THE TEXT AND TRANSMISSION OF CICERO'S *BRUTUS*

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ABSTRACT

This thesis is composed of three parts: a study of the transmission of Cicero's rhetorical work *Brutus*, a critical edition, and a textual commentary. I begin Part One with a catalogue of the *c.*109 extant manuscripts of *Brut*. The second chapter of this part is devoted to the oldest surviving manuscript, the Cremona fragment. I demonstrate, against the view of earlier scholars, that the Cremona fragment is a part of the long-lost *Codex Laudensis* (L), the archetype of the entire tradition. In the following chapters, I use the stemmatic method to establish the relationships between the fifteenth-century copies of L. In Chapter 3, I prove that there are three independent lines of descent from L for the first part of the text, and four for the second. In Chapters 4 and 5, I study the manuscripts and printed editions which derive from the independent descendants of L, placing them into families and sub-families. In particular, I show that one manuscript, F, copied by Niccolò Niccoli, is the source of the majority of the tradition. The final chapter of this part, Chapter 6, is a textual history of *Brut*.: I connect my conclusions from Chapters 3-5 to the historical data, shedding fresh light on the roles played by various humanists of the Italian Renaissance, including Gasparino Barzizza, Flavio Biondo, and Niccolò Niccoli, in the dispersion of the text. No comprehensive study of the transmission of *Brut*. has been undertaken before, and many of my conclusions are completely new.

In Part Two, I present a new text of *Brut*., together with an *apparatus criticus*. I diverge from Malcovati (1970) in *c.*100 places, sometimes reverting to the paradosis and sometimes printing a conjecture, whether my own or that of another scholar; these differences are listed in an appendix. In Part Three, I discuss all the most significant textual problems and explain many of my editorial decisions in a textual commentary.

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But it is to our God, who was on the throne before Cicero was born, and who will be on the throne after every manuscript of *Brutus* has disappeared into oblivion, that all the glory should go.

For from him and through him and to him are all things. (Rom. 11: 36)

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ABBREVIATIONS

Classical texts and authors are abbreviated according to the norms of the *Oxford Classical Dictionary*, 4th edn.

AE	*L'Année épigraphique* (1889-).
CIL	*Corpus inscriptionum Latinarum* (Berlin: Reimer, 1862-).
DMLBS	R. K. Ashdowne, D. R. Howlett, and R. E. Latham (eds). *Dictionary of Medieval Latin from British Sources*, 3 vols (Oxford: British Academy, 2018).
FRHist	T. J. Cornell (ed.). *The Fragments of the Roman Historians*, 3 vols (Oxford: Oxford University Press, 2013).
Keil, *Gramm. Lat.*	H. Keil (ed.). *Grammatici Latini*, 8 vols (Leipzig: Teubner, 1855-1880).
K-S	Raphael Kühner and Carl Stegmann. *Ausführliche Grammatik der lateinischen Sprache: Satzlehre*, 3rd edn, rev. by Andreas Thierfelder, 2 vols (Leverkusen: Gottschalk, 1955).
LSJ	Henry George Liddell and Robert Scott. *A Greek-English Lexicon*, rev. by Henry Stuart Jones, 9th edn (Oxford: Clarendon Press, 1940).
Migne, *PL*	J.-P. Migne (ed.). *Patrologiae cursus completus: Series latina*, 217 vols (Paris: Migne, 1841-1855).
MRR	T. Robert. S. Broughton. *The Magistrates of the Roman Republic*, American Philological Association Philological Monographs 15,

	3 vols (New York and Atlanta: American Philological Association, 1951-1986).
OLD	P. G. W. Glare (ed.). *Oxford Latin Dictionary*, 2nd edn, 2 vols (Oxford: Clarendon Press, 2012).
ORF[4]	H. Malcovati (ed.). *Oratorum Romanorum fragmenta*, 4th edn, vol. 1 (Turin: Paravia, 1976).
RE	A. Pauly et al. *Real-Encyclopädie der classischen Altertumswissenschaft*, 83 vols (Stuttgart: Metzler; Munich: Druckenmüller, 1894-1980).
RRC	Michael H. Crawford. *Roman Republican Coinage*, 2 vols (London: Cambridge University Press, 1974).
TLL	*Thesaurus linguae Latinae* (Leipzig: Teubner; Berlin: De Gruyter, 1900-).
TLRR	Michael C. Alexander. *Trials in the Late Roman Republic, 149 BC to 50 BC*, Phoenix Supplementary Volume 26 (Toronto: University of Toronto Press, 1990).

INTRODUCTION

Two dates stand out in the history of *Brutus*: 46 BC, when Cicero composed the work, and AD 1421, when it was rediscovered after having fallen into obscurity for centuries. The first of these dates marked, for Cicero, the beginning of a period of intense study and fruitful writing on rhetoric and philosophy which would continue until November 44, just over 12 months before his death. The second, when a manuscript was discovered which contained *Brut*. as well as complete texts of two other major rhetorical works by Cicero, *De oratore* and *Orator*, was a significant moment in the rekindling of interest in Cicero, Roman rhetoric, and the Latin classics in the Renaissance. Because the *Codex Laudensis* (L), the manuscript discovered in 1421, has since been lost, my goal in this thesis has been twofold: to trace back the text of *Brut*. to that contained in the archetype, and then to bridge the centuries of scribal copying between 1421 and 46 BC by reconstructing the original text as accurately as the evidence allows.

Brut. is a detailed history of Roman oratory, written in dialogue form. After a brief survey of Greek orators, Cicero describes and evaluates the qualities of more than 200 Roman orators, almost all from the previous 150 years. The work culminates in a brief autobiography in which Cicero sketches out the contours of his education and career as an orator. Scholars have differed greatly in their evaluation of the literary merits of *Brut*. For some, it is 'a remarkable *tour de force*';[1] for others, 'its *urbanitas* is feeble, its composition too careless … to remove the *longueurs* of what is little more than a catalogue of Roman orators'.[2] But whatever its defects, it remains a highly innovative

[1] Douglas (1966: xxiii).
[2] Winterbottom (1967: 301).

example of the flexibility of the dialogue form, and its value as a historical source for the development of rhetoric in the Roman Republic is immense.

This thesis falls into three parts. In Part One, I provide the first comprehensive study of the transmission of *Brut*. I begin by cataloguing the extant manuscripts and fifteenth-century editions which contain *Brut*. Then I discuss the significance of the ninth-century Cremona fragment, arguing that it is part of L, the archetype of the entire manuscript tradition. Next, I establish the stemmatic relationships between the descendants of L, eliminating the vast majority as *codices descripti* and placing the reconstructed text of the archetype on a firmer footing than has hitherto been possible. In the final chapter of this part, I present a textual history of *Brut*., in which I synthesise the work of previous scholars (especially Remigio Sabbadini and Enrica Malcovati) with my own findings. In Part Two, I offer a new text of *Brut*. with an *apparatus criticus*, and in Part Three, I explain many of my editorial decisions in a textual commentary.

1. Review of Scholarship

1.1 Textual Criticism

Scholarly study of *Brut*. recommenced almost as soon as the text was rediscovered. The Renaissance humanists soon saw that L was corrupt in numerous places, and they were successful in correcting many of its most obvious errors. Chief among them in this regard was Poggio Bracciolini, whose manuscript, Ad, features frequently in my apparatus;[3] but good conjectures can be found in many manuscripts. In the sixteenth century, the works of Aldus Manutius (1514), Corradus (1552), and Lambinus (1566) are particularly prominent, each of these scholars contributing many successful emendations to the text. The next major editions are Ernesti (1783) and Wetzel

[3] Ad is a *codex descriptus*, but it is often the first extant MS to correct an error of L.

(1795), and these were followed, as one would expect, by a host of nineteenth-century editions. Most nineteenth-century editors of *Brut*. were bold in diverging from the paradosis. Although they were often too quick to doubt the transmitted reading, many editors proposed at least a few attractive emendations, Schütz (1815), Jahn (1849), and Stangl (1886) being especially fruitful. In the face of this trend, Peter (1839) stands out for his resolute conservatism: very often he defends convincingly a text which has been unfairly doubted, but almost as often he attempts to defend the indefensible. In the second half of the century, the deletion of suspected interpolations was in vogue; Jahn-Eberhard (1877) and Stangl (1886) are the extreme examples of this tendency, but it is also evident in the textual discussions by Campe (1860) and Simon (1887).

The final major editions of the nineteenth century are Piderit-Friedrich (1889) and Martha (1892), both with helpful notes. Wilkins (1903) has been much used in the Anglophone world, but it is lacking in originality and in accuracy. Kroll and Kytzler, in their successive revisions of Jahn's edition,[4] both add useful entries and amendments in the commentary, but neither diverges significantly from Jahn's text. Jahn-Kroll-Kytzler is particularly valuable as a repository of twentieth-century emendations, and for its comprehensive bibliography. Reis (1934) is at times erratic in his choice of readings, but his text is generally good and would have been better known if it had not been superseded in the Teubner series by Malcovati (1965). Malcovati is markedly more conservative than her predecessors; as an editor she is judicious and reliable, although in my view she is occasionally satisfied too easily with the paradosis, sometimes accepting it even when she sees that a conjecture is superior.[5] Malcovati's second edition (1970) is an improvement on the first: she was persuaded to reject L's reading at §162 *defensione*

[4] Jahn-Kroll (1908); Jahn-Kroll-Kytzler (1962).
[5] See, e.g., her comments on §167 *exemplorum*] *leporum* in Malcovati (1960: 335-336).

iuncta, §213 *inluminatam*, and §273 *quam eius actionem*.[6] Douglas, whose commentary (1966) is still the best available on *Brut*., frequently offers helpful remarks on textual matters; like Malcovati, he is of a conservative bent. Finally, Badian's detailed review (1967) of Malcovati (1965) and Douglas (1966) serves as a useful starting-point for consideration of many of the most vexed textual problems.

Little work has been done on the text of *Brut*. since Malcovati (1970), which remains the standard edition. Sumner's prosopographical study (1973) occasionally has relevance to the constitution of the text. A few scholars have ventured to suggest fresh emendations (e.g. Willcock (1982), Watt (1983, 1996), and Kovacs (1989)), and very recently Kaster (2020) has produced an excellent annotated translation, with a few brief comments on textual matters. Essentially, however, the state of scholarship on the text of *Brut*. has not changed in half a century. The advances that have been made in that period in history, linguistics, and many other fields, together with the online databases, search tools, and other resources that have been made available, have created opportunities for further advance in the editing of this important work of Cicero.

1.2 The Transmission of Brutus

The disappearance of L in or after 1428 has made its reconstruction the ultimate goal of all work on the manuscript tradition. All previous editions have been based on study of a mere fraction of the extant tradition. Most nineteenth-century editors of *Brut*. worked from a small number of manuscripts then located in France and Germany (DQWBqBrBsDd).[7] As I will demonstrate later, almost all these manuscripts derive from β, a manuscript which added many errors to those already present in L. Ellendt (1844)

[6] She makes few other changes. For her comments on her second edition, see Malcovati (1968, 1971, 1975).
[7] For the sigla used here, see Chapter 1.

gave preference to Italian manuscripts: this decision allowed him to make use of the descendants of F, which lacks the errors of β. Ellendt also seems to have been the first to use O, a manuscript independent of both β and F. But the first major step forward with regard to the manuscript tradition was made by Stangl, before whom no scholar had devoted any significant attention to the relationships between the manuscripts. Stangl's edition was based on six manuscripts, BFGOBiBm; the first four are independent descendants of L and have been used in all subsequent editions. Editors from Stangl onwards have judged F to be the *codex optimus* among those extant.[8]

Building on the foundational work on the transmission of Cicero's rhetorical works conducted by Heerdegen (1884), Sabbadini,[9] and Stroux (1921), Reis advanced several correct conclusions concerning the relationships between the early manuscripts, and in this respect his edition was a substantial improvement on Stangl's. However, Reis' stemma is imperfect.[10] In particular, he failed to realise that B derives directly from L for most of *Brut*., and he was apparently wholly unaware of the value of J and U. Stangl had drawn attention to U in 1913, and both Kytzler and Malcovati regularly cite it, but neither seems to have had a clear idea of its relationship to the other principal witnesses. Malcovati (1958: 39 n. 24) perceived some of the weaknesses of Reis' stemma, but she chose not to print her own stemma, instead expressing her agreement with an anti-stemmatic view communicated to her by the German philologist Günther Jachmann.[11] I cannot follow Malcovati in despairing of the possibility of producing a reliable stemma of the early copies of L. However, even on her own terms she is inconsistent. If an editor

[8] F is a MS of the first importance, but the primacy given to it has led editors astray at points: see, for example, §197 *consecutis* Bλρ (three branches of my stemma)] *consecutus* F (the fourth branch), §215 *erant* Bλρ] *erantque* F, and §216 *instruendo* Bλρ] *struendo* F (discussed further below), where the designation of F as *optimus* has caused some scholars to accept its reading as the paradosis.

[9] Most of Sabbadini's findings are summarised in Sabbadini (1971).

[10] Reis (1934: viii); for further discussion, see below, pp. 98-99.

[11] Malcovati (1959: 180-181).

cannot determine the relationships between the manuscripts, (s)he should cite the testimony of all manuscripts which cannot be proved to derive from other extant witnesses, since all such manuscripts could have authority in the reconstruction of the archetype. But Malcovati does not do this. Instead, she consistently cites five witnesses (BFGOU), presumably believing that L's reading can always be deduced from these manuscripts.

As it turns out, L's text can be reconstructed from BFGOU in almost every place, but only if the relationship between them is known. In *Brut*. 216, for example, BGOU read *instruendo,* whereas F has *struendo*. Malcovati prints *struendo* in her text, and we must assume that she believed this to be the reading of L. Yet B, GO, and U represent three independent branches of the stemma at this point in the text, and their agreement in the reading *instruendo* proves that it was in the archetype. F, the fourth branch of the stemma, has erred. Similarly, in §322 Malcovati prints G^c's *ad* without angle brackets, thus apparently indicating that she believed that G^c alone had preserved the text of L. Again, once the relationships between the witnesses are more clearly understood, this can be proved to be impossible. An accurate recension of the manuscripts can eliminate many similar errors. If Malcovati can be shown to be wrong and a stemma of the manuscripts of *Brut*. can be drawn, then certainty can replace doubt at many points in the reconstruction of L.

Isabella Pettenazzi's discovery of the Cremona fragment (C), two leaves of parchment from the ninth century containing several paragraphs of *Brut.*, was a key moment in the history of the text's transmission. Pettenazzi (1957) argued that the fragment was part of the *Codex Laudensis*, but this conclusion was opposed by Malcovati in an influential article.[12] Malcovati cited the testimony of C in her editions, but she could

[12] Malcovati (1958).

not establish the relationship between it and L. Further study of C can elucidate the history of the transmission of *Brut*. as well as the reconstructed text of the archetype.

As with the textual criticism of *Brut*., knowledge of its transmission has not advanced much in the last half-century.[13] Malcovati's series of articles (1958, 1959, 1960) resolve several issues and illuminate the history of various manuscripts, but much is still unclear. Scarcia Piacentini (1983) sheds further light on the early dispersion of Cicero's rhetorical works from L, and a number of scholars, most notably Albinia de la Mare, have increased our knowledge of the date and provenance of individual codices. Many manuscripts of *Brut*., however, remain largely unstudied.

