

The Classical Review

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

Additional services for *The Classical Review*:

Email alerts: [Click here](#)

Subscriptions: [Click here](#)

Commercial reprints: [Click here](#)

Terms of use : [Click here](#)



Peterson's Cluentius of Cicero *M. Tulli Ciceronis pro A. Cluentio Oratio* : edited with introduction and notes explanatory and critical, by W. Peterson M.A., Hon. LL.D. St. Andrews and Princeton. Pp. lv, 271. London, Macmillan and Co. (Classical Series) 1899. 3s. 6d.

W. Yorke Fausset

The Classical Review / Volume 14 / Issue 04 / May 1900, pp 226 - 229
DOI: 10.1017/S0009840X00082548, Published online: 27 October 2009

Link to this article: http://journals.cambridge.org/abstract_S0009840X00082548

How to cite this article:

W. Yorke Fausset (1900). The Classical Review, 14, pp 226-229 doi:10.1017/S0009840X00082548

Request Permissions : [Click here](#)

JAN'S *MUSICI SCRIPTORES*.

Musici Scriptores Graeci, recognovit, prooemiis et indice instruxit CAROLUS JAN. Supplementum, melodiarum reliquiae. Teubner, 1899. M. 1.20.

IN this small volume of the Teubner series of texts—the number of pages is sixty in all—we have from the highly competent hand of Carl von Jan a complete collection of all the fragments of Greek music as yet discovered. In the case of such a book our chief duty is to recommend it to the attention of scholars. A few points may be noticed.

The fragment of the *Orestes* of Euripides the editor (following M. Gevaert) now pronounces to be in the Dorian 'mode'; that is to say, it is based on a scale of the Dorian species. On the question whether the genus is Chromatic or Enharmonic he decides in favour of the former. The mysterious Z is regarded by him (no doubt

rightly) as simply a mark of the end of the line.

The two Hymns to Apollo now appear in a much more complete form than has been possible hitherto. In the first Hymn a great improvement has been effected by the transposition of the two fragments. The process of filling up *lacunae* by conjecture has been carried on with great ingenuity and success.

The Seikilos inscription has now received the missing final note, which has so important a bearing on the tonality.

The three Hymns which for so long were the only specimens of Greek music have received some fresh light, especially from an article by M. Th. Reinach in the *Revue des études grecques* ix. (1896.) The observation of the law of accent has now drawn a distinction between this hymn and the others.

D. B. MONRO.

PETERSON'S *CLUENTIUS OF CICERO*.

M. Tulli Ciceronis pro A. Cluentio Oratio: edited with introduction and notes explanatory and critical, by W. PETERSON M.A., Hon. LL.D. St. Andrews and Princeton. Pp. lv, 271. London, Macmillan and Co. (*Classical Series*) 1899. 3s. 6d.

DR. PETERSON had laid all teachers of the classics under a debt of gratitude by his well-known translation of the *pro Cluentio*, which was revised and issued with certain notes in 1895. Some further comments of his, upon the text, appeared in this Review in June 1898. He has now followed up these preliminary labours by a new edition of the speech, in which he claims, not without reason, to have constituted the text on independent lines. What these lines are, will best be seen if we proceed to examine certain passages in the light of Dr. Peterson's criticism.

But it may be remarked, at the outset, that finality is not to be expected in the constitution of such a text as that of the *pro Cluentio*. There were, as Classen first pointed out in his edition of 1831, two

recensions of the text: the 'vulgate' as it is called, which is represented by the promiscuous crowd of codd. deteriores, and the superior recension represented by the MSS. known as ST. The latter is supported, on the whole, by P the fragmentary Turin Palimpsest of the 5th or 6th century, which itself however displeases us at times by its ineptitudes; e.g. §35 postulari (for post uiri): §92 om. natura: §101 praeferebatur (for proferebatur): §129 iuretur (for inuretur), §146 in mente (for sine mente). But in three or four cases P has yielded invaluable evidence e.g. §130 multitudini: nemini licitum: and it goes far to establish the value of the ST recension.

