te quisquis †puram putauit.'

The argument is that even if she was successful in persuading everyone to spare her honour, this very pleading involved a certain departure from virginal modesty. The thought is clearly stated in § 7 'cum deprecaberis intrantis amplexus, ut alia omnia impetrares, osculum erogasti:' cp. § 12 'haesisti in complexu, oscula pacta es: ut ('even if') felicissima fueris, pro pudicitia impudice rogasti.'

'Puram' is obviously wrong, and the emendations 'spurcam' 'impuram' do not seem to me to give a clear, pointed sense. I suggest 'stuprum,' and 'petiuit' for 'putauit.' As regards the former change, in § 2 of the next *Controversia* the two best MSS. have for 'stupro' an abbreviated form 'spro,' doubtless a relic of their archetype. When once the last letter of 'quisquis' had absorbed the initial letter of 'sprum,' the change of 'prum' to 'purum' or 'puram' ('a' and 'u' being one of the commonest interchanges of our MSS.) would not be difficult, especially in a declamation where the adjective is not uncommon and is indeed contained in the law on which the case turns. As for 'petiuit,' we have 'puto' for 'peto' in all MSS. in 1. 5. 2 and in Quint. *Decl.* 254 (p. 42 R) I feel sure that *ultionem putauit* stands for *ult. petiuit*.

§ 20 'licet illam ponatis in lupanari: et per hoc illi intactam pudicitiam efferre contigit. Fuit in loco turpi, probroso: leno illam prostituit, populus adorauit.'

The girl's advocate is emphasizing the way in which his client has passed unharmed through every imaginable ordeal. Here he says, or is made to say, 'You can put her in a brothel: well, she has kept her honour even there.' For him then to proceed: 'she has been in—a brothel (*loco turpi, probroso*)' seems to me hopelessly feeble. But these words become forcible enough if we read in the previous clause *continget*. First the prophecy 'Put her in a brothel, and she will keep pure,' then the stronger statement of fact: 'She has been in one, and escaped unharmed.' My suggestion is, I think, confirmed by the fact that the next passage is framed on just these lines: 'An assailant armed with a sword may shake even resolute chastity: my client's *will* not waver. Perhaps you think I'm promising too much for her. *Iam praestitit*, she's done it already.'

I notice that at the end of the passage which I have been discussing

Müller adopts Gertz's conjecture 'aduolauit' for 'adorauit.' I see no objection to the MSS. reading: cp. § 17 'narrate sane omnes tamquam ad prostitutam uenisse, dum tamquam a sacerdote discesserint': 'I don't mind how much stress you lay on their having come to her as a wanton, provided you admit that they came away as if they had been with a priestess.' The train of thought is similar to that of the two gentlemen in *Pericles* 4. 5 'But to have divinity preached there! Did you ever dream of such a thing?' 'No, no. Come, . . . shall's go hear the vestals sing.'

ib. 'multum potest ad rectum quoque pudici animi propositum hostis cum gladio.'

Rectum in itself seems otiose enough, as the 'resolve of a chaste mind' would naturally be righteous. That it should be emphasized by the addition of *quoque* seems to me absolutely impossible, and I propose to read for it 'certum': 'even when it is firm and fixed.'

CONTR. III. This is the case of the Vestal, to which I referred under I. § 4. To her plea that her escape argues divine interposition due to her innocence Triarius replied: 'Don't consider that you have escaped punishment: it is only adjourned (*ampliata*).' Cestius objected to the use of this technical word:

§ 9 'ea ipsa' inquit 'ampliatio quae apud iudices fieri solet, ex qua uerbum in sententiam petatum est, non est damnantis, sed dubitantis.'

This is the reading of the MSS., which I translate: 'The regular legal term for adjournment, from which he gets the word for his epigram, implies doubt not certainty,' illustrating by Quint. 8. 5. 20 'illae (*sententiae*) semper uitiosae sunt: a uerbo' (i.e. *sententiae* based on the use of a word with some special, allusive force: he instances the exordium, written doubtless by some injured father, '*Patres conscripti—sic enim incipiendum est mihi ut memineritis patrum*') and Sen. himself, 9. 2. 21 illi (sc. declaimers) qui uoluerunt omnia legitima supplicii uerba in sententias trahere.' The change to *in sententia* made by modern editors seems to me unnecessary and feeble.