2. The Stemmatic Method

The stemmatic method has been fundamental to my investigations into the manuscript tradition of *Brut*. This method has been used, misused, defended, and critiqued by more scholars than I could list here.[14] The basic procedure can be stated briefly.[15] A text is collated, in part or in full, from all extant manuscripts, with every significant error of each manuscript being noted.[16] Families deriving from a common exemplar are identified by the presence of a set of shared significant errors. If manuscript X shares all the significant errors of manuscript Y and adds some of its own, X is deemed to derive from Y. Conversely, if X lacks some or all of the significant errors present in Y, X is deemed to be independent of Y (i.e. X does not derive from Y). By following these principles, one should be able to place the extant manuscripts of a text into a

[13] For a summary of the *status quo,* see Winterbottom et al. in Reynolds (1983: 107-109).
[14] For an introduction to the various views, see Timpanaro (2005), Reeve (2011), and Trovato (2017).
[15] For a fuller account, see Maas (1958).
[16] A 'significant error' is an error which could not easily be corrected by a scribe or reader without knowledge of other MSS (or printed editions). The clearest example of a significant error is the omission of a substantial portion of text, but shorter omissions, transpositions, additions, and other corruptions can also be impossible, or virtually impossible, to correct.

stemma, or family tree. This stemma will allow an editor to identify all manuscripts which have authority in the reconstruction of the archetype ('the latest copy from which all extant manuscripts derive')[17] and then to establish the text of that archetype.[18]

Two principal difficulties may hinder the reconstruction of the archetype. Firstly, if the stemma is bipartite rather than pluripartite, then in the places where the two branches differ, either may preserve the reading of the archetype. (These alternative readings are 'variants'.) Secondly, if contamination (where a manuscript inherits readings from multiple sources)[19] has taken place, it may not be possible to isolate sets of errors which are characteristic of particular manuscripts, families, or branches, and consequently it may be impossible to draw a stemma. However, the mere presence of contamination in a tradition does not make the reconstruction of a lost archetype impossible. If, for example, it can be proved that three manuscripts derive independently from the archetype and that no two of the three share an intermediate exemplar, it should be possible to determine the text of the archetype from these three branches in almost every place. The existence of contamination among their descendants, or in other parts of the tradition, would not hinder this reconstruction.

I have sought to establish the relationships between the extant manuscripts of *Brut*. After collating four sections of text (§§1-35, 215-228, 265-280, 309-333)[20] in all the available manuscripts,[21] I analysed the significant errors of each one. I have identified

[17] Oakley (2020: 2).
[18] Sometimes the archetype is extant for a part or the whole of a text; where this is the case, there will naturally be no need to reconstruct it from its offspring.
[19] For example, a reader might correct his/her text from another MS. If this MS was not an ancestor of the reader's copy, then contamination has occurred. Any subsequent descendants of the reader's copy will contain a conflated text.
[20] I sometimes refer to these as sections I, II, III, and IV. The collated portions together make up around a quarter of the text. Choosing sections from throughout the text enabled me to identify MSS whose exemplars had been changed during the copying of *Brut*. I chose sections from the beginning and end, as well as sections containing the two portions of text for which C was extant.
[21] I have not been able to determine the current location of two MSS. (Another is probably no longer extant.) See pp. 69-71 for details.

11 manuscripts which are independent descendants of L for the whole of *Brut*., or for as much of it as they still preserve, as well as a further four which derive independently from L for part of the text. The remaining 91 fifteenth-century manuscripts derive, either certainly or very probably, from other extant manuscripts. There is some contamination among the *codices descripti*, but in most cases the stemmatic relationships are clear.

In Chapter 3 I defend my stemma of the independent manuscripts. For §§1-130 the stemma has three branches, and for §§130-333 it has four. Throughout the whole text this stemma should, if correct, permit a virtually certain reconstruction of L.[22] Whereas Reis' bifid stemma meant that he often had to choose between variant readings of equal authority, my pluripartite stemma has allowed me to eliminate the errors of each branch. As has already been stated, Malcovati did not print a stemma and so was frequently unable to say with confidence which of her manuscripts had preserved the reading of L. I have been able to restore L's reading to the text in nine places where Malcovati, in company with many earlier editors, printed another reading as the probable text of L.[23]

3. Text and Apparatus: A Guide

In editing *Brut*., I have sought to avoid the extremes of radicalism and conservatism. Sometimes I believe most editors have been too hasty in abandoning L's reading; in those instances I have returned to the paradosis. However, not all corruptions result in nonsense, and so in some places where L's reading has been plausibly defended, I have still decided to diverge from the transmitted text, having judged that an alternative reading was preferable, even if not strictly necessary. Across the whole text, I have

[22] I do not, however, claim to be able to determine L's orthography. For my approach to spelling, see below.

[23] *Brut*. 70 *pulchriora etiam*, 111 *tecti*, 197 *consecutis*, 215 *erant*, 216 *instruendo*, 254 *Graecis*, 266 *nec*, 271 *Attium*, 331 *cura*. Other places where the conclusions from my recension were a factor in my decision to diverge from Malcovati's text include 15 *quae*, 62 *hae*, 86 *adornatior*, 88 *disquisitione*, 203 *vel maxime* <*omnium*>, 258 *Philum*, and 290 <*de*> *Aeschine*.

adopted more emendations than Malcovati, but considerably fewer than many nineteenth-century editors. For a list of the divergences from Malcovati (1970), excluding differences in orthography and punctuation, see Appendix 1.

A comparison with *De oratore* and *Orator* is salutary for editors of *Brut*. Whereas *Brut*. survived to the fifteenth century only by a single thread of transmission, much of *De or*. and *Orat*. is preserved in a mutilated tradition as well as in the descendants of L. There are many variants between L and the *mutili* in *De or*. and *Orat*., and the text of the *mutili* is often to be preferred.[24] Most disturbingly, the superior readings of the *mutili* are not infrequently of such a kind that they could not easily be restored by an editor only cognisant of the readings of L;[25] in some of these places, L's reading might never have been doubted. We can reasonably assume that the quality of L's text of *Brut*. was similar to its text of the other two works. Hence, in the absence of an alternative tradition to set against L, the editor of *Brut*. should be particularly alert to the possibility of corruption in the archetype.[26]

Nevertheless, my overall impression is that *Brut*. has not reached us in a significantly worse condition than many other works of Cicero.[27] There are a few lacunae, but nowhere does the text omitted seem to extend beyond a clause or two.[28] Where I have been uncertain about the original reading, I have often printed a text which I judged that Cicero might at least have written, and I have registered my doubts in the

[24] For comment on the character of the two traditions, see, e.g., Sandys (1885: lxxxviii-lxxxix, xci-xcii); Malcovati (1959: 183); Kumaniecki (1969: xx-xxii).
[25] e.g. *De or*. 1.17 *animorum* M (= *mutili*)] om. L; 1.22 *iam* M] om. L; 1.69 *opus erit* M] *volet* L; 1.69 *si modo* M] *cum* L; 1.120 *dignum re* M] om. L.
[26] Cf. Parker (1904: 248).
[27] I sympathise more with Hendrickson's judgement ('The text on the whole is well preserved and scarcely merits the complaints of corruption which editors have bestowed on it.' (1962: 18)) than with Badian's ('The text is perhaps in a worse state than any other work of Cicero's (if we exclude the more difficult *Letters*).' (1967: 223)); cf. also Malcovati's description of the text as 'tramandatoci in così tristi condizioni' (1975: 163).
[28] A few sentences may have been lost at the end of *Brut*.

apparatus or the commentary; I have only resorted to the obelus four times. I am aware that there is a danger of giving readers false confidence in the text's reliability, but I have sought to weigh this consideration against the desire to present a readable text.

Decisions with regard to punctuation and paragraphing are mine.[29] Unlike Malcovati,[30] I have adopted a uniform approach to orthography. I do not do so because I believe that Cicero, or his amanuensis, was always consistent in his spelling, but because I do not trust the transmitted orthography. The manuscript tradition is usually a poor guide to an author's practice in spelling, and this is especially the case with *Brut*. Not only is there a gap of nearly a millennium between the writing of the autograph and the copying of L, but also a corrector has revised many of L's spellings.[31] I have aimed at an approximation of Cicero's usual spelling practice, so far as it can be known. I have avoided archaisms, writing, for example, *-imus*, not *-umus*, and *vulgus*, not *volgus*. I use the ending *-is* for the accusative plural of i-stem nouns and adjectives. For the dative and ablative plural of *is*, I write *iis*, and for the nominative masculine plural, *ii*. I have also endeavoured to be consistent with assimilated prefixes, writing regularly, for example, *adm-*, *adn-*, and *ads-*, but *aff-*, *agg-*, and *all-*. I have adhered to my policy of uniform orthography even when an alternative spelling would more readily explain a corruption in the manuscripts. For instance, in §169 L had the corrupt *quo orationi*.[32] Malcovati follows Poggio in emending *quo* to *quoi*, but I have written *cui*. L's corruption may well be due to an earlier *quoi*, but even if that were the case, the presence of *quoi* in an earlier manuscript would not prove that the word was spelled thus in the autograph.

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[29] Malcovati sometimes reports the punctuation of BFGOU in the apparatus, but I generally do not do so. I have also largely neglected to report whether upper-case or lower-case letters are used in the MSS; I have normalised capitalisation in both text and apparatus.

[30] Malcovati followed L's orthography, so far as she could determine it. For her spelling policy, see Malcovati (1970: xiv-xv).

[31] See p. 79.

[32] Where a more specific text reference is required, I refer to the section number in *Brut.* and then to the line number of Malcovati's 1970 Teubner edition (e.g. 169.11).

Before preparing my edition, I collated in full all independent manuscripts (except X, a witness of minor importance).[33] I have been selective in citing the errors of individual manuscripts and families. I cite most non-trivial errors shared by a whole branch of the stemma, and I also cite the singular readings of J, O, and U where they do not result in nonsense. The descendants of β have little weight in the reconstruction of the archetype, and I cite very few of their singular readings. I cite conjectures if I consider them to be plausible alternatives to the paradosis, or if they highlight a genuine difficulty in the text.[34] (These criteria are necessarily somewhat subjective.) If a conjecture is found in an independent descendant of L, I cite that manuscript; otherwise, I attribute conjectures to the earliest source, whether that be a manuscript or a printed edition. If I do not feel confident in identifying the earliest source, I write *vulg.* (= *vulgo*) instead. This is usually either because I cannot find the reading in an early edition – I have not seen every edition – or because I think it probable that the conjecture could be found in an extant manuscript, but I have not had time to search through every manuscript to locate the earliest instance.

I have assigned sigla to all manuscripts and all hypothetical lost exemplars. I have assigned a single capital letter to each independent manuscript, and to all other extant manuscripts either a capital or the combination of a capital and a lower-case letter (Aa, Ab, etc.). I have retained the sigla used by previous editors for all major manuscripts, but not for all *codices descripti*. I use Greek letters to indicate lost exemplars (except that I retain the traditional siglum L for the *Laudensis*). I have also assigned sigla to the six

[33] X is in the Biblioteca Ambrosiana. I was not permitted to take photographs of X while in Milan, and I only had time to collate the four sections I used for my recension. I did, however, check X's reading in various significant places in the rest of the text.
[34] Emendations are ordered (roughly) according to how likely I judge them to be.

printed editions (Rom, VenA, VenB, VenC, Nur, Mil). Below is a guide to the notation I use in citing manuscript readings in the recension and the apparatus.

3.1 Notation

Group Sigla

L = Fλρ (§§1-130 *in quo*), BFλρ (§§130 *magnum fuit* - 333); or, where some or all of L's independent descendants have corrections, the shared reading of the first hands of all these manuscripts. (This qualification applies to all sigla used to represent multiple manuscripts.)

β = BDEGMST(X) (§§1-60 *secundo quaestor*-), BDEGMT(X) (§§60 *-que his* - 130 *in quo*), DEGMT(X) (§§130 *magnum fuit* - 251 *Staienos incurreres*), DEGM(X) (§§251 *quare sive* - 317 *solute et*), DEG(X)Y (§§317 *facile sententiam* - 333).

γ = GX.

λ = JU.

ρ = Oβ.[35]

Scribal Corrections

B = the initial reading of B, whether or not it has subsequently been corrected.

B^{ac} = B's reading before correction. I usually write simply B, but sometimes for the sake of clarity or economy I write B^{ac}.

B^{c} = B's reading after correction, where I cannot determine whether the correction has been made by the first hand or by a later scribe.

B^{1} = B's reading after correction by the first hand.

B^{2}, B^{3}, etc. = B's reading after correction by later hands.

[35] For a list of the sigla used to represent families of *codices descripti*, see pp. 74-75.

B^{v}, O^{v} = special sigla used to mark corrections made by the *vetus*-correctors of B and O.[36]

B^{vl} = a *varia lectio*, explicitly identified as such, in B.

B^{gl} = a gloss in B.

B^{mg} = a reading added in the margin of B, whether as a correction or as a gloss or other annotation.

Other Symbols

] separates the lemma from other readings. Any readings listed after this symbol are alternatives to the exact word(s) in the lemma.

: separates alternative readings.

<> indicate words added which were not present in L. In the apparatus, I generally use these symbols only when I do not cite the lemma. Thus, I write 'repressus <est> *Bake*' in the apparatus at §16, but at §178 'cum *(cf. Att. 8.11B.1)*] cum antiquitatis memoria tum *Stangl (alii alia suppl.)*: comprobatus *Reis*'.

[] indicate words considered spurious.

[36] For further details, see pp. 96, 99-100.

PART ONE
THE TRANSMISSION OF *BRUTUS*

CHAPTER 1: THE MANUSCRIPTS AND FIFTEENTH-CENTURY EDITIONS OF *BRUTUS*[1]

1.1 EXTANT MANUSCRIPTS

1. Barcelona, Biblioteca de Reserva de la Universitat de Barcelona, 12 = A

Parchment; Italy; *c.*1450-1470.[2]

Orat., *Brut.* (f.46^{v}-107^{r}), *Sen.*, *De remediis fortuitorum* (Ps.-Sen.)

Before 1837, A was in the Biblioteca de los Carmelitos Delcalzos (also known as the Convent de Sant Josep) in Barcelona. It must be one of the two manuscripts of *Brut.* mentioned by Haenel (1830: 919) in a brief catalogue of the library. Haenel dated one of these manuscripts to the thirteenth century and the other to the fourteenth. A is certainly of the fifteenth century, and so at least one of Haenel's dates is incorrect. The other manuscript, now lost, was surely also a fifteenth-century codex. Manso Rubio (2014: 4-5) attributes two other manuscripts owned by the Universitat de Barcelona, MS 358 and MS 752, both previously in the Biblioteca de los Carmelitos Delcalzos, to the scribe of A. A's text is a conflation of Cw and δ.

2. Berlin, Staatsbibliothek zu Berlin, Hamilton 162 = Cc

Parchment; Italy; *s.* XV.[3]

Orat., *Brut.* (f.42^{v}-96^{v})

Cc derives from τ from the beginning of *Brut.* until *c.*§§107-117, and after that from Cp.

[1] Works without a named author are by Cicero. For an alphabetical list of sigla, see Appendix 2.
[2] Manso Rubio (2014: 4). See further Rubio (1960: 225-239); Mayer (1980: 355-356); Rubio Fernandez (1984: 26-27); Garrido i Valls (2003: 163-164). For a complete digital reproduction, see http://bipadi.ub.edu/digital/collection/manuscrits.
[3] Boese (1966: 84).

3. Berlin, Staatsbibliothek zu Berlin, Hamilton 164 = H

Parchment; Rome; 1429.

De or., *Brut*. (f.107^{r}-148^{v}), *Orat*., *Paradoxa*

H is a palimpsest, but few traces of the undertext remain, and the original contents have not been identified.[4] At the end of *Orat*. (f.179^{v}) is the following subscription: *Johannes frederici de swabenheym scripsit Romae M.CCCC.XXIX*. Johannes Swabenheym later served as a scribe at the Council of Basel between 1434 and 1439.[5] Elisabetta Caldelli notes that H is 'il primo esempio di codice integralmente umanistico prodotto a Roma, oltre a quelli del Bracciolini' (2006: 52-53). The textual link between H and Poggio's manuscript, Ad, might help to explain why the scribe of H was writing in humanistic script. Letters of Poggio, the inventor of the script, reveal that he taught several scribes to write in his new style between 1425 and 1431,[6] and Johannes Swabenheym may have been among the scribes in the Curia trained by Poggio. H derives from Poggio's manuscript, Ad, and is the source of Ah(Bt)Cx.

4. Bologna, Archivio Storico della Provincia di Cristo Re dei Frati Minori dell'Emilia Romagna, 11 = I

Mixed; Emilia-Romagna?; *c.*1430-1450.[7]

Brut. (f.1^{r}-34^{v}, §§1-329 *miseriis quae con*-), *Epistula de re familiari* (Ps.-Bernard of Clairvaux), *Isagogicon* (Bruni), *De militia* (Bruni), *De studiis et litteris* (Bruni), *Geta* (Vitalis of Blois), *Liber Faceti* (anon.), *Saturae* (Pers., extr.)