We find further evidence of the existence, in the 14th century or earlier, of a better recension or at least of some MS. from which marginal corrections were taken down in MSS. of the vulgate order of text. Dr. Peterson mentions (after Classen) the cod. S. Marci (b²). He further says (p. xliii)—'There was a codex S. Victoris, believed by Classen to have been used by Lambinus and collated also by Gulielmuis': adding that Sylvius cites it in his edition of

1535, the earliest separate edition of the speech. It is strange that by a sort of tacit agreement among editors, the whereabouts of this manuscript is left in obscurity: and Dr. Peterson goes so far as to speak of it in the past tense. But I have recently examined with some care a MS. in the Bibliothèque Nationale at Paris (no. 14749, belonging originally to the Abbaye de Saint-Victor, suppressed at the Revolution), which appears to correspond in all respects to the missing codex. There are fifteen cases in which Σ (as I will call it) shows the readings (mostly in the margin, sometimes in the text) attributed by Gulielmus to the cod. S. Victoris: two cases in which it does not, viz. in not reading *et for sed* (§ 46) and *pronuntiari* (§ 73). This MS. Σ seems to be a patchwork by different hands. Its groundwork corresponds to the M family which Dr. Peterson indicates (p. xlii), showing traces of the four lacunae characteristic of that group. These lacunae however are filled up by very apparent patches: e.g. in § 102 after '*agerent quod nos*' appears an erased line '*quaerit qualis uir*'...from § 107, and continued by the correct insertion '*in tota causa*' etc. on the top of the next folio, in paler ink. There are similar traces of disturbance at § 127. The lacunae §§ 149-154, §§ 176-182 are filled up by an inserted page in either case. The closing pages, from § 198 *incidit in quo* to the end of the speech, are similarly inserted.

Though the text of Σ agrees in the main with that of M, there are cases in which it contradicts it: e.g. § 47 *ad* (ob STFM), § 64 *inimicus* ΣST *iniquus* FM: § 104 *accepisse* a Cluentio HS CCCC, ΣST (here correct edd. who say ST soli); *ib. aliud* is ΣSF. It appears therefore to have some independent value. But its main interest is to be found in its marginal corrections. These appear to have been inserted by more hands than one: a few are written in a very faint ink, whereas the greater part are as clear as the text. Sometimes the emendation promised by an '*al.*' in the margin has not been filled in at all. But these emendations with little exception confirm ST^b: but note § 33 *possit* Σ marg. S, § 48 *esse* dicet Σ^m S, § 49 *hic cum causa* Fabricius Σ^m (*hic cum causa* C. Fabr. T); § 53 *hoc quo visus venire* posset Σ^m, *hoc quovis usus venire* posset T: § 72 *plane* Σ^mF, *planius* ST: § 113 *potuerunt*, or *putaret*, both in Σ^m, while Σ text has *potuit aliqui*, ST^b *putaretur*.

It may surely then be fairly contended that we have in Σ an additional witness to the best text current in MSS. of the ST type,

a MS. which in its own text follows, but not invariably, the tradition which we have in the Laurentian eleventh century MS. M, the omitted passages (and possibly certain readings) being taken by the scribe from a second MS. before him (such as F), perhaps, indeed, from two combined: for those passages exhibit once or twice the ST tradition. When it comes to the marginalia, we are driven to the conclusion that the whole speech was carefully collated more than once with a MS. of the ST order. It is disappointing no doubt to find little or nothing that is new in the readings whether of margins or text. The MSS. of Cicero have been so thoroughly worked over, from the ninth century onwards, that this was only to be expected: and such scholars as Dr. Peterson address themselves to the task of conjectural emendation. Of all such work the remark of Lehmann (quoted in Mr. A. C. Clark's *pro Milone* p. xlix) holds good: 'in all cases where we have not such good MSS. [as in the *de Senectute*] criticism builds upon an insecure foundation; a conjecture may be put forward which suits the sense, but is not convincing, since the readings before us are themselves the deposit of an ancient and intelligently-formed recension.'

The soundest part of such emendation seems (to the present writer) to be that which concerns itself with intrusions into the text: glosses and 'index-words' in particular. Thus Dr. Peterson condemns '*agitur causa*' in § 58 as a marginal guide which has slipped into the text; and in § 72 *queritur se ab Opp. destitutum*; better than Madvig, who proposed to excise '*sese ab Opp. destitutum*' below.

There are four cases in the speech in which the question of reading turns on the omission of *non*: § 34 *non longe animo prospexisse*, STΣ^m, *longe a. pr. P*, codd. rel.; § 47 *medico non ignobili sed spectato homine* STΣ^m *ignobili sed* FMΣ: § 67 *non ignoratis* ST, *ignoratis* codd. reliqui; § 127 *comperisse*, codd. omnes, but *non comperisse* conj. Graevius. In the first of these Dr. Peterson follows ST: in § 47, he reads *non ignobili, spectato homine*, as an instance of the appositional *homo* or *uir*: in § 67 all edd. read the *non*: in § 127 Dr. Peterson, with Classen and Baiter, follows the MSS., reading *sese* however for *esse*. On this we may remark, first of all, that the omission of *non* by all MSS. proves very little: it is not unfrequent; cp. *Planc.* § 44 where the best MSS. omit an indispensable *non*. Next, Dr. Peterson's exegesis of the passage is not very clear: *duos esse...dicant* clearly corresponds