CONTR. IV. A 'uir fortis,' who has lost both hands in battle, surprises his wife and her paramour. He calls in vain on his son to kill them, and they escape. The son is disowned and on his raising protest the case is argued. The father speaks first, and describes in detail the indifference and derision with which the guilty pair received him and the passive attitude adopted by his son.

§ 2 steti deprensus ab adulteris meis: patris desertor, matris leno (i.e. the son) tertius in cubiculo derisor stetit.

For *deprensus* the modern editors (after Wachsmuth) read *derisus*, to which of course some colour is given by the *tertius derisor* of the next clause.

It is not however in any way necessary for this phrase to be immediately preceded by a reference to the derisive attitude of the guilty parties, for this, as I mention above, has been fully treated in the previous section. And the MSS. reading is not merely intelligible but supplies the sentence with a thoroughly typical silver point—an inversion. The *natural* way to use the verb ‘deprendere’ in such a context was of course that in which it bore the sense ‘catch *in flagrante delicto*’ (cp. the lemma: ‘adulterum cum adultera qui deprenderit’), but the declaimer by using it in the less obvious sense of ‘catch unprepared’ (cp. 3. pr. 6 ‘utilius erat illi deprendi quam praeparari,’ Sen. *Ep.* 18. 8 ‘imparatos Fortuna deprendat’) produces something very akin to a paradox: ‘It was not I who caught them: they caught me,’ ‘it was I who looked foolish, not they.’ Cp. § 1 where the soldier says ‘Maimed as I am, it was only in my own house that I *CAPi potui*.’

§ 11 P. Vinicius et pulchre dixit et noue †sumpsit ab hominibus bene dictae: ‘inrupi in cubiculum. quid mentior miser? aperto cubiculo expectabant adulteri.’

Müller adopts Schultingh’s ‘sumpsit ab omnibus bene dicta,’ punctuating the clause as a parenthesis. But (1) is not some connecting particle (*enim*?) badly needed, (2) how can the fact that V. took everyone’s good points justify our saying that he *dixit noue*, and (3) does, as a matter of fact, his sentence embody the essence of everyone’s good points? It does not, but it is a setting of a point made by most of the declaimers, the indifference of the couple when discovered. I take it, then, that S. lays stress on V.’s having given this a new setting, and suggest accordingly ‘P. V. et pulchre dixit et noue sensum ab omnibus bene dictum,’ and cp. 1. 1. 25 ‘Euctemon dixit noue et amabiliter illum . . . ab omnibus uexatum sensum: . . .’ (the quotation that originally followed has unfortunately fallen out in the MSS.). The corruption of ‘sensus’ is certainly striking: it looks as if the first letter of ‘ssum’ got in some way transposed to the end of the word (*sums*=*sumpsit*). The evolution of ‘dictum’ into ‘dictae’ or as the early MSS. doubtless read ‘dicte’ is easily explained: the ‘m’ once absorbed by the ‘in-’ of ‘inrupi,’ ‘u’ became ‘a,’ and ‘a’ in its turn ‘e’ (both changes being well represented in our MSS.).

I must add that as it seems feeble to say that V. said ‘pulchre’ what others said ‘bene,’ I am much inclined to read for the latter adverb ‘paene.’

CONTR. VI. This is one of the romantic declamations. A young man whose father has failed to ransom him from pirates is saved by the pirate-chief’s daughter. They escape together and on reaching home he fulfils an oath he has taken to marry her. But presently his father bids him divorce the girl and set himself free for a wealthy bride. Refusal is punished by *abdicatio*.

In discussing the general treatment of the theme by the various declaimers Seneca says:

§ 11 omnes honestam mentem¹ puellae dederunt, omnes dixerunt eam misericordia motam, non amore.

There must be something wrong with *non amore*. For in the first place Seneca, having occasion (§ 9) to mention that one Hispo represented the girl as influenced, not by love of the young man, but by hate for her father, adds the comment 'uoluit illi et amoris commendationem detrahere,' thereby making it clear that (as one would expect in this modern version of the story of Jason and Medea) love *was* generally assumed to have actuated the maiden. And we know from the same section that Latro for one spoke of her as impelled 'non misericordia, *sed libidine*.' The context too in our passage shews plainly that the word after *non* must denote a motive that is not compatible with *mens honesta*, some such thing as 'calculation,' 'selfish (or "mercenary") motive.' Compare the words immediately following it: 'solus Pollio iudicio fecisse uult' (i.e. in order to get away from her present surroundings).