[4] Boese (1966: 85-86). A few large Gothic initials are still visible, dated by Boese 'wohl 14. Jh.'.
[5] Frenz (2009-) *s.v.* 'Iohannes Swabenheim'.
[6] Ullman (1960: 86-88).
[7] Antonelli and Severi (2015: 63-64) date the MS on the basis of its watermarks and illuminations; they report Stefano Zamponi's opinion that the scribe was from the Po Valley ('in area padano-veneta'), and Fabrizio Lollini's surmise that the illuminations indicate production between Bologna and western Emilia-Romagna.

In 1953, I was located in the Convent of San Bernardino di Borgonovo Val Tidone, near Piacenza.[8] It was probably brought to Bologna after the closure of the convent in 1991. The final page of *Brut.* has been lost. I contains all of ρ's chapter divisions except two: 262.10 *sed ad* and 303.7 *hoc igitur*. I derives from θ.

5. Bologna, Biblioteca comunale dell'Archiginnasio, A. 85 = K

Paper; 1425-1500.[9]

Brut. (f.1^{r}-50^{v})

Before entering the Archiginnasio collection, K was owned by Antonio Magnani (1743-1811).[10] K has a single chapter division at 25.23 *hic ego*. It derives from Bi, one of the offspring of B.

6. Brescia, Biblioteca Queriniana, E. II. 10 = N

Parchment; Milan; *s.* XV$^{2/4}$.[11]

De or., *Brut*. (f.130^{r}-181^{v}), *Orat.*

The illumination is of the Lombard school.[12] De la Mare (unpublished) writes that N is 'from the ambiente of Pier Candido Decembrio'. N derives from F via the lost manuscript ξ.

7. Cambridge, Cambridge University Library, Mm.2.4 = P

Parchment; *s.* XV.[13]

[8] Piana (1953: 12-14).
[9] This date depends on the derivation from Bi.
[10] Mazzatinti et al. (1890-: xxx.48).
[11] De la Mare (unpublished); Detlefsen (1869: 108); Beltrami (1906: 85-86).
[12] According to Simone Signaroli and Ennio Ferraglio in the entry in the online database Manus (https://manus.iccu.sbn.it).
[13] Luard (1861: 125-126).

De or., *Brut*. (f.68^{r}-96^{r}), *Orat*., *Paradoxa*, *Amic*., *Sen*.

P derives from R.

8. Cambridge, St John's College Library, I.12 = R

Paper; *s.* XV.

De or., *Brut*. (f.91^{r}-126^{v}), *Orat*., *Paradoxa*, *Tusc*., *Amic*.

According to James (1913: 252), R is written in a 'quasi-Italian (not Roman) hand'. James also records the following note, which he claims was written at the end of the manuscript: *Cristiernus d. g. dacie norwegie sclavorum gotorumque Rex, comes de oldenborgh et delmenhorst.* This note, suggestive of a Scandinavian provenance, is no longer present. If James' catalogue is correct and R did at one time contain this reference to a Danish king (perhaps to be identified as Christian I (1426-1481)), the page on which it was written might have been removed when the manuscript was rebound later in the twentieth century. R derives from χ, a descendant of π.

9. Cremona, Archivio di Stato, Fragm. Com. 81 (ex 295) = C

Parchment; northern Italy; *s.* IX$^{2/3}$.[14]

Brut. (f.1^{r}-2^{v}; §§218 *signa sed* - 227 *sine ulla*, §§265 *quanta severitas* - 274 *ait lucilius*)

C is copied in Caroline minuscule, and a second hand, also of the ninth century, has corrected the text in many places, often erasing the original text and writing letters over the top; most corrections are orthographical. Bernhard Bischoff (1998: 209) and Mirella Ferrari (1998: 183-184) identify the hand of the corrector with that which modernised spellings in Biblioteca Ambrosiana, E. 153 sup. (Quintilian). At the top of f.2^{r} is written,

[14] Bischoff (1998: 209).

in a sixteenth-century hand,[15] *Scandolera Ravera et Casteletto di Ponzoni. N^o^ 48*. In the top right-hand corner of the page, the same hand has written, and then crossed out, *N^o^ 10*, and has added a little lower the name *Baldesar Frime*. At the bottom of the page, Emilio Giazzi (2005: 495) identified the words *doi giornj* and *Lorenzo*, written by a different, but probably contemporary, hand. He concludes that the fragment was used in the sixteenth century as the cover for a set of documents relating to a census of goods in Scandolara Ravara and Castelponzone, two villages near Cremona. Isabella Pettenazzi brought the fragment to light in 1954.[16] C is a fragment of L.

10. Dresden, Sächsische Landesbibliothek – Staats- und Universitätsbibliothek, Dc. 108 = D

Parchment; Milan?; 1421-1450.[17]

De or., *Orat*., *Brut*. (f.147^r^-190^v^), *Att.* 13.19.4 (extr.)

The insignia of an early owner, together with the letters F. A., are found on f.1^r^, 113^v^, and 147^r^. The titles of *Orat.* and *Brut.* have been added by Georg Fabricius (1516-1571). D was once owned by the Counts of Werther. Water damage has rendered much of the text illegible. It contains seven of ρ's chapter divisions. D is a descendant of β and the source of QW.

11. Florence, Biblioteca Medicea Laurenziana (BML), Plut. 50.4 = V

Parchment; Tuscany; Part 1: *c.*1425?;[18] Part 2: *s.* XV^1^.

Part 1: *Orat*., *Brut*. (f.35^r^-79^v^); Part 2: Asc., *Verr*. (Ps.-Asc.)

[15] Giazzi (2005: 495).
[16] Pettenazzi (1954, 1955-1957); cf. Malcovati (1958: 40-47), with a reproduction of f.1^r^ between pp. 42 and 43.
[17] De la Mare (unpublished); Schnorr von Carolsfeld and Schmidt (1882: 312-313). For a complete digital reproduction, see https://digital.slub-dresden.de.
[18] Reeve (2016: 34-35).

Part 1 was copied by the scribe of Laur. 36.23, identified by de la Mare (1977: 98-100) as Bartolomeo di Piero Nerucci of San Gimignano.[19] The headings are apparently by Mattia Lupi.[20] V's *Brut.* derives from F via ξ.

12. Florence, BML, Plut. 50.18 = Z

Parchment; Florence; 1 October 1423.

Brut. (f.1^{r}-90^{v}), *Orat*.

Z was copied by the Genoese scribe Giacomo Curlo for Cosimo de' Medici.[21] At the end of *Orat.* (f.156^{v}), Curlo has added the following subscription: *COSMAE. DE. MEDICIS. HOC. OPUS. ABSOLVI. FELICITER. DIE. PRIMA. OCTOBRIS. M.C.C.C.C.X.X.III. EGO. IACOBUS. ANTONII. CURLI. IANUEN. FLORENTIAE*.[22] Z derives, perhaps directly, from F, and is apparently an ancestor of Cs (and its descendants AkAmBxCbCu) in §§1-158.

13. Florence, BML, Plut. 50.19 = Aa

Parchment; Florence; *c.*1457-1460.[23]

Orat., *Brut*. (f.44^{r}-100^{v}), *Part*. *or*., *Top*.

Aa was copied by Leonardo di Giovanni Tolosani da Colle for Giovanni de' Medici. At the end of *Top*. (f.140^{v}) is written: *LIBER NOBILIS VIRI IOHANNIS COSME DE MEDICIS*. The illumination has been attributed to the Master of the Trivulziana Pharsalia

[19] Cf. Bandini (1774-1777: ii.503-504). For a complete digital reproduction of this MS, and of nos. 12-20, see http://mss.bmlonline.it.
[20] De la Mare (unpublished).
[21] Ullman (1960: 61-62); de la Mare (1973: 49), (1992: 130), (2000: 74).
[22] Bandini (1774-1777: ii.510).
[23] De la Mare (1985: 435, 509), (1996: 184-185). Cf. Bandini (1774-1777: ii.511).

(also known as the 'Fiesole Master'),[24] who was closely associated with Vespasiano da Bisticci. Aa is one of a family of manuscripts deriving from π via a lost ancestor υ.

14. Florence, BML, Plut. 50.22 = Ab

Parchment; Florence; 27 April 1461.

Orat., *Brut*. (f.38^{r}-85^{v}), *Inv*. *rhet*., *Part*. *or*., *Top*.

Ab has been illuminated by the Master of the Riccardiana Lactantius.[25] This artist was active in Florence between 1450 and 1475, and he may have worked for Vespasiano da Bisticci.[26] The scribe's name has been erased from the subscription, which now reads (f.173^{v}): *HAEC. OPUSCULA. CICERONIS. TRANSCRIPSERAT. V KALENDAS. MAII. ANNO. MCCCCLXI*. Ab is a descendant of F.

15. Florence, BML, Plut. 50.25 = Ac

Parchment; Italy; *s.* XV.[27]

Orat., *Brut*. (f.46^{r}-109^{r})

Ac is a descendant of τ.

16. Florence, BML, Plut. 50.31 = Ad

Parchment; Rome; June/July 1425?.

De or., *Paradoxa*, *Brut*. (f.101^{r}-138^{r}), *Orat*.

Ad was copied by Poggio Bracciolini.[28] At the end of *Orat*. (f.166^{r}) is written: *SCRIPSIT. POGGIUS. MARTIN. PAPAE. V. SECRETAR.* On the basis of Poggio's letters to Niccolò

[24] Ames-Lewis (1984: 174-179).
[25] Ceccanti (1996: 26).
[26] Booton (1993/1996); Galizzi in Bollati (2004: 556-557); cf. Bandini (1774-1777: ii.512-513).
[27] Bandini (1774-1777: ii.513-514).
[28] De la Mare (1973: 62-84). PRBh may be contaminated descendants of Ad.

Niccoli, B. L. Ullman (1960: 35-36) dated the manuscript to the second half of 1425. Poggio made a series of requests to Niccoli for the texts of *Orat.* and *Brut.*, the last of them written on 23 June 1425. From the absence of any mention of the rhetorical works in Poggio's next letter to Niccoli, dated to 7 July 1425, Malcovati (1960: 330-331) concludes that Poggio must have received the manuscript he desired and produced his transcription by this point. However, this argument from silence is not probative, and a date of June/July 1425 for the copying of *Brut.* in Ad is likely, but not certain.[29] Ad is a descendant of π and the source of H (and its offspring Ah(Bt)Cx), as well as the first part of Cm.

17. Florence, BML, Plut. 50.36 = Ae

Parchment; Florence; *c.*1460-1470 ('late 1460s?').[30]

Orat., *Brut*. (f.51^{r}-118^{v}), *Part*. *or*., *Top*.

Ae was copied by Hubertus W for the Florentine banker Francesco Sassetti.[31] A colophon on f.166^{r} reads: *FRANCISCUS SASSETTUS THOMAE FILIUS FLORENTINUS CIVIS FACIUNDUM CURAVIT*. De la Mare (1976: 181) attributed some notes in the manuscript to Bartolomeo Fonzio; previously, Caroti and Zamponi (1974: 105-106) had judged that the annotations were not by Fonzio himself, but were rather 'di mano di un copista formatosi in ambiente fonziano'. The illuminations are by de la Mare's 'Master of the Pear-Shaped Putti', an illuminator associated with Vespasiano da Bisticci.[32] Ae derives from υ.

[29] See further Bandini (1774-1777: ii.516-519).
[30] De la Mare (1976: 181).
[31] De la Mare (1976: 164, 194), (1985: 453, 504).
[32] De la Mare (1985: 504), (1996: 180-181). Cf. Bandini (1774-1777: ii.520).

18. Florence, BML, Plut. 50.38 = Af

Parchment; Florence; *c.*1450-1456.

De or., *Brut*. (f.103^{r}-143^{r}), *Orat*., *Part. or*., *Top*.

Af was owned by Piero di Cosimo de' Medici. On f.203^{v} is written: *LIBER PETRI DE MEDICIS COS. FIL*. De la Mare (1985: 435, 510, 545) attributed the headers to Leonardo di Giovanni Tolosani da Colle and the text to the scribe of Laur. 30.12. She hesitantly suggests that this scribe was active between *c.*1455 and 1470. According to Ames-Lewis (1984: 187-188, 273), the decoration is 'a poor production from the workshop of Francesco d'Antonio del Cherico'. Since Francesco d'Antonio was active from the 1450s, and Af is among the manuscripts included in an inventory of Piero's library from 1456, the codex can be dated with some confidence to 1450-1456, and was probably produced in the middle of the decade.[33] Af is a descendant of υ.

19. Florence, BML, Plut. 90 sup. 88 = Ag

Paper; Florence; 1423-*c.*1455.

Inv. rhet., *Rhet. Her*. (Ps.-Cic.), *De or*., *Orat.*, *Brut.* (f.198^{v}-234^{r}), *Part. or*., *Top*.

Ag was copied by the 'Puccini' scribe.[34] Most of the 'Puccini' scribe's manuscripts were written between 1430 and 1450,[35] and Ag was probably copied during this period.[36] It is a descendant of σ and the source of CdCi.

20. Florence, BML, Plut. 91 inf. 8 = Ah

Parchment; *s.* XV.

[33] Cf. Bandini (1774-1777: ii.521).
[34] Schmidt (1974: 319); Oakley (2016).
[35] Oakley (2016: 354-355).
[36] Cf. Bandini (1774-1777: iii.674).

De or., *Brut*. (f.151^{r}-210^{v}), *Orat.*

Ah was one of fourteen manuscripts brought to the BML in 1758 from a collection owned by the Frati Riformati di Montepulciano.[37] Ah derives from H.

21. Florence, BML, Acquisti e Doni 125 = Ai

Paper; Italy; *s.* XV$^{ex.}$.[38]

Orat., *Brut.* (f.46^{r}-100^{v}), Greek anthology (including Isoc., Socrates, and Solon), *Nat. D.*

Ai was owned by the Florentine humanist Francesco da Castiglione (*c.*1420-1484)[39] and, according to Lisa Fratini (in Fratini and Zamponi (2004: 31)), part of the manuscript is written in his hand. It was bought by the BML from the bookseller G. B. Paperini in 1815. Ai is a descendant of G, perhaps via a lost ancestor α; it shares an exemplar with Cv.

22. Florence, BML, Ashb. 252 = Aj

Parchment; *s.* XV.

Two letters (Pl. and Dion of Syracuse), *Brut*. (f.4^{r}-58^{v}, only §§1-188 *probandum est* and §§195 *etiam filio* - 330 *sin secus*), *De optimo genere oratorum* (fragm.)

At one time, Aj was part of the library of Marchese Paolino Gianfilippi of Verona (1745-1827).[40] A page of *Brut.* (§§188-195) is missing between f.33 and f.34, and the manuscript also lacks the final few paragraphs of the text. Like the other descendants of θ, I and Ay, Aj lacks two of ρ's chapter divisions (262.10 *sed ad* and 303.7 *hoc igitur*). Aj is a descendant of θ.

[37] Bandini (1774-1777: iv.5), (1990: 94-95).
[38] Rostagno (1898: 130).
[39] Rao (2006: 137).
[40] Paoli et al. (1887-1948: 264).

23. Florence, BML, Edili 207 = Ak

Parchment; Bologna; 16 October 1437.

Brut. (f.1^{r}-33^{r}), *Orat*., *De or.*, *De optimo genere oratorum*, *Part*. *or*., *Top*.

The subscription to *De or*. (f.128^{r}) reads: *EXPLICIT LAUS DEO AMEN. BONONIE MCCCCXXXVII. XVI. OTTOBR*.[41] Ak derives from Bx, a descendant of Cs.

24. Florence, BML, Fiesole 186 = Al

Parchment; Florence; *c.*1460-1464.

QFr., *Att*., *Fam*., *De or*., *Orat*., *Brut.* (f.339^{r}-364^{v}), *Rhet*. *Her*. (Ps.-Cic.), *Inv. rhet*., *Part. or*., *Top.*

Al was identified by de la Mare (1985: 560; 1996: 192) as part of a three-volume collection of Cicero's works provided by Vespasiano da Bisticci for the Badia at Fiesole in 1464, on the order of Cosimo de' Medici. Al was copied by the scribe of BML, Fiesole 49 (Cyprian) and illuminated by the Master of the Trivulziana Pharsalia.[42] Al derives, perhaps directly, from F.