to aut illud adferant, and yet he inserts a mark of interrogation, on the ground that the videlicet of the following words implies an answer to a question. But the sense is 'The censors must say that two alone were guilty: obviously then (videlicet) the rest of the jurors voted honestly.' To proceed: Dr. Peterson renders his text (aut illud adferant *sq.*) 'or else they must make the allegation that they ascertained some fact implicating the others.' This rendering is surely unsatisfactory: adferre is hardly 'to make an allegation' but to 'produce as evidence' or simply to 'bring forward a plea': (Lucr. iii., 354, *adf.* = *rationem adferre*, 'to give an explanation'). Again, why aliquid and not id or idem? With the other reading, we get a clear sense 'or else they must plead that they had not actually brought home to the rest the charge which they had effectually proved (*habuerint compertum*) against Aquilius and Gutta.' The contrast between the two forms of perfect favours this view. It suggests, as the second alternative open to the censors, that they should say 'Two at least are *proved* guilty: of the rest we have our suspicions.' Dr. Reid (*ap. Peterson* 'Translation' p. 153) confirms this reading by reference to § 131 nihil ipsos habuisse cogniti, nihil comperti.

In § 37 the reading of Müller is accepted, atque ubi pernoctarat ibi diem: I had read atque ubi pernoctaret ibi diem, following P, which involves the doubtful tense pernoctaret. Comparing the MS. readings ibi pernoctaret ibi diem ST ibi pernoctaret et ibi diem FM ibi pernoctaret et ibidem WΣ which all support the imperfect tense, I now think that we should read (as Classen) atque ibi pernoctaret, ibi diem posterum commemoraretur: the more so as the sequence of the clauses is Ciceronian, cum esset apud mulierculam atque ibi...commemoraretur, *cp.* Phil. ii, § 77, delituit in cauponula atque ibi...perpotavit, Catil. iii, § 5.

In § 66 vos quaeso...item quae reliqua sunt audiat is read, as against STΣ^m ut item, on the ground that to explain the latter 'one would have to suppose that vos is direct acc. after quaeso and that it takes the ordinary government of verbs of asking': this, it is said, quaeso can only take when coupled with oro, precor and the like. It is true that quaeso ab aliquo is the ordinary construction: but in Sex. Rosc. § 11 we have te...M. Fanni quaeso ut qualem te...praebuisti...talem te...impertias. In § 112 parenthetic quaero (not, as usual, quaeso) read by FMWΣ is cut out by Dr. Peterson, following ST because it 'could not

stand parenthetically in such a context,' and may be due to a marginal adscript *quaere*.

In § 84 the words istam dedit conciliationis et gratiae fabulam (*om.* ST) are retained, in spite of the banality of the repetition of conciliationem gratiae two lines above. In Σ^m we have istam ultro dedit: which may suggest, as the original, excogitavit ultro, sive, ut homines tum loquebantur, a P. Cethego admonitus. The suspected words, istam...fabulam are surely some scribe's adaptation of the idea in explosum et eiectum est (§ 86).

In § 86 the excision of qui cum matre, as 'the remains of an adscript,' is to be regretted: I have nothing to add to my critical note on the passage, unless it be to say that a passing hit at Sasia is never out of place (*cp.* § 18 *init.*) and that Σ has qui cum matre *insere* haerebat, Σ^m has *insere* habebat simultates; another Paris MS. (no. 17883) has a corruption of the true reading, qui cum in re haerebat. In § 94 the latter MS. may be held to support the reading of ST placatum, by its paccatum: it certainly is the only MS. that reads pudens, which most *edd.* adopt: Dr. Peterson has prudens and pacatum. The emendation in § 98 quid? accusati sunt (*qui acc. s. codd.*) is not convincing: Mr. Lendrum's view, that the relative introduces a refutation (*Hermathena* vi. p. 358) is more satisfactory (*he cp.* § 91 quae res fraudi fuit and qui tum interlitus): otherwise atqui would suit better than quid? In § 116 the interesting emendation of Dr. Postgate non remittunt (*MSS. non admittunt*) is discussed but put aside. It has much to recommend it. The accepted text represents a litis aestimatio as invariably either *lenient* to a fault or negligent. But Cic. is arguing that a certain *severe* litis aestimatio was no iudicium; and we are landed in the supposition 'that the most skilful of advocates starts in his task of minimising the importance of a severe lit. aest. by suggesting that a large number of these assessments of penalty are too mild' (*Journal of Philol.* xxvi. p. 89). We can only, with Dr. Peterson, reply that the fact is mentioned merely as an illustration of negligentia: which is rather strained, especially as Cic. goes on to give instances of *severe* lit. aestimationes: which agrees better with non remittunt 'refuse to mitigate the penalty.' In Σ^m we find non amittunt, which might be taken to support the emendation.