Of course *non* (ñ) may be a mere corruption of *uel* (occasionally written ū). It seems however to me more probable that *amore* is due to an abbreviation of *ambitione*. 'N' and 'r' are pretty often confused in our MSS., and I have noticed several errors that suggest a tendency on their part to confuse words that could hardly be confused unless one of the pair was written in an abbreviated form: 1. 6. 4 'moribus' for 'maior-,' 2. 1. 3 'negabit' for 'nauig-' (the converse in 1. 7. 13), *ib.* 24 'hos' for 'honoris,' 2. 2. 5 'diuinatione' for 'diuisione.'

It may be argued against my conjecture that, according to Seneca himself (§ 9), a certain declaimer named Buteo *did* bring a charge of *ambitio* against the girl, or rather her father (whom he represented as acting in collusion with her!): 'illam esse honestam condicionem nuptiarum inuentam.' My answer would be that Seneca's memory, as he himself tells us, was not what it had been: that he has forgotten Buteo's attitude by the time he reaches § 11 is clear from his statement there to the effect that Pollio was the only declaimer who represented the girl as acting *consilio*.

CONTR. VII. A young man, captured by pirates, writes home for his ransom. But he has deeply offended his father by killing his own two brothers, one as a tyrant, the other as the paramour of his own wife. The old man writes back offering the pirates twice what is asked if they will cut off his son's hands. Released unharmed, he returns home and, finding his father a beggar, refuses to support him, and is prosecuted.

§ 8 testor, iudices, omnes ciues meos: una seruiuiumus, nemo tyrannidem me uno sensit magis. argumentum habeo maximum, quod uiuo: non pepercissetis mihi si putassetis me patrem tyranni.

The father is speaking and is trying to counteract the effect of the invidious references which have been made to the fact that one of his sons has been a

¹ The MSS. 'matrem,' but as there is absolutely not a word about the girl's mother in either lemma or declamation I regard Thomas's emendation as certain.

tyrant. The word *patrem* has been a good deal suspected and emended (*fautorem*, *partem*, *patronum*), but I believe it to be sound. The use of a word of this kind in an emphatic sense to mean 'all that the word connotes,' 'the character, feelings of a . . .' is very common in the declamations and indeed silver writing in general. Cp. e.g. 9. 5. 11 'auum distuleram, accusatorem exclusi,' 'as their grandfather, I asked him to defer his visit, as my accuser I refused him admittance,' 2. 3. 5 'inter reum et patrem ("my position as . . .") distrahor.' Here I think *patrem* means practically 'having any affection for,' though it may be used more vaguely in the sense 'one who had been enjoying all the privileges a (tyrant's) father would expect.'

§ 9 non opus est tibi magna impensa ad sustinendum patrem: †magnā omnia sunt; tu mecum alimenta partire.

I do not understand the meaning of Gertz's 'magna mihi omnia sunt,' adopted though it is by Müller. The context seems to require a clause to the effect that his needs are strictly limited, and this force can be gained by reading *in angusto omnia sunt*.¹ cp. for the phrase *in angusto* Sen. *Ep.* 55. 11 'in angusto uiuebamur si quidquam esset cogitationibus clusum' ('how limited a life were ours'), 7. 3. 3 'in quam angusto domus meae fortuna posita est' ('how limited a choice': he goes on to say 'aut patri pereundum est aut filio'), and for the application of this adjective to means of life, etc. L. and S. 11 D and Sen. *Ep.* 18. 11 *aliquem anguste pascere*. It will be observed that the 'm' of 'magnā' may come from the end of the preceding word: I presume of course that the 'us' of 'angusto' was represented by some abbreviation.

§ 16 usus sum consilio: sciebam piratas . . . esse . . . auaros. uolui efficere ut et desperarent posse illum redimi et propter hoc superuacuum †et cum futurum dimitterent.

Modern editors simply omit the words 'et cum,' Gertz suggests 'et onus.' I believe he has got the sense of the decayed word, but propose as perhaps nearer to the remains 'et grauem.' For the sense, cp. Sen. *Ep.* 42. 5 'non cogitabat quam onerosa essent, etiamsi superuacua non essent.' The confusion of 'c' and 'g' is very common in these MSS., so that one would expect *guem* or *guem* to become 'cum' without much difficulty.

WALTER C. SUMMERS.

Sheffield.

¹ Whether *ei* or *mihi* or *mea* is really needed as well I think uncertain. The pronouns are omitted very boldly at times in these declamations.