25. Florence, Biblioteca Nazionale Centrale, Conv. Soppr. J. I. 14 = F

Paper; Florence; April-September 1423.

Orat., *Brut*. (f.32^{r}-74^{r})

Vespasiano da Bisticci, in his life of Niccolò Niccoli,[43] records that a manuscript of Cicero's rhetorical works (φ) was brought from Milan to Florence by the ambassadors of Filippo Maria Visconti in April 1423 in order to be copied by Niccoli. Ullman (1960: 61-

[41] Bandini (1791-1793: i.523-525).
[42] De la Mare (1985: 547-548); Ceccanti (1996). Cf. Bandini (1791-1793: iii.127-128); Hunt (1998: 131-132).
[43] Vespasiano, *Le Vite*, p. 228-229.

62) established that Niccoli himself was the scribe of F, and F must therefore have been the manuscript copied by Niccoli from φ.[44] F is the source of most of the extant manuscripts of *Brut*. The dating of Z, one of F's descendants, to 1 October 1423 establishes a *terminus ante quem* for the copying of F. In his will, Niccoli bequeathed F to the Biblioteca di San Marco, in Florence.[45]

26. Florence, Biblioteca Nazionale Centrale, II. IX. 131 = Am

Parchment; Venice?; *c.*1420-1429?.[46]

Brut. (f.1^{r}-91^{v}), *Orat*.

According to de la Mare (unpublished), Am was probably copied by Giovanni Aretino (= ser Giovanni di Cenni d'Arezzo),[47] and the initials may be by the Venetian illuminator Cristoforo Cortese. The manuscript was apparently bought for the Biblioteca Magliabechiana in 1805 from the Florentine bookseller Giuseppe Pagano, who had acquired it from the library of Giovanni Giraldi (1712-1753). Am derives from Cu, a descendant of Cs.

27. Florence, Biblioteca Riccardiana, 557 = An

Paper; Florence;[48] 1 July 1479 (*Brut.*).

Orat., *Brut*. (f.48^{r}-110^{v})

On f.110^{v} is written: *M. Tullii Ciceronis Brutus finit. Deo Gratias. M.CCCCLXXVIIII Kalendis Iulii*. *Orat*. was completed on 5 February 1479. An has been copied by the same

[44] Cf. Malcovati (1960: 328-330); de la Mare (1973: 44-61). For a reproduction of part of f.32^{r}, see Ullman (1960: pl. 29).
[45] Ullman and Stadter (1972: 226). On the front flyleaf is written: *Iste liber est conventus S. Marci de Florentia ordinis predicatorum. de hereditate Nicolai de Nicolis Florentini viri doctissimi*.
[46] De la Mare (unpublished); Mazzatinti et al. (1890-: xii.15).
[47] On Giovanni's sojourn in Venice, and the MSS he copied there, see Regoliosi (1969: 132-133); Davies (1988: 4-5). For further bibliography on Giovanni, see de la Mare (1985: 397 n. 13).
[48] De Robertis and Miriello (1997: 29).

hand as Ricc. 563.[49] From the beginning of *Brut.* until *c.*§§229-264, An appears to be a contaminated descendant of As, one of the offspring of υ. In the second half of the text, An derives independently from F.

28. Genoa, Biblioteca Universitaria, E. V. 12 = Ao

Parchment; Florence; 1467.

Orat., *Brut*. (f.42^{r}-98^{r}), *Part. or*., *Top.*

Ao was copied by Gherardo del Ciriagio, a close associate of Vespasiano da Bisticci.[50] At the end of *Top.* is written: *GHERARDUS CERASIUS FLORENTINUS SCRIPSIT FLORENTIE. M.CCCCLXVII*. Ao derives from π via υ.

29. Glasgow, University of Glasgow Library, Gen. 334 = Ap

Parchment; France; *s.* XV^{2}.[51]

Orat., *Brut*. (f.27^{r}-32^{r}, 97^{r}-102^{v}, 38^{r}-48^{v}, 113^{r}-118^{v}, 54^{r}-62^{v}), *De or*.

Ap was once owned by Count Karl Heinrich von Hoym (1694-1736). The texts of all three works of Cicero are disordered;[52] the pages of Ap's exemplar must have been disarranged. Ap derives from ι, an exemplar shared with CfCj.

30. Glasgow, University of Glasgow Library, Hunter 65 (T.3.3) = Aq

Parchment; Florence; *c.*1425.[53]

Brut. (f.1^{r}-54^{v}), *Part. or*., *Top*.

[49] Ibid., 29.
[50] Ullman (1960: 111-118); de la Mare (1985: 430, 496). Cf. Kristeller (1963-1992: i.242).
[51] Ker (1977: 908-909).
[52] For full details, see Ker (1977: 908-909).
[53] De la Mare (unpublished); Young and Aitken (1908: 75-76).

Aq may have been copied by Giovanni Aretino.[54] It derives from Ce via μ, an exemplar shared with Bs.

31. Holkham, Holkham Hall Library, 376 = Ar

Paper; north-east Italy; *s.* XV$^{2/4}$.[55]

Orat., *Brut*. (f.40^{r}-98^{r})

There is a change of hand at the top of f.61^{v} (§126 *manus extrema*). The watermarks are similar to Briquet 11662 (Florence, 1432) and Briquet 11663 (Genoa and Florence, 1434-1446).[56] Ar contains most of ρ's chapter divisions in §§1-126, and none thereafter. In §§1-126, Ar, the ancestor of By, is a contaminated descendant of β, and in the remainder of *Brut.* it is a contaminated descendant of τ.

32. Ithaca, NY, Cornell University Library, 4600 Bd. Ms. 123 + = U

Parchment; Verona;[57] 1428-1450 (*c.*1433?).[58]

De or., *Orat*., *Brut*. (179^{r}-234^{v}), Veronese inscription

U was copied by Alessio Tedesco,[59] who also copied a manuscript of Justin (British Library (BL), Additional 12012) from an exemplar owned by Guarino in 1433. Arguing from the similarities with the Justin codex, White (1979: 229) proposed that U was probably copied around the same time. Martino Rizzoni, a student of Guarino, added the following subscription on f.234^{v}:[60] *Ex emendatissimo codice Iohannis Lamole bononiensis viri eruditissimi transcripsit hunc alesius germanus. et ad eundem postea*

[54] De la Mare (unpublished).
[55] Reynolds (2015: 284).
[56] Ibid., 284-285.
[57] White (1979: 229).
[58] Calkins (1972: 81).
[59] Stangl (1913: 830).
[60] White (1979: 229, pl. VI-VII (f. 179^{r}, 234^{v})).

emendatus est. The citation of an inscription from Verona on f.236^{r} suggests a Veronese provenance. The manuscript was acquired for A. D. White, President of Cornell University, from the Parisian bookstore Maisonneuve in 1886.[61] U derives from λ, a manuscript copied by Giovanni Lamola in 1428 for Guarino Veronese.

33. London, BL, Additional 10383 = As

Paper; Florence;[62] 1456.

Brut. (f.1^{r}-66^{v}), *Orat*.

As was copied by Leonardo di Giovanni Tolosani da Colle.[63] The subscription to *Orat.* (*M. T. C. ORATOR EXPLICIT EX EMENDATISSIMO CODICE LEONARDI ARRETINI EXEMPLATUS. M.CCCC.LVI.* (f.116^{r})) reveals that the manuscript's exemplar was a codex once owned by Leonardo Bruni. As was once part of the library of János Zsámboky (= Johannes Sambucus (1531-1584)).[64] It is a descendant of υ and probably the source of the first part of An's *Brut.*

34. London, BL, Additional 11922 = At

Parchment; November 1422 - October 1423.

De or., *Orat*., *Brut*. (f.168^{v}-219^{v})

Copied in an early fifteenth-century semi-Gothic script,[65] At was owned by Lorenzo di Marco Benvenuti, who is most famous as the author of an invective against Niccolò

[61] Stangl (1913); Sabbadini (1971: 108); White (1979: 224 n. 6). See also Malcovati (1959: 174-180); White (1975).
[62] Watson (1979: i.28; ii, pl. 553 (f.67^{r})).
[63] De la Mare (1985: 435, 509).
[64] On Zsámboky's library, see Gerstinger (1926); Kenney (1974: 79-82); Viskolcz (2016).
[65] De la Mare (unpublished).

Niccoli. Lorenzo died in Florence in October 1423.[66] At was subsequently owned by Lorenzo's son Lodovico Benvenuti, by the Florentine Niccolini family, and by Samuel Butler (1774-1839), Bishop of Lichfield.[67] At has ρ's chapter divisions. It appears to derive from O, but with some contamination from δ.

35. London, BL, Harley 2733 = Au

Parchment; Florence; *c.*1470-1480.[68]

Orat., *Brut*. (f.60^{r}-138^{r})

Au was copied by Nicolaus Sextius of Poppi and illuminated by Mariano del Buono.[69] It was allegedly bought by John Gibson in 1723 from 'a Monastical Library Founded or Endowed by the Guicciardini'.[70] The text is in the same order as Cl. From the beginning of *Brut.* until *c.*§§280-309, Au derives from Cl; thereafter, it derives from ψ.

36. London, BL, Harley 2771 = Av

Parchment; Florence; *c.*1430-1440.[71]

Orat., *Brut*. (f.25^{r}-56^{r})

Av was copied by the scribe of BML, Plut. 54.29, whom de la Mare (unpublished) describes as 'an early Florentine humanistic scribe … probably strongly influenced by Giovanni Aretino, but showing similarities also to Antonio di Mario'. In the fifteenth

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[66] Grayson in *Dizionario biografico degli italiani*, viii.677. On Benvenuti's library, cf. Field (2017: 262); Poggio, *Epistulae* (1984: 72): *Libros Laurentii si in licitationem venient, credo multum extimari. Verumtamen cures, oro, si quid est boni, quod haberi possit equo pretio, ut Poggius tuus aliquid habeat.*

[67] Rhodes (1975); British Library, *Explore Archives and Manuscripts*, <http://searcharchives.bl.uk>.

[68] De la Mare (unpublished); a reproduction of f.1^{r} may be viewed at http://www.bl.uk/catalogues/illuminatedmanuscripts.

[69] De la Mare (1985: 447-448, 521), (unpublished).

[70] Wright and Wright (1966: 213); Wright (1972: 162-163).

[71] De la Mare (unpublished); a reproduction of f.1^{r} may be viewed at http://www.bl.uk/catalogues/illuminatedmanuscripts.

century, Av was owned by the brothers Franciscus and Rubertus de Leonibus; a note of ownership is inscribed on f.57^{v}. Av derives from κ via ν, an exemplar shared with Cw.

37. London, BL, Harley 4790 = Aw

Parchment; Rome?; *s.* XV$^{med.}$.[72]

Orat., *Brut*. (f.52^{r}-120^{v})

Aw is a descendant of Cw.

38. London, BL, Harley 7400 = Ax

Mixed; Florence; 1425-1430.[73]

Brut. (f.1^{r}-51^{r})

The scribe of Ax also copied part of Paris, Bibliothèque de l'Arsenal, 724.[74] The hand of Sozomeno da Pistoia (1387-1458) has been identified in some of the corrections, marginal notes, and folio numbers.[75] Ax was copied in the period when Sozomeno was based in Florence, and consequently Ax may well have been produced there. Sozomeno bequeathed the codex, together with the rest of his library, to the Opera di San Jacopo in Pistoia. At one time, Ax was bound with Harley 4905 (Livy, *Per*.), but Harley 4905 was copied several decades later. Ax is a descendant of τ.

39. Lund, Universitetsbiblioteket, Medeltidshandskrift 42 = Ay

Parchment; Italy; *s.* XV.[76]

Brut. (f.1^{r}-85^{r}), *Part*. *or*., *Carmen de morte Ciceronis* (Cornelius Severus)

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[72] De la Mare (unpublished); a reproduction of f.1^{r} may be viewed at http://www.bl.uk/catalogues/illuminatedmanuscripts.
[73] Ceccherini (2016: 189-192, pl. 55); de la Mare (unpublished).
[74] De la Mare (1973: 97 n. 4).
[75] Wright (1972: 369).
[76] Pellegrin (1954: 30).

Ay was previously MS 9153 in the Phillipps collection, and was bought by Lund University Library in 1926.[77] It has ρ's chapter divisions. With the exception of the final few paragraphs (*c.*§§331-333), in which it derives from F, Ay is among the offspring of θ.

40. Madrid, Biblioteca Nacional de España, 10060 = Az

Parchment; Florence?; *s.* XV.

Brut. (f.1^{r}-32^{v}), *Orat*.

The decoration is Florentine.[78] Az was once part of the library of Mario Maffei of Volterra (1463-1537).[79] Later, it was owned by the cardinal Francisco Javier de Zelada (1717-1801), and was bequeathed by him to the Cathedral of Toledo, whence it was brought eventually to the Biblioteca Nacional.[80] Together with NV, Az derives from F via ξ.

41. Milan, Biblioteca Ambrosiana, A 73 inf. = Ba

Paper; Milan?; *s.* XV$^{med.}$ (*c.*1460).[81]

De or., *Orat*., *Fam*. 6.18 (extr.), *Inst*. 10 (Quint., extr.), *Vita Ciceronis* (anon.),[82] *Brut*. (f.105^{r}-137^{v})

The illumination is of the Lombard school.[83] Ba was in the duchy of Milan in the 1400s, since it bears, on f.1^{r}, a coat of arms identifiable with the Milanese 'de Cavaleriis' of the fifteenth-century Stemmario Trivulziano.[84] In the sixteenth century, the codex was

[77] For further details, and for a complete digital reproduction, see http://www.alvin-portal.org.
[78] Hernández Aparicio (2000: 317). For a complete digital reproduction, see http://bdh-rd.bne.es.
[79] On Maffei's library, see Ruysschaert (1958).
[80] Hernández Aparicio (2000: 317).
[81] Cipriani (1968: 145). For a complete digital reproduction, see https://ambrosiana.comperio.it.
[82] On this text, see Tilliette (2003); Cook (2009).
[83] Cipriani (1968: 145); cf. Ceruti (1973-1979: i.43).
[84] Maspoli (2000: 127).

owned by Francesco Ciceri (1521-1596); it was bought by the Ambrosiana from his heirs in 1603. The text of *Brut.* is in the following order: 1.1 – 92.9 *alios quod*, 99.8 *erat alii* – 107.13 *d. brutus*, 92.9 *melius putent* – 99.8 *pueris nobis*, 114.18 *graecis litteris* – 122.19 *gradus persequamur*, 107.13 *m. filius* – 114.18 *vir et*, 122.21 *nobis vero* – 333.19. Ba has ρ's chapter divisions. It derives from Bf, and via it from ε.

42. Milan, Biblioteca Ambrosiana, B 125 sup. = Bb

Parchment; northern Italy;[85] 1430-1460?.[86]

Orat., *Brut*. (f.43^{v}-101^{v})

The illumination is of the Lombard school.[87] Bb was bought by the Ambrosiana from the heirs of Cesare Rovida in 1606. It appears to be a contaminated descendant of ξ.

43. Milan, Biblioteca Ambrosiana, C 75 sup. = T

Parchment; Milan; 1425-*c.*1450 (*c.*1430?).

De or., *Orat*., *Brut*. (f.176^{r}-232^{v})

T has been copied by several hands and illuminated by the Master of the *Vitae Imperatorum*.[88] In the fifteenth century, the manuscript was owned by Luigi Bossi, and in 1606 it was bought by the Ambrosiana from 'Julianus pictor'. The manuscript is dated by Cipriani (1968: 18) to *c.*1430, and by the Ambrosiana online catalogue to 1451-1500.[89] Cipriani's date seems much more likely, given that Luigi Bossi was active in Milan between 1431 and 1451,[90] and the manuscript's illuminator in the 1430s and

[85] Jordan and Wool (1984-1989: i.126).
[86] The interval 1430-1460 is given by the Ambrosiana online catalogue (https://ambrosiana.comperio.it); the MS is assigned by Cipriani (1968: 11) to *s.* XV$^{med.}$, by Jordan and Wool (1984-1989: i.126) to *s.* XV^{2}.
[87] Cipriani (1968: 11).
[88] Cipriani (1968: 18).
[89] https://ambrosiana.comperio.it. A complete reproduction of T can be viewed via this website.
[90] Barbero (2016: 151).