But so many interesting points are raised

by Dr. Peterson's notes on this admirable speech

singula dum capti circumvectamur amore that we have already exceeded the bounds of a review. Reference may be made to the adoption of *in eo loco* § 65, the attempt to supply the lacuna in § 103 (which, however, does nothing more than others to mark the transition from the first trial of *Fidiculanus Falcula* to the second), the defence of *accusavit ut cum* in § 150, of *at heres est C.* in § 165, the excision, in § 173 (the poisoning passage), of *faciliusne potuit quam in poculo* as mere 'index-words' from the margin. The last is not a convincing solution of a passage which *Lambinus* despaired of emending: but it may point the way to a remedy; one might prefer to keep the triple question (*faciliusne...latius...celerius...*) and to throw out *facilius fallere in pane si esset animadversum quam in poculo*, which is really self-contradictory. In § 192 an emendation of an equally unsatisfactory passage is suggested which merits attention.

The Introduction gives a useful summary of the facts of the *iudicium Iunianum* and the *præiudicia* of which so much is made by the orator. The technical question relating to the *lex Cornelia de sicariis* is fully discussed; the value of *Cicero's* argument is examined. The *Scamander* incident is set in a clearer light: the meaning of § 47 *pecunia obsignata quæ ob eam rem* ('for the deed') is determined, though *adferre* (§ 53) in the sense 'to administer' might have been illustrated (*e.g.* *Cael.* § 31); nor is it explained why *Scamander* had the poison on him as well as the money when he

was caught, when it was *Diogenes* who was to administer it. (Probably *Cicero's* story is intentionally confused.)

One last point. In § 163 *Ambivium* (T.) is preferred to *A. Bivium* (SMΣ). The true reading is, I believe, *Abivium* which is found in a *Brit. Mus. cod.* (Burn 159): and we have here a pun like those in § 72. This is a *copo de via Latina*, who has been making himself disagreeable: 'if he invites us into his hostelry we shall give him such a reception that he will be sorry he has gone out of his way'; the words *de via* (*Latina*) *decessisse* contain a play upon the name *Abivius* (*abire via*).

This Edition makes a distinct contribution to the solution of the difficulties of the *pro Cluentio*: which is high praise in the case of a speech for which so much had already been done by the successive labours of scholars. It can hardly be regarded as the last word of the higher scholarship on this speech. The interpretation of the *pro Cluentio* is one of those classical tasks, such as the translation of the *Odes* of *Horace*, which have a peculiar attraction for scholars and provide a touchstone of criticism. But we may hope that *Principal Peterson* will address himself next to some *res integra*. There are speeches of *Cicero* which still await an editor.

The only misprints which I have noticed are as follows: p. xli, middle, for § 149 read § 145; p. xlii. for *-egrinus* read *egimus*; p. 28 cr. n., for 6 read 9; p. 34 cr. n. on 18, correct thus '*alia* most codd.; *aliqua* some edd.' (Σ M have *aliqua*); p. 249 middle, read *pane* for *pace*.

W. YORKE FAUSSET.

SHOREY'S ODES AND EPODES OF HORACE.

Horace: Odes and Epodes, edited with Introduction and Notes by PAUL SHOREY, Ph.D., Professor in the University of Chicago. Sanborn & Co., Boston, U.S.A. 1898. Pp. xxxvii, 487.

THE friend of American freedom will welcome in this edition one of the fast accumulating proofs that the trans-Atlantic domination of Berlin and Göttingen is on the decline. In its practical and its literary character it bears the unmistakable impress of the Anglo-Saxon genius. It forms part of a series entitled the *Students' Series of Latin Classics*, and judged from the standard

of the students' needs it may be truly said to have realized the promise of its motto, οὐ πᾶλλ' ἀλλὰ πολὺ. The distinguishing feature of the book is its 'literary' character. Dr. Shorey in his preface does not deprecate this description; only by means of an illustration from the French, which I must transcribe for the delectation of readers of the *Classical Review* who do not know it already, he explains in what sense his edition is not a literary one.

Ecce autem a Tenedo gemini tranquilla per alta.
Ecce autem! Les voilà, ce sont eux! *A Tenedo*; c'est de Ténédos qu'ils arrivent; on les aperçoit de loin; *gemini*; ils sont deux; ils forment un couple!