1440s.[91] Sabbadini (1971: 97) claimed that T was probably copied before O (i.e. before 1422), but he must have been mistaken, since, as I will show, part of T's text derives from O. T shares some of O^{v}'s corrections and so cannot have been written before 1425. T contains ρ's chapter divisions; it derives from β in §§1-251, and from O in §§251-333.

44. Milan, Biblioteca Ambrosiana, H 22 inf. = X

Parchment; Milan; 1421-1450.[92]

De or., *Orat*., *Brut*. (f.172^{r}-227^{r}), *Vita Zenonis* (Coronatus?, extr., *s.* IX)

X is the source of θ and its offspring IAjAy. GX have probably been copied by the same scribe;[93] Massimo Zaggia (*per litteras*) tentatively suggests similarities with the hand of Antonius Crivellus.[94] It was purchased by the Ambrosiana from the book-seller 'Ferandus' in 1603. X contains ρ's chapter divisions. It is a brother of G, both deriving from a common ancestor γ.

45. Milan, Biblioteca Ambrosiana, H 197 inf. = Bc

Parchment; 1426-1459.[95]

Brut. (f.1^{r}-36^{r}), *De falsa relig.* (Lactant., headings)

Bc was owned by Nicola Arcimboldi of Parma (1404-1459), an advisor of Filippo Maria Visconti and Francesco Sforza.[96] It contains ρ's chapter divisions. Bc derives from G via ζ.

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[91] Lollini in Bollati (2004: 587-589); cf. Jordan and Wool (1984-1989: ii.105-106); Tremolada (1988: 11); Barbero (2016: 151-155, 162).
[92] Massimo Zaggia (*per litteras*) suggests the location and date primarily on the basis of the style of the illuminated initials. Cf. Cipriani (1968: 244); Ceruti (1973-1979: ii.244). G was copied by the same scribe between 1421 and 1428, and X may well date to the same period.
[93] My own suspicion, shared by Prof. Zaggia.
[94] On Crivellus, see Zaggia (1995: 12-17), (2007: 353-358); Derolez (2018: 143).
[95] Cipriani (1968: 252); cf. Ceruti (1973-1979: ii.372); Zaggia (1995: 16 n. 75).
[96] On Nicola's library, see Pellegrin (1988: 381).

46. Milan, Biblioteca Ambrosiana, L 21 sup. = Bd

Parchment; 1423-1450.[97]

Orat., *Brut*. (f.46^{r}-101^{r})

Bd was owned by Bartolomeo Ghisilardi (d. 1505), the Chancellor of Bologna. It derives from Cp; in the first part of the text, it shares an exemplar with Bz, and from §215 onwards (and probably from earlier), it apparently derives from Bw.

47. Milan, Biblioteca Ambrosiana, L 86 sup. = Be

Parchment; Parma; 1438 (Cic.).

Somn., *Orat*., *Brut*. (f.30^{v}-64^{v}), *De optimo genere oratorum*, *De or*., *Cicero novus ex Plutarcho* (Bruni)

On the first page is written: *hic codex partim Rhegii, partim Parma scriptus, fuit anno 1438.* At the end of *De or*. (f.151^{r}) is written: *Scriptus Parma a. d. 1438*. In the subscription to Bruni's *Cicero novus*, the scribe dates his copying of the text to 1435. The illumination is of the Emilian school.[98] In the fifteenth century, Be was owned by Iohannes Antonius de Baliachis; it was bought by the Ambrosiana from the heirs of Cesare Rovida in 1606. Malcovati (1959: 181 n. 26) discussed briefly three marginal notes in the manuscript, two of which testify to Gasparino Barzizza's study of the text of *Brut*. At *Brut.* 172.9 *loqueretur omnium*, a marginal note in Be reads: *Nescit Gasparinus pergamensis quid hoc loco voluerit Cicero*. At 184.25 *laborasse*, a scribe has added: *testus corruptus est in Veteri. Gasparinus autem dicebat: laboras quod hoc modo*. It is unclear whether the annotator of Be obtained these details from Barzizza's manuscript

[97] Biblioteca Ambrosiana online catalogue, <https://ambrosiana.comperio.it>; cf. Ceruti (1973-1979: iv.10). The *terminus post quem* depends on the derivation from F.
[98] Cipriani (1968: 86); cf. Ceruti (1973-1979: iv.52).

of *Brut.*, from personal contact with him, or from his published writings. Be contains ρ's chapter divisions. It is a contaminated descendant of δ.

48. Milan, Biblioteca Ambrosiana, O 158 sup. = Bf

Parchment; Lombardy; 1421-1450.[99]

De or., *Orat*., *Fam.* 6.18 (extr.), *Inst*. 10 (Quint., extr.), *Vita Ciceronis* (anon.),[100] *Brut.* (f.65^{r}-98^{v}, only §§1-293 *hominem vel*)

Bf has been written by Giovanni da Crema (f.62^{r}: *EXPLICIT FOELICITER PER IOHANNEM DE CREMA*), who also copied Escorial L. III. 5 (*De or*. and *Orat.*) and Vat. lat. 442 (August., *De civ*. *D*.).[101] The illumination is of the Lombard school.[102] Much of *De or*. is now missing, as is the beginning of *Orat*. and the end of *Brut*. The text of *Brut*. is in the same order as in Ba. Bf contains ρ's chapter divisions. It derives from ε, an ancestor shared with Bk, and is the source of Ba.

49. Modena, Biblioteca Estense Universitaria, Lat. 244 = α.O.5.17 = Bg

Parchment; *s.* XV.

Orat., *Brut*. (f.36^{v}-86^{v})

Bg derives from F via κ; a later hand has corrected the text from another manuscript.

50. Modena, Biblioteca Estense Universitaria, Lat. 257 = α.H.8.4 = Bh

Parchment; *s.* XV.

Orat., *Brut*. (f.26^{r}-61^{r}), *De or*.

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[99] Cipriani (1968: 98).
[100] Cf. above, p. 38 n. 82.
[101] Derolez (2018: 145); cf. Derolez (1984: i.144). For a complete digital reproduction, see https://ambrosiana.comperio.it.
[102] Cipriani (1968: 98); cf. Ceruti (1973-1979: iv.352).

Bh was once part of the library of Annibale Malvetio, a nobleman in Bologna. It derives from π via χ.

51. Modena, Biblioteca Estense Universitaria, Lat. 261 = α.Q.8.25 = Bi

Parchment; Mantua; 12 September 1425 (*Orat.*).[103]

Brut. (f.1^{r}-35^{r}), transcriptions of epigraphic texts, *Orat*., poems addressed to Tiberius, Caligula, Julius Caesar, and Augustus (anon.)

The subscription to *Orat.* reads:

> Orator ad M. Brutum feliciter explicit transcriptus perfectusque. et ab eo exemplari emendatus. quod a vetusto illo codice primum transcriptum correctumque fuerat. pridie idus septembris 1425. Mantuae.

Although B may have been the exemplar of Bi's *Brut.*, B does not contain *Orat.*, and so Bi's subscription must refer to another manuscript copied from L.[104] Below the subscription the scribe, Francesco Calcagnini, has added his initials.[105] Francesco Calcagnini, a student of Vittorino da Feltre, apparently retained the manuscript, because it was subsequently owned and annotated by his grandson, Celio Calcagnini,[106] while he was in Ferrara. Bi has a single chapter division at 25.23 *hic ego*. Bi derives from B and is the ancestor of KBp. It also appears to have been the primary source of VenA, the second printed edition of *Brut.*

[103] For a more detailed description of Bi, see Ghignoli (2016: 121-123).
[104] Cf. Sabbadini (1971: 102 n. 2).
[105] Stangl (1886: x, xix) doubts whether Francesco Calcagnini was the scribe, but his reservations are unfounded. Ghignoli (2016: 121) confirms that the whole MS is in Francesco's hand. On the scribe, see Ascari in *Dizionario biografico degli italiani*, xvi.498-499.
[106] On the library of Celio Calcagnini, see Ghignoli (2016).

52. Montpellier, Bibliothèque Interuniversitaire, Section Médecine, H 214 = M

Parchment; Milan; 1430-1439.[107]

De or., *Orat*., *Brut*. (f.174^{v}-226^{v}, only §§1-317 *solute et*)

Massimo Zaggia (*per litteras*) considers the hand similar to, but not the same as, that of Milanus Burrus.[108] In 1721 M was part of the library of Jean Bouhier of Dijon (1673-1746). It contains most of ρ's chapter divisions. M is a descendant of β and the ancestor of Y.

53. Munich, Bayerische Staatsbibliothek, Clm 796 = Bj

Parchment; *s.* XV.[109]

Orat., *Brut.* (f.186^{v}-201^{r}, only §§1-76 *scripsere in-*, §§91 *igitur inquit* – 99 *filii fuerunt*, §§178 *suppeditabat oratio* – 207 *fiebant neque*)

This manuscript is incomplete, beginning at f.151^{r} with the start of *Orat*. The text is in the following order (compare Cl): 1.1 – 59.23 *praeclare tum*; 178.26 *suppeditabat oratio* – 207.3 *fiebant neque*; 91.27 *igitur inquit* – 99.4 *filii fuerunt*; 59.24 *illi homines* – 76.3 *scripsere in-*. Bj derives from Cp via Cl.

54. Munich, Bayerische Staatsbibliothek, Clm 28882 = Bk

Paper; *s.* XV.

De or., *Orat*., *Brut*. (f.109^{r}-140^{r})

At the end of *Brut*. (f.140^{v}), the scribe has added the following subscription:

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[107] On the authority of Marco Petoletti and Mirella Ferrari, who suggest that the MS was copied in Lombardy in the 1430s, and Massimo Zaggia, who independently assigns it to 'Milan, 1430-1450' (both views expressed *per litteras*).
[108] On Milanus Burrus and scribal hands similar to his, see Zaggia (1995: 4-12). A few images of M are available at https://bvmm.irht.cnrs.fr.
[109] Halm and Laubmann (1892: 196).

> Deficiunt pauca, non ultra folia duo ad plus, et ut ego coniecturam facio non ultra columnam. Plura enim in codice vetustissimo non comperi: ex quo in fine carte recise iniquitate fortune erant.

Below, the same scribe has written: *Hec ex praeceptore doctissimo Gasparino de Barzizis Pergamensi scripta relicta habentur*. A later hand has then added: *Scripta per* [*pro*?] *me Mateum* [final two letters uncertain] *Rhagusio*. A third hand has written below, *M. T. Ciceronis de oratore liber iste mei* [name deleted] *Bartholomei de ~~puteo~~ cremonensis*. Johannes Stroux (1930: 286) reported that the 'Seminar für klassische Philologie, München' had acquired the codex from the antiquarian bookseller G. Hess.[110] The text of *Brut*. is in the same order as in BaBf, although the scribe has added a marginal note restoring §§114-122 to their correct place after §§107-114. Bk contains ρ's chapter divisions. Bk derives from G via ε, an ancestor shared with Bf.

55. Naples, Biblioteca Nazionale, IV A 40 = Bl

Paper; *s.* XV.

Orat., *Brut*. (f.33^{r}-79^{r}), *Part. or*.

The watermarks have been identified with Briquet 11702 (Pisa, 1440).[111] Bl was part of the Farnese collection, transferred from Rome to Parma in the middle of the seventeenth century and from Parma to Naples in 1736.[112] Bl derives, perhaps directly, from F; later corrections have been made from Ad.

[110] Cf. Kristeller (1963-1992: iii.626).
[111] Fossier (1982: 110).
[112] Fossier (1982: 7-13).

56. Naples, Biblioteca Nazionale, IV A 44 = G

Parchment; Milan; 1421-1428 (probably 1421-1423).[113]

Brut. (f.1^{r}-57^{r})

G has probably been copied by the scribe of X, who may be Antonius Crivellus. At the top of the front flyleaf is written *Guiniforti Barzizii*, and hence the manuscript was once owned by Guiniforte, the son of Gasparino Barzizza. Two notes of possession indicate that G was later owned by Aulo Giano Parrasio (*A. Iani parrhasii et Amicorum Mediolani emptus aureolo*)[114] and then by Antonio Seripando (*Antonii Seripandi ex Iani Parrhasii testamento*). Later, it was owned by the convent of San Giovanni a Carbonara, in Naples, and it almost certainly entered the convent as part of a bequest made, in 1536, by Cardinal Girolamo Seripando, who inherited the library of his brother Antonio in 1531. Sabbadini (1971: 93-94) proposed that G (which he cited with the incorrect shelf-mark IV B 43) was originally part of a manuscript which contained *De or*. and *Orat.* as well as *Brut*., and that the first part of this manuscript survived as Biblioteca Apostolica Vaticana (BAV), Pal. lat. 1469 (cited by editors of *De or*. and *Orat*. with the siglum P). (Sabbadini further suggested that this manuscript was Gasparino Barzizza's copy of Cosimo Raimondi's transcription of L.)[115] However, as has been independently established by Anna Nunziata (in Gualdo Rosa et al. (1996: 23-24, pl. 4-5)) and Albinia de la Mare,[116] the hand which copied G is plainly different from both hands present in Pal. lat. 1469. The subscription to Pal. lat. 1469 may be in Gasparino Barzizza's hand,[117] and it seems that Sabbadini, having found Guiniforte Barzizza's note of ownership in G, jumped to

[113] Nunziata (in Gualdo Rosa et al. (1996: 23-24)) dates G to *s.* XV$^{1/4}$. An absolute *terminus ante quem* is provided by the dating of one of G's offspring, Cy, to 11 February 1428, but the readings shared by At and G's descendant δ suggest that G was copied before November 1423.
[114] On Parrasio's library, see Tristano (1988), esp. 23-24, 105-107.
[115] Sabbadini had previously identified G with Raimondi's transcription (1888: 113-114).
[116] Barbero (2016: 157).
[117] Barbero (2016: 156-158).

the conclusion that the two manuscripts must originally have been bound together. Nevertheless, that G and Pal. lat. 1469 probably both originated in the *casa Barzizza* does not prove that they were originally part of the same manuscript or set. Sabbadini's conclusions concerning G should be discarded, as should Scarcia Piacentini's dating of G to 1422 (1983: 126-127), which depended on Sabbadini (1971). G contains ρ's chapter divisions. It derives from β via γ, an exemplar shared with X, and is the source of four manuscript families: α, δ, ε, and ζ.

57. Naples, Biblioteca Nazionale, IV B 36 = Bm

Paper; Ferrara; December 1422/early 1423 (*Brut*.).[118]

Ad Brut., *QFr*., *Att*., *Epistulae* (Guarino), *Brut.* (f.121^{r}-154^{r}), *HN* VII 91 (Plin.), Latin synonyms, *Ep.* (Plin.), *Hortensius* (fragm.), *Epistulae* (various authors)

Bm's *Brut*. was copied by Ugo Mazzolato of Ferrara for his own, and Guarino Veronese's, use.[119] The pages of *Brut*. have become disordered, and the text is now in the following order: 1.1 (f.121^{r}) – 72.25 *natus est* (f.126^{v}), 135.23 *laus eadem* (f.127^{r}) – 287.5 *neque possim* (f.142^{v}), 72.25 *Ennius post* (f.143^{r}) – 135.23 *locutus quae* (f.148^{v}), 287.5 *si velim* (f.149^{r}) – 333.19 (f.154^{r}). On f.154^{v}, the following subscription has been written:

> Non erat amplius in exemplari a quo abscisse sunt charte due. Liber iste brutus, repertus est nuper laude. in quo quidem codice sunt Rhetoricorum ad Herennium. Rhetorica de oratore. orator ad brutum. et Brutus de oratoribus claris. M. T. Ciceronis.

[118] Sabbadini (1971: 103-104); cf. Gualdo Rosa in Gualdo Rosa et al. (1996: 28-29).
[119] Sabbadini (1971: 103-104). On f.196^{v} Mazzolato has copied two letters written by Guarino, one to Flavio Biondo, thanking him for sending his MS of *Brut.* (B), and the other to Mazzolato, asking him to make a copy of B (Sabbadini (1915-1919: i.355, 361)).

Bm has ρ's chapter divisions in §§1-130, but none thereafter. Bm derives, almost certainly directly, from B.

58. New Haven, Yale University, Beinecke Rare Book and Manuscript Library, Marston 6 = Y

Paper; northern Italy; *s.* XV$^{med. or 3/4}$.[120]

Orationes, De or., *Orat*., *Brut*. (f.354^{r}-393^{r})

Y is a composite manuscript: the speeches were originally bound separately from the rhetorical works, and were copied several decades earlier.[121] A watermark on the pages containing the rhetorical works has been identified as Briquet 15068 (Bordeaux, 1462). Y contains most of ρ's chapter divisions. It derives from M.

59. Oxford, Balliol College Library, 248E = Bn

Parchment; Florence; 12 November 1445.

Inv. *rhet*., *Rhet. Her*. (Ps.-Cic.), *De or*., *Brut*. (f.167^{r}-198^{r}), *Orat*., *Part*. *or*., *Top*., *Synonyma* (Ps.-Cic.)

Bn was copied in Florence by the scribe and notary Antonio di Mario; it is part of a five-volume set of Cicero's works produced by Vespasiano da Bisticci for William Gray, who would later become Bishop of Ely.[122] On f.241^{r} is written: *ANTONIUS. MARII. FILIUS. FLORENTINUS. CIVIS ATQUE NOTARIUS TRANSCRIPSIT FLORENTIAE. II. IDUS. NOVEMBRIS. M.CCCC.XLV. VALEAS.* Bn derives from Co, a descendant of σ.

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[120] Shailor (1992: 7-16); cf. Abbamonte (2020: 6-12). For a complete digital reproduction, see https://collections.library.yale.edu.

[121] De la Mare (unpublished) assigned the speeches to 'northern Italy, *ca*. 1425', and suggested that they might have been copied in Ferrara.

[122] On the scribe, see Ullman (1960: 98-109), de la Mare (1985: 254, 482-484); on the set of MSS, de la Mare (1996: 177-179); and on William Gray and his library, Mynors (1963: xxiv-xlv). A complete digital reproduction can be found via http://archives.balliol.ox.ac.uk.

60. Oxford, Bodleian Library, D'Orville 82 = Bo

Parchment; Florence; *s.* XV$^{med.}$.[123]

Orat., *Brut*. (f.42^{v}-97^{v})

Bo was once owned by the Florentine notary Nastagio Vespucci.[124] It derives from F via the lost manuscript κ.

61. Oxford, Bodleian Library, Canon. Class. Lat. 214 = Bp

Paper; 1425-1500.[125]

Epit. (Just.), *Catonis Uticensis Vita ex Plutarcho* (Bruni), *Somn*., *Vita Bruti ex Plutarcho* (Jacobus Angelus), *Vita Ciceronis ex Plutarcho* (Jacobus Angelus), *Brut*. (f.131^{r}-155^{v}), *Top*., *Part*. *or*., *Commentary on Arist. Ph.* (anon.)

Bp has a single chapter division at 25.23 *hic ego*. It derives from Bi, a descendant of B.

62. Paris, Bibliothèque nationale de France (BnF), lat. 7703 = Bq

Parchment; Milan; 24 June 1461 (*Brut*.).

De or., *Orat*., *Brut*. (f.122^{r}-159^{r}), *Part*. *or*., *Top*., *Inv*. *rhet*., *Rhet. Her*. (Ps.-Cic.)

At the end of *Brut*. (f.159^{r}) is written *Mediolani. VIIII. kł. Iulias 1461*. *De or*. was completed on 8 May 1461, and *Rhet*. *Her*. on 14 October 1461. Bq was copied by de la Mare's 'Galeazzo Maria scribe'.[126] It was owned by Galeazzo Maria Sforza, who became Duke of Milan in 1466, and later by Louis XII, King of France (1498-1515) and Duke of Milan (1499-1512).[127] Bq contains ρ's chapter divisions. It appears to be a contaminated descendant of G (perhaps via the lost exemplar α, from which also derive AiCv).

[123] Pächt and Alexander (1970: 24); Madan (1897: 58).
[124] On Nastagio and his family, see Schlebusch (2016); Omodeo (2020: 31-33).
[125] Coxe (1854: 203-204). The date depends on the derivation from Bi.
[126] De la Mare (1983: 404 n. 27).
[127] Samaran and Marichal (1962: 425). For a complete digital reproduction of this MS, and of nos. 63-67, see https://gallica.bnf.fr.

63. Paris, BnF, lat. 7704 = Br

Parchment; Milan; *s.* XV$^{2/4}$ (*c.*1421-1430?).[128]

De or., *Orat*., *Brut*. (f.106^{v}-142^{r}), *De optimo genere oratorum*

Br, which contains ρ's chapter divisions, derives from G via δ.

64. Paris, BnF, lat. 7705 = Q

Parchment; *s.* XV.

De or., *Orat*., *Brut*. (f.161^{r}-210^{v})

Prior to entering the BnF, Q was held by the Bibliothèque Mazarine. It contains the same seven chapter divisions found in D. Q derives from D.

65. Paris, BnF, lat. 7708 = Bs

Parchment; Florence; *s.* XV$^{2/4}$.[129]

Brut. (f.1^{r}-52^{v}), *Orat*.

According to de la Mare (1985: 425, 541), Bs was copied by the scribe of the Barcelona Eusebius (Barcelona Univ. 582), who may be Giovanni Aretino. The illuminator has been identified as Battista di Biagio Sanguigni.[130] The manuscript was transferred to the BnF from the Bibliothèque Colbertine. Bs derives from Ce via the lost exemplar μ.

66. Paris, BnF, lat. 11288 = Bt

Parchment; Italy; *s.* XV$^{3/4}$.[131]

Brut. (f.1^{r}-69^{v}), *Orat*.

[128] According to de la Mare in François Avril's card catalogue of the illuminated MSS of the BnF (accessible via https://archivesetmanuscrits.bnf.fr).
[129] According to an anonymous scholar (probably Albinia de la Mare) in François Avril's card catalogue (see above).
[130] By the same scholar in François Avril's card catalogue.
[131] According to François Avril's card catalogue.

Bt was one of a group of 44 manuscripts brought to Paris from the library of Pope Pius VI at the end of the eighteenth century. From the beginning of *Brut*. up to *c.*§§95-97, Bt derives from H; thereafter, it derives from F independently of other extant manuscripts.

67. Paris, BnF, lat. 17154 = Bu

Parchment; Italy; *s.* XV$^{2/4}$?.[132]

Nat. D., *Div*., *Timaeus* (fragm.), *Fat*., *Tusc*., *Fin*., *Leg*., *Acad. pr*., *Off*., *Sen*., *Paradoxa*, *Amic*., *Comment. pet.* (Q. Cicero), *Somn*., *Rhet. Her*. (Ps.-Cic.), *Inv. rhet.*, *Part. or*., *Orat*., *Brut*. (f.204^{v}-218^{v}), *De or*., *Orationes*, *De optimo genere oratorum*, *Top*., *Synonyma* (Ps.-Cic.), *Leg*. *Man*., *Flac*.

Silvia Rizzo (1983: 113-114) suggests Milan, Bologna, and Rome as possible places of production. This huge volume of Cicero's works was once owned by Achilles Vicecomes, a member of the Visconti family, and later by the Duc de la Vallière.[133] Bu is one of several descendants of Cw.

68. Parma, Biblioteca Palatina, Parm. 895 = Bv

Parchment; *s.* XV^{2}.[134]

Brut. (f.1^{r}-49^{v}), *Orat*.

The coat of arms of the Strozzi family is found on f.1^{r}. Bv is a descendant of π contaminated with readings from θ.

[132] De la Mare *ap.* Rizzo (1983: 113-114).
[133] De Bure (1783: 26-28). For a more detailed history of the MS, and for further items of bibliography, see Hunt (1998: 144-146).
[134] According to Silvia Scipioni in the entry in Manus (https://manus.iccu.sbn.it).

69. Reims, Bibliothèque municipal, 1109 (N. Fonds) = Bw

Parchment; 1423-1428.[135]

Orat., *Brut*. (f.88^{v}-203^{r})

Bw was copied for the cardinal Guillaume Fillastre (1348-1428), who died in Rome, and who gave many of his manuscripts to the cathedral library in Reims. Bw is among the descendants of Cp, and is especially close to Bd and Bz. It may well be the source of Bd from at least §215 onwards.

70. Rome, Biblioteca Angelica, 1768 = Bx

Parchment; 1425-1437?.

Brut. (f.3^{r}-57^{v}), *Orat*., *De or*.

Bx is a descendant of Cs and the ancestor of Ak. The date given here depends on this interpretation of the relationship between AkBxCs: Ak is dated to 1437, and Cs to 1425-1440.[136]

71. Rome, Biblioteca Casanatense, 1912 = By

Parchment; *c.*1435?.

De or., *Rhet*. *Her*. (Ps.-Cic.), *Inv*. *rhet*., *Orat*., *Brut*. (f.104^{r}-109^{v}, only §§1-123 *genus dicendi*)

By is made up of four parts (I: *De or*.; II: *Rhet*. *Her*.; III: *Inv*. *rhet*.; IV: *Orat*., *Brut*.), written by various scribes, but it appears to have been produced as a single project. The subscription to *Inv*. *rhet*. reads (f.91^{r}):

[135] Bw derives from F and so cannot be earlier than 1423; it must have been produced before the death of Guillaume Fillastre. Loriquet (1904: 299) dates the MS to *s*. XV$^{in.}$. For a complete digital reproduction, see https://bvmm.irht.cnrs.fr.
[136] Cf. Mazzatinti et al. (1890-: xxii.183).

> Explicit liber rethoricorum scriptus per manus Gherardi theoderici de alamagna diocesis traiectensis nec non provincianus hollandiensis. oriundus in oppido dordracensi tempore serenissimi principis ducis guilhelmi bavarie, comitis hollandie, zeelandie, hannonie et domini fresie.

If Valerio Sanzotta (in Busonero et al. (2016: 65-66)) is right that this subscription indicates that *Inv. rhet.* was copied *c.*1435,[137] the rest of the manuscript was probably also copied then. By contains most of ρ's chapter divisions. It derives from Ar.

72. San Daniele del Friuli, Biblioteca Guarneriana, 63 = Bz

Parchment; Friuli; *c.*1439.[138]

De or., *Orat.*, *Brut.* (f.119^{r}-157^{v}, only §§1-332 *hospes familiaris*)

Bz was copied by Nicolò da San Vito, and was part of the library of Guarnerio d'Artegna. The codex was one of several stolen from the Guarneriana in 1948. It was later recovered, but it was probably at this time that the final folios, including the end of *Brut.*, were lost. Bz derives from Cp, and is particularly close to Bd and Bw; it seems to share an exemplar with Bd in the first part of *Brut*.

73. San Daniele del Friuli, Biblioteca Guarneriana, 246 (Fontanini LIX) = Ca

Parchment; *s.* XV.[139]

De or., *Brut.* (f.110^{v}-150^{v}), *Orat.*

Ca derives from τ, and is the source of Dc.

[137] Cf. Sanzotta (2015: 137-139, 340, pl. 96).
[138] D'Angelo in Casarsa et al. (1991: i.272; ii, pl. LX-LXI).
[139] Mazzatinti et al. (1890-: iii.149).

74. San Lorenzo de El Escorial, Real Biblioteca del Monasterio de San Lorenzo de El Escorial, T. III. 18 = Cb

Parchment; Milan??; 1423-1450.[140]

Orat., *Brut*. (f.50^{r}-118^{r}), *Top*., *Fat*., *Acad. post*., *Rhet*. *Her*. (Ps.-Cic.)

Terence Hunt (1998: 90-91) proved that Cb's text of *Acad*. *post*. derives from the same manuscript. Its place of production is currently uncertain: Hunt suggests that it could have been produced in north-west Italy, Spain, or even France, and he records de la Mare's view that the decoration might be Milanese. *Rhet. Her.* was originally contained in a separate volume. Cb is a pure descendant of Cs.

75. San Lorenzo de El Escorial, Real Biblioteca del Monasterio, T. III. 23 = E

Parchment; *s.* XV (*Brut*.).[141]

Brut. (f.2^{r}-48^{v}), *Inv*. *rhet*., *Rhet*. *Her*. (Ps.-Cic.), *De topicis differentiis* (Boethius)

This codex is composed of two parts, one containing *Brut*. (*s.* XV) and the other the three remaining texts (*s.* XIII). The two parts were bound together in the fifteenth century. E was owned by Diego Hurtado de Mendoza (*c.*1503-1575). It contains ρ's chapter divisions. E is an independent descendant of β.

76. San Lorenzo de El Escorial, Real Biblioteca del Monasterio, V. III. 8 = Cd

Parchment; *s.* XV.[142]

Orat., *Brut*. (f.42^{r}-98^{r}), *Part. or.*

Cd derives from σ via Ag.

[140] Hunt (1998: 89-91); cf. Antolín (1916: 151).
[141] Antolín (1916: 156).
[142] Antolín (1916: 184).

77. San Lorenzo de El Escorial, Real Biblioteca del Monasterio, V. III. 17 = Ce

Parchment; 1423-*c.*1425?.[143]

De or., *Orat*., *Brut*. (f.199^{v}-250^{r})

Orat. and *Brut*. were originally bound separately from *De or*.[144] Ce derives from κ until *c.*§§62-68, and thereafter from τ. Ce's extant descendants are AqBs, which both derive from an intermediate manuscript, μ.

78. Stockholm, Kungliga Biblioteket, Va 11 = Cf

Paper; France; *s.* XV^{2}.[145]

De or., *Orat*., *Brut*. (f.63^{r}-82^{v}), *Part. or*., *Cicero novus ex Plutarcho* (Bruni), *Anthologia Latina* 603-604

Cf was once part of the library of Paul Petau (1568-1614). It derives from ι, an exemplar shared with ApCj.

79. Vatican City, Biblioteca Apostolica Vaticana (BAV), Chig. H. V. 148 = Cg

Parchment; Italy;[146] 1423-1469.[147]

Orat., *Brut*. (f.47^{v}-113^{r})

In the fifteenth century, Cg was owned by Antonio di Giovanni Rossi; he sold the codex to the cardinal Francesco Tedeschini-Piccolomini in 1469.[148] Cg has a single chapter division at 25.23 *hic ego*. From the beginning of *Brut*. until *c.*§§228-265, Cg derives from ψ, and after this point it is a pure descendant of Cw.

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[143] Antolín (1916: 195). This date depends on the derivations of Ce from F and of Aq from Ce.
[144] Rubio Fernández (1984: 284).
[145] Pellegrin (1954: 13): 'd'une écriture cursive française'.
[146] Pellegrin et al. (1975-2010: i.307).
[147] Part of Cg derives from F, and so it cannot be earlier than 1423.
[148] f.117^{v}: *Nos Franciscus Cardinalis Senensis per manus Montani de Cassia emimus hunc librum ab Antonio Iohannis Rossi die X Martii MCCCCLXVIIII*.

80. Vatican City, BAV, Ott. lat. 1171 = Ch

Paper; France;[149] *s.* XV^{2}.[150]

De or., *Orat*., *Brut*. (f.198^{r}-257^{v}), *Part*. *or*.

The watermarks are similar to Briquet 8663 (Châlons-en-Champagne, 1479-1480). In the seventeenth century, Ch was owned by Jean Bourdelot, Pierre Michon Bourdelot, and Queen Christina of Sweden. It has one chapter division, at 21.24 *nempe igitur*. Ch derives from Cj, one of the descendants of ι.

81. Vatican City, BAV, Ott. lat. 1449 = Ci

Parchment; Florence; *c.*1442-1450.[151]

Inv. *rhet*., *Rhet*. *Her*. (Ps.-Cic.), *De or*., *Orat*., *Brut*. (f.223^{r}-259^{v}), *Part*. *or*., *Top*., *De optimo genere oratorum*

Ci was copied by Piero Strozzi for King Alfonso V of Aragon and I of Naples.[152] The illuminations are Florentine. Later, Ci may have been owned by Paul Petau, and was sold by his son Alexandre to Queen Christina of Sweden.[153] It derives from Ag.

82. Vatican City, BAV, Ott. lat. 1592 = B

Paper; Milan; 7-15 October 1422.

Inscription, *De militia* (Bruni), inscription, *Brut*. (f.14^{r}-58^{v}), *Epistula ad Flavium Blondum* (Guarino, autograph)[154]

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[149] Pellegrin et al. (1975-2010: i.463).
[150] This date is contingent on the derivation from Cj, which was copied in the second half of the century.
[151] Pellegrin et al. (1975-2010: i.567-568); de la Mare (unpublished).
[152] De la Mare (unpublished). See further De Marinis (1947-1952: i.1-37; ii, pl. 2 (f.79^{r}, 103^{v})); de la Mare (1985: 429).
[153] Pellegrin et al. (1975-2010: i.568).
[154] Sabbadini (1915-1919: i.355).

B was copied by Flavio Biondo and sent shortly afterwards to Guarino Veronese. In *Italia Illustrata*, Flavio Biondo reports that his copy of *Brut*. was sent 'first to Guarino in Verona, then to Leonardo Giustiniani in Venice' (*primum Veronam Guarino, post Leonardo Iustiniano Venetias*).[155] Later, the codex was owned by the cardinal Gugliemo Sirleto (1514-1585) and by Giovanni Angelo d'Altemps (1586-1620). On f.19^{r}, before the chapter division at 49.17 *et graeciae*, Biondo has written the following: *In veteri continuat testus ubique sine capitulo vel testiculo. verum unde hec capitula tu mi Guarine intellegis.* At the top of f.29^{r}, he has written: *Hic habui exemplar vetus*. Further down the page, next to 130.4 *magnum fuit*, he has added in the left margin: *hic vetus incepi habere exemplar*. At the end of *Brut*. (f.58^{v}), Biondo has composed the following subscription:

> Non erat amplius in exemplari: ꝯ a quo abscisse sunt charte due: quamquam ut mihi videtur nedum charte sed pauca admodum verba deficiunt. Scripsi hunc Brutum Mediolani a nonis ad ydus Octobres 1422. Ad exemplar uetustissimum repertum nuper laude: in quo quidem codice sunt: Rhetoricarum: ad herennium rhetorica: De oratore: Orator ad brutum: et brutus de oratoribus claris: M. T. Ciceronis:

B has most of ρ's chapter divisions up to §130, and none thereafter.[156] From *Brut*. 1.1 to around 130.4 *magnum fuit*, B derives from β, although with corrections from L (marked by the marginal note *in testu* (or *in t.*)); in the remainder of the text, it derives directly from L. B is the source of Bi(KBp), Bm and Da.

[155] Biondo, *Italia Illustrata* (2011-2017: iii.152).
[156] Cf. Sabbadini (1971: 103-105); Pellegrin et al. (1975-2010: i.625-626); Malcovati (1970: ix-x). For a reproduction of f.58^{v}, see Chatelain (1884-1892: pl. XXa).

83. Vatican City, BAV, Ott. lat. 1994 = Cj

Parchment; France; 1451-*c.*1472.[157]

De or., *Orat.*, *Brut.* (f.109^{r}-144^{v}), *Part. or.*, *Oratio de laudibus eloquentiae* (Ognibene de' Bonisoli)

Both script and decoration indicate a French origin. Cj was owned and annotated by Guillaume Fichet (1433-*c.*1480),[158] rector of the University of Paris. Fichet apparently brought the codex with him to Rome in 1472, and after his death it was owned by the humanist Giovanni Lorenzi (1440-1501).[159] The work of Ognibene is a later addition by an Italian hand, and José Ruysschaert suggests that it might have been copied by Bartolomeo Sanvito.[160] The codex was subsequently owned by the cardinal Gugliemo Sirleto and by Giovanni Angelo d'Altemps. Like Ch, it has a single chapter division at 21.24 *nempe igitur*. Cj derives from ι, and is the source of Ch.

84. Vatican City, BAV, Ott. lat. 2057 = O

Parchment; Lombardy; 29 November 1422.

De or., *Orat.*, *Brut.* (f.93^{r}-124^{r}), *De optimo genere oratorum*, Aeschin. *In Ctes.* (tr. Bruni), Dem. *De cor.* (tr. Bruni)

O, whose script and decoration indicate a Lombard origin,[161] was copied for Francesco Bossi, Bishop of Como. Antonio Cadei (1976: 9-17) attributes the illuminations to Belbello da Pavia.[162] In April 1425, while located in Pavia, O was corrected from L by Antonio and Simone Bossi and by Francesco degli Ardizzi of Vigevano. O contains ρ's

[157] Pellegrin et al. (1975-2010: i.731-732).
[158] Cf. Beltran (1985: 14).
[159] Gionta (2005: 414-415, 419-420).
[160] Pellegrin et al. (1975-2010: i.732). It is not mentioned, however, in de la Mare and Nuvoloni (2009), and cf. Gionta (2005: 421-422).
[161] Pellegrin et al. (1975-2010: i.774-776); Barbero (2016: 155-156, 164-165). For a complete digital reproduction of this MS, and of nos. 85, 87, and 89-96, see https://digi.vatlib.it.
[162] Cf. Barbero (2016: 155-156, 164-165).

chapter divisions. Two subscriptions follow *Brut*. At the very bottom of f.124^{r}, the scribe who copied the manuscript has written: *MCCCCXXII die penultimo novembris in sero finit*. The second subscription, written by Francesco degli Ardizzi, is four lines below the end of *Brut*., and reads:

> M. Tullii Ciceronis, de Oratore, Orator, Brutus, libri feliciter expliciunt. qui sunt reverendissimi in Christo patris et domini, domini Francisci Bossii, Mediolanensis, Episcopi Cumani ac Comitis, iurisque utrius doctoris, virique gravissimi et pacatissimi, domini Anthonii Bossii, filii ducalis consiliarii et Quęstoris. Qui tres libri oratorii [*corr.* oratorii libri] correcti, auscultati, collecti, emendati, conformati et iustificati fuerunt, cum codice illo vetustissimo et ipsa intuitione religionem quandam mentibus hominum inferente. quem .r. p. et d. d. Gęrardus Landrianus Episcopus Laudensis et Comes in archivio ecclesię suę repperit, litterarum cupidior. per Antonium Iohannis, Simonem Petri, Bossios, et me Franciscum Viglevium de Ardiciis, quanvis cursim MCCCCXXV die XXVI Aprilis. Indictione tercia. in civitate papię, studiorum matre. Non inveni plura in perveteri codice. fortunę quidem iniquitas id totum, si tamen quiddam erat, recidit. Eo tamen urgeor, quod ista dicendi divinitas, multos annos obliviosa, et inculta sic irreligiose prostitit. Ni quidem fuisset dicti pręsulis Laudensis solers bene dicendi studium, vigilantiaque industris, iterum divino careremus hoc munere (Vide quaeso priscorum incuriam) cuius inventione quamplurimum famę et perhennitatis sortitus est. Sed idem Cumanus, aut paris est glorię, vel non minoris felicitatis. propterea, quod primum veterem et superiorem codicem, non sat a plerisque legibilem, ob antiquarum litterarum effigiem, stilumque incognitum, in latinas et explicatas [*add. sup.*: bene] litteras, studioseque interpunctas, summa diligentia renovavit.

O was copied from ρ and corrected from L; it is the primary source of At, and the only source of T in §§251-333.

85. Vatican City, BAV, Pal. lat. 1465 = Ck

Parchment; Italy; 1423-1459.[163]

De or., *Orat*., *Brut*. (f.156^{r}-198^{r}), *Part*. *or*. (fragm.)

Ck was owned by the Florentine humanist Giannozzo Manetti (1396-1459), who added the folio numbers.[164] The codex was subsequently owned by Ulrich Fugger (1526-1584) and by the Bibliotheca Palatina of Heidelberg. The text is in the same order as Cl. Ck derives from Cl.

86. Vatican City, BAV, Pal. lat. 1471 = Cl

Parchment; Florence; 1423-*c.*1425.[165]

Orat., *Brut*. (f.59^{r}-146^{v}), *Part*. *or*.

Cl was owned and annotated by Giannozzo Manetti; Manetti's secretary, Tommaso Tani, added the table of contents. Later, the manuscript was owned by Ulrich Fugger and by the Bibliotheca Palatina of Heidelberg. The pages have become disordered, with the result that the text of *Brut.* is in the following order: 1.1 (f.59^{r}) – 59.23 *praeclare tum* (f.71^{v}); 178.26 *suppeditabat oratio* (f.72^{r}) – 207.3 *fiebant neque* (f.79^{v}); 91.27 *igitur inquit* (f.80^{r}) – 99.4 *filii fuerunt* (f.81^{v}); 59.24 *illi homines* (f.82^{r}) – 91.26 *interquievissem quid* (f.89^{v}); 129.23 *-dicus genere* (f.90^{r}) – 178.26 *publica satis* (f.101^{v}); 99.4 *quorum c.*

[163] Ck cannot be earlier than 1423, since it derives from F, and it must have been copied before Manetti's death in 1459.
[164] Pellegrin et al. (1975-2010: ii/2.118). On Manetti's library, see Cagni (1960); de la Mare (1985: 423).
[165] Pellegrin et al. (1975-2010: ii/2.121); de la Mare (unpublished). For a complete digital reproduction, see https://digi.ub.uni-heidelberg.de.

(f.102^{r}) – 129.23 *asper male-* (f.109^{v}); 207.3 *hoc quod* (f.110^{r}) – 333.19 (f.146^{v}). Cl is a descendant of Cp and the source of Bj, Ck, and the second half of Au.

87. Vatican City, BAV, Reg. lat. 1841 = Cm

Parchment; Italy; *s.* XV.[166]

Inv. rhet., *Top.*, *Part. or.*, *Orat.*, *De optimo genere oratorum*, *Brut.* (f.99^{r}-132^{v})

Cm was once owned by the church of San Silvestre al Quirinale, in Rome. Initially, Cm seems to derive from Ad, and then, from *c.*§161 onwards, it apparently derives instead from χ.

88. Vatican City, BAV, Reg. lat. 2046 = Cn

Parchment; northern Italy?; 1421-1450.[167]

De or., *Orat.*, *Brut.* (f.97^{r}-132^{r})

Cn was owned by the church of San Andrea della Valle in Rome. It contains ρ's chapter divisions. Cn derives from ζ, which appears to have been a contaminated descendant of G.

89. Vatican City, BAV, Urb. lat. 311 = Co

Parchment; Florence; *c.*1425-1430.[168]

De or., *Brut.* (f.105^{r}-149^{r}), *Orat.*

Co's *Brut.* has been lightly corrected by a second hand. The manuscript was owned in the second half of the fifteenth century by Federico da Montefeltro, Duke of Urbino.[169]

[166] Pellegrin et al. (1975-2010: ii/1.445).
[167] Pellegrin et al. (1975-2010: ii/1.491) suggest the localisation on the basis of the decorated initials; they date the MS to *s.* XV$^{in.}$.
[168] De la Mare (1986: 81 n. 2); cf. Pellegrin et al. (1975-2010: ii/2.538-539).
[169] On Federico's library, see de la Mare (1985: 448-451); Hofmann (2008).

It was redecorated for Federico's collection, and the presence of the letters 'F. C.' (rather than 'F. D.') indicates that the new illuminations were added before Federico was appointed Duke, i.e. before August 1474.[170] Co derives from σ via τ, and has produced one copy, Bn.

90. Vatican City, BAV, Vat. lat. 1701 = Cp

Parchment; Italy;[171] 1423-1428.[172]

Orat., *Brut*. (f.51^{v}-123^{r}), *Part*. *or*., *Top*.

Cp was acquired by the BAV between 1518 and 1533. It derives, perhaps directly, from F, and is the source of Cl (and its descendants (Au)BjCk), BdBwBz, ι (and its descendants, ApCfChCj)), and the second part of Cc.

91. Vatican City, BAV, Vat. lat. 1702 = Cq

Parchment; Naples?; 1423-1481.[173]

Orat., *Brut*. (f.44^{v}-103^{v}), *Part*. *or*.

Cq was in the BAV by 1481. It is a contaminated descendant of Cw.

92. Vatican City, BAV, Vat. lat. 1709 = J

Paper; Italy; 1428-1500.[174]

Carmen de distinctione orationis (Guarino, extr.), *De or*., *Div*. (extr.), *Orat*., *Brut*. (f.116^{r}-145^{r}), draft of text (anon.), *Epistula* (Iodocus Zeno to M. Petrus Papaeus)

[170] Cf. de la Mare (1985: 450).
[171] Pellegrin et al. (1975-2010: iii/1.318-319).
[172] The outer limits for the date depend on the derivations of Bw from Cp and of Cp from F.
[173] Pellegrin et al. (1975-: iii/1.319): 'italienne, peut-être napolitaine d'après l'écriture'.
[174] This date is contingent on the derivation from Lamola's codex. Some of J's corrections in *Orat*. are cited by Yon (1964).

A later hand has corrected the text of *Brut*. from ψ (or a descendant). Pellegrin et al. (1975-2010: iii/1.325) tentatively suggest that the watermark resembles Briquet 8441 (Bologna, 1455). In the fifteenth century, J was bought by a certain Piero da Calabria from some Franciscan friars.[175] The codex was acquired by the BAV in 1549. J derives from λ.

93. Vatican City, BAV, Vat. lat. 1712 = Cr

Parchment; Florence; *c.*1450-1473.[176]

De or., *Orat*., *Brut*. (f.95^{r}-122^{v}), *Rhet. Her*. (Ps.-Cic.), *Inv. rhet*., *Part. or*., *Top.*

According to de la Mare (1985: 424, 432, 538, 565), Cr was copied by Sinibaldus C., and the front flyleaf was written by Gherardo del Ciriagio. The manuscript was produced by Vespasiano da Bisticci.[177] Some annotations have been added in the hand of an early owner, the French cardinal Jean Jouffroy (*c.*1412-1473).[178] Cr was acquired by the BAV during the reign of Pope Sixtus IV, and is mentioned in an inventory dated to 1475. Cr contains some of ρ's chapter divisions. It descends from ψ, which appears to have derived from γ, but with contamination from F (or a descendant).

94. Vatican City, BAV, Vat. lat. 1720 = Cs

Parchment; Florence; 1425-1437 (*c.*1425-1429?).[179]

Brut. (f.1^{r}-38^{r}), *Orat*. (*integer*), *De or*., *Orat*. (*mutilus*), *Sen*., *Amic*., *Fat*., *Acad*. *post*.

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[175] f.I^{r}: *De miser piero de Calabria conperato dali Fra di San Francescho*.
[176] Pellegrin et al. (1975-2010: iii/1.328-329); de la Mare (1985: 424, 432).
[177] f.I^{v}: *Vespasianus librarius librum hunc florentie transcribendum curavit*; cf. de la Mare (1985: 565), (1996: 181 n. 51, 206-207).
[178] On the book-collector Jean Jouffroy, see Desachy (2012).
[179] Hunt (1998: 88-89); Pellegrin et al. (1975-2010: iii/1.335-336); Tichenor (2019: 735-736). Hunt dates the MS to 1425-1440, but since it is an ancestor of Ak, Cs must have been copied before 1437. If Am, another descendant of Cs, has been dated correctly to the 1420s, Cs must also have been copied before 1430.

In her unpublished notes, de la Mare assigned the illuminations to Battista di Biagio Sanguigni in 1977,[180] but in 2000 she assigned them instead to Bartolomeo Varnucci. De la Mare (unpublished) identified the hand of Guglielmo Tanaglia (1391-1460) in some marginal notes. From the start of *Brut*. up to *c.*§158, Cs is a contaminated copy of Z; in §§158-298, Cs appears to derive primarily from another, less faithful, descendant of F; finally, in §§298-333, Cs derives from ν, one of the offspring of κ. Cs is the source of Bx(Ak), Cb, and Cu(Am).

95. Vatican City, BAV, Vat. lat. 1721 + Vat. lat. 4533 = Ct

Paper; Italy; *s.* XV.[181]

Vat. lat. 1721: *Brut*. (f.1^{r}-84^{v}, §§1-330 *ipsa loque*-); Vat. lat. 4533: Arist. *Eth*. *Nic*. (tr. John Argyropoulos), *Brut*. (f.115^{r}-116^{r}, §§330 -*rentur mortuo* – 333), *Peri Hermeneias* (Apul.)

The watermarks on the pages containing *Brut*. resemble Briquet 6269 (Venice, 1454) and 6271 (Venice, 1462).[182] At some point in its history, the text was split up: the text of *Brut*. in f.115-116 of Vat. lat. 4533 continues exactly from the end of Vat. lat. 1721, and the two sections are written in the same hand on paper with identical watermarks. Vat. lat. 4533 is a manuscript in two parts: the watermarks and the hand of the second part, containing *Brut*. and Apuleius' *Peri Hermeneias*, are different from those of the first. Rossella Bianchi (2015: 191) has identified notes by Angelo Colocci (1474-1549) on f.119, 121^{v}, and 137^{v} of Vat. lat. 4533.[183] A later hand has introduced ρ's chapter

[180] Cf. Hunt (1998: 89). For the difficulty of securely attributing illuminations to Battista, see Kanter in Bollati (2004: 67-69).
[181] Pellegrin et al. (1975-2010: iii/1.336, iii/2.423-424).
[182] Pellegrin et al. (1975-2010: iii/1.336).
[183] For the possibility that the second part of Vat. lat. 4533 was owned by Marcello Cervini (1501-1555), see Fossier (1979: 430).

divisions into Ct. Ct is a contaminated descendant of Cw; later corrections have been added from β (or a descendant). The manuscript has produced one offspring, Db.

96. Vatican City, BAV, Vat. lat. 3238 = Cu

Parchment; Florence; 1423-*c.*1429?.[184]

Brut. (f.1^{r}-44^{r}), *Orat*. (*integer*), *De or*., *Orat*. (*mutilus*)

The decoration is by Bartolomeo Varnucci.[185] Cu was annotated in the fifteenth century by Giulio Pomponio Leto,[186] and was owned in the sixteenth century by Fulvio Orsini. Cu derives from Cs and has one extant descendant, Am. A second hand has corrected Cu from another of F's offspring, or from F itself. Morris Tichenor (2019: 276) argues that Cu's *mutilus* of *Orat*. also derives from Cs.

97. Vatican City, BAV, Vat. lat. 6871 = Cv

Paper; Italy; *s.* XV.[187]

Brut. (f.1^{r}-98^{v}), *NA* (Gell., extr.)

The watermarks resemble Briquet 6270 (Venice, 1457).[188] On f.5^{v}, there is a signed note by the Bolognese humanist Tommaso Sclaricino Gambaro (*c.*1454-1525). According to José Ruysschaert (*ap.* Fanelli 1979: 171 n. 18a), annotations by Angelo Colocci indicate that Cv was once part of his library; but Marco Bernardi (in Motolese et al. (2013: 78)) finds no evidence of Colocci's ownership and rejects the attribution of the annotations to him. Cv is the only descendant of ρ which contains none of its chapter divisions. From

[184] '*s.* XV$^{in.}$' (Pellegrin et al. (1975-2010: iii/2.141-142)), '*s.* XV$^{2/4}$' (Tichenor (2019: 737-738)); de la Mare (unpublished) dates the initials to *c.*1430. Cu must be older than its apograph, Am, which was apparently copied in the 1420s.
[185] De la Mare (unpublished).
[186] See further Muzzioli (1959).
[187] Pellegrin et al. (1975-2010: iii/2.637-638).
[188] Pellegrin et al. (1975-2010: iii/2.637-638).

the beginning of *Brut*. until *c.*§§310-320, it derives from η, an exemplar shared with Ai. In the final few paragraphs, Cv may derive from the exemplar of Ar, or Cv's exemplar may have been corrected from Ar.

98. Vatican City, BAV, Vat. lat. 11491 = Cw

Parchment; Italy; *s.* XV.[189]

Orat., *Brut*. (f.25^{v}-60^{r})

This manuscript was owned in the sixteenth century by Antonio Constantini and by Marc-Antoine Muret. Later, it was part of the library of the College of Jesuits in Rome. Cw derives from κ via ν, an exemplar shared with Av; Cw is an ancestor of AwBuCqCt(Db), as well as the final part of Cg, and is one of two sources of A.

99. Venice, Biblioteca Nazionale Marciana, Lat. Z. 419 (1508) = Cx

Parchment; *s.* XV.[190]

De or., *Brut*. (f.124^{r}-175^{v}), *Orat*., *Paradoxa*

Cx derives from Ad via H.

100. Venice, Biblioteca Nazionale Marciana, Lat. Z. 420 (1509) = Cy

Parchment; Parma; 11 February 1428.

De or., *Orat*., *Brut*. (f.86^{r}-111^{v}, only §§1-23, 46-108, 129-191, 209-308, 326-333), *De optimo genere oratorum*

Several folios have been lost, resulting in the following lacunae in the text of *Brut*: 23.8 *dicendi autem* – 46.24 *et paratas*; 108.26 *-lius appi* – 129.22 *sane ut*; 191.27 *-ribus*

[189] Pellegrin et al. (1975-2010: iii/2.833-834).
[190] Zorzanello (1980: 11).

legeret – 209.20 *ineuntur gratiae*; 308.28 *ego hoc* – 326.11 *crebrarum venustarumque*. Cy was copied by Opizo de Cisiis, a citizen of Parma, for Andrea Valeri of Parma.[191] Opizo also copied Lat. Z. 269 (1757) (in 1428, again for Andrea Valeri) and BAV, Urb. lat. 426 (in 1427).[192] In the eighteenth century, the codex was owned by the Venetian nobleman Giovanni Battista Recanati. Cy contains ρ's chapter divisions. It derives from G via the lost ancestor δ.

101. Venice, Biblioteca Nazionale Marciana, Lat. XI. 67 (3859) = Cz

Parchment; 1423-*c.*1425.[193]

Brut. (f.1^{r}-79^{r})

Cz was owned, and perhaps copied, by Leon Battista Alberti.[194] In the eighteenth century, it was owned by Giovanni Gentili and then by Antonio Cocchi.[195] Cz derives from κ.

102. Verona, Biblioteca Capitolare, CLV (143) = Da

Parchment; *s.* XV.[196]

Brut. (f.1^{r}-58^{r}, only §§1-320 *certe vivere*)

Da once belonged to the Biblioteca Muselli. There is a single chapter division at 10.10 *nam cum*. Da is a slightly contaminated copy of B.

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[191] f.114^{r}: … *ad instantiam viri nobilis et egregii Andreę de Valeriis de Parma per me Opizonem de Cisiis scriptorem et civem Parmensem anno domini M.cccc.xxviii. die Undecimo Mensis Februarii*; cf. Zorzanello (1980: 11-12). On Andrea Valeri, see Pellegrin et al. (1975-2010: ii/2.77), with ref.; Bertini (2010: 124 n. 48).
[192] Pellegrin et al. (1975-2010: ii/2.596); Derolez (1984: 154).
[193] Cardini et al. (2005: 404) date Cz to *s.* XV$^{1/4}$, and it cannot be earlier than F, from which it derives.
[194] '[U]n codice che … dà l'impressione, se non la certezza, di essere un prodotto della mano dell'umanisto' (Tristano in Cardini et al. (2005: 46, with pl. 9)).
[195] Cardini et al. (2005: 67, 72); Zorzanello (1980: 502-503).
[196] Spagnolo (1996: 228), with a reproduction of part of f.1^{r}.

103. Viterbo, Centro diocesano di documentazione – Biblioteca Capitolare, Sezione manoscritti, d 9 = Db

Parchment; *s.* XV.[197]

Orat., *Brut*. (f.27^{r}-63^{r}), *Part. or.*

In the sixteenth century, Db was owned by Latino Latini of Viterbo.[198] It derives from Ct.

104. Vienna, Österreichische Nationalbibliothek, Cod. 3090 = S

Paper; *s.* XV.[199]

De or., *Orat*., *Brut*. (f.170^{r}-177^{v}, only §§1-60 *secundo quaestor*)

The folios have become disarranged, and the text of *Brut*. should be read in the following order: f.170, f.172, f.171, f.174, f.173, f.175-177. S contains ρ's chapter divisions. It derives from β.

105. Vienna, Österreichische Nationalbibliothek, Cod. 3093 = Dc

Mixed; Florence; *s.* XV.[200]

Brut. (f.1^{r}-38^{v}), *Orat*., *De optimo genere oratorum*

De la Mare (unpublished) suggests that Dc might have been copied by Lapo da Castiglionchio the Younger (*c.*1406-1438). It derives from Ca, one of the descendants of τ.

106. Wolfenbüttel, Herzog August Bibliothek, 12. 13. Aug. 4^{o} = W

[197] Dorez (1895: 242).
[198] On the library of Latino Latini, see Dorez (1895).
[199] Academia Caesarea Vindobonensis (1868: 194).
[200] Ibid., 195.

Parchment; Italy; *s.* XV.[201]

De or., *Orat*., *Brut*. (f.201^{v}-262^{v})

W was owned by Aubert de Carmonne, an official in Dijon, and by a certain Nicolaus Recurtius. It contains the seven chapter divisions found in D. W is a copy of D.

107. Wolfenbüttel, Herzog August Bibliothek, 38 Gud. Lat. 2º = Dd

Parchment; Italy; *s.* XV.[202]

De or., *Orat*., *Brut*. (f.97^{r}-121^{r}), *De optimo genere oratorum*

Dd contains ρ's chapter divisions. It derives from G via δ.

Despite reports to the contrary, the following manuscripts do not contain *Brut*.: Assisi, Biblioteca del Sacro Convento di San Francesco, Assisi Com. 307; Milan, Biblioteca Ambrosiana, H 21 sup.; Milan, Biblioteca Ambrosiana, L 61 sup.; Ravenna, Biblioteca Classense, 349.

1.2 MISSING MANUSCRIPTS

1. Formerly Phillipps 23088[203]

s. XV.

De or., *Orat*., *Brut*.

[201] Heinemann et al. (1884-1913: vii.168). For a complete digital reproduction, see http://diglib.hab.de/mss/12-13-aug-4f/start.htm.
[202] Heinemann et al. (1884-1913: ix.107).
[203] Schoenberg Database of Manuscripts, 'SDBM_MS_10809', <https://sdbm.library.upenn.edu/manuscripts/10809>.

This manuscript, once owned by Thomas Phillipps (1792-1872), was put up for auction at Maggs Bros. in London in 1938 (catalogue 666, lot 110). I have not been able to ascertain whether it was sold at the auction.[204]

2. Formerly in the library of John Edmund Severne (1826-1899)

Parchment; Florence?; *s.* XV^{2}.[205]

Brut., *Orat.*

This manuscript was owned by Mario Maffei of Volterra (1463-1537). It was later owned by Anthony Askew (1722-1774), Michael Wodhull (1740-1816), and John Edmund Severne (1826-1899), and was put up for auction at Christie's, in London, on 8 December 1982 (auction 2553, lot 130). It is not to be identified with Madrid 10060, another Maffei manuscript, which was already in the Biblioteca Nacional in 1958.[206]

3. Formerly Warsaw, Biblioteka Załuskich, 244

Parchment; 1423.

Brut., *Orat.*, *Top.*, *Part. or.*

According to Janozki (1752: 74), the following subscription was written on the final page of the manuscript: *anno domini MCCCCXXIII. sabbato quatuor temporum Beate Lucie per Petrum de Lamburga*. Peter Wolfram of Lamburga (= Lviv, in modern-day Ukraine) was a notary of the Archbishop of Gniezno at the Council of Constance (1414-1418).[207]

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[204] The Maggs Bros. archives are held in the British Library. There are many boxes of correspondence from 1938, and it was unfeasible for me to search through them systematically to try to identify the buyer of this MS.

[205] Sotheby, Wilkinson, & Hodge (1886: 57); Christie, Manson, & Woods Ltd. (1982: 49); Schoenberg Database of Manuscripts, 'SDBM_MS_790', <https://sdbm.library.upenn.edu/manuscripts/790>.

[206] Ruysschaert (1958: 324).

[207] Finke (1928: 358, 360); Fink (1964: 143). A sermon delivered by Peter at the Council is preserved in Vienna, Österreichische Nationalbibliothek, Cod. 4292.

In 1428, while serving as Archdeacon of Krakow, he visited Rome on a mission from the newly elected Bishop of Włocławek.[208] The early date makes this manuscript interesting, but it may have been destroyed by the Nazis in October 1944, together with many other books from the Załuski collection.

1.3 MANUSCRIPTS WITH EXCERPTS[209]

1. Canterbury, Canterbury Cathedral Library, Additional 129/45

Paper; 1450-1550.[210]

Brut. (f.1^{r}-1^{v}, fragments from §§182-186)

This single folio of *Brut*. is very damaged, with much of the page missing. It shares the only significant error of B in the portions extant (185.9 *ita*] om.) and may derive from it.

2. Naples, Biblioteca Nazionale, ex Vienna Lat. 57

Mixed; Padua?; *s.* XV^{1}.[211]

Various, *Brut*. (§§3-10), various

NOT SEEN. For a detailed description, see Hunt (1998: 168-171).

3. Perugia, Biblioteca Comunale, 309 (E. 57)

Paper; *s.* XV.[212]

Brut. (f.1-20, extr.), various

NOT SEEN.

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[208] Lisowski (1960: 140).
[209] I have conducted only a partial search for MSS containing extracts of *Brut*., and I record here only those with extracts of more than one sentence.
[210] For a complete digital reproduction, see https://ims.canterbury-cathedral.org.
[211] Hunt (1998: 168).
[212] Mazzatinti et al. (1890-: v.115).

4. Vatican City, BAV, Vat. lat. 8761

Paper; Italy; 1451-1483 (f.160-163).[213]

various, *Brut*. (f.163^{r}, §§251 *sed de Caesare* – 253 *existimare debemus*), *HN* (Plin., extr.), *Policraticus* 5.1 (John of Salisbury), various

In the extract of *Brut*., Vat. lat. 8761 shares all the errors of F (252.26 *exquisitis summoque* Bλρ] *exquisitissumoque* F: *exquisitissimo* Vat. lat. 8761; 253.29 *scripserit* B^{1}λρ] *scripsit* BF Vat. lat. 8761; 253.30 *dixerit* F] *disserit* F^{2mg} Vat. lat. 8761) and may derive from it.

1.4 Fifteenth-Century Printed Editions

Ed. 1. Rome (1469) = Rom

De or., *Orat*., *Brut*.

ISTC ic00643000; *GW* 6754

Rom, the *editio princeps* of *Brut*., was printed by Conrad Sweynheym and Arnold Pannartz. It contains ρ's chapter divisions.[214]

Ed. 2. Venice (1485) = VenA

De or., *Orat*., *Top*., *Part*. *or*., *Brut*., *Comment. pet.* (Q. Cicero), *De optimo genere oratorum*, Aeschin. *In Ctes*. (tr. Bruni), Dem. *De cor*. (tr. Bruni)

ISTC ic00662000; *GW* 6750

VenA was produced by the editor Girolamo Squarciafico and printed by Andreas Torresanus de Asula and Bartholomaeus de Blavis.[215]

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[213] Pellegrin et al. (1975-2010: iii/2.719-721). For a complete digital reproduction, see https://digi.vatlib.it.

[214] For discussion of the Roman printing-house of Sweynheym and Pannartz, and of Rom in particular, see Jury (2018: 142-151).

[215] Jury (2018: 170-172).

Ed. 3. Venice (1488) = VenB

Contents as in VenA

ISTC ic00663000; *GW* 6751

VenB was printed by Thomas de Blavis.[216]

Ed. 4. Venice (1495) = VenC

Contents as in VenA

ISTC ic00664000; *GW* 6752

VenC was printed by Philippus Pincius.[217]

Ed. 5. Nuremberg (1497) = Nur

Contents as in VenA

ISTC ic00665000; *GW* 6753

Nur was printed by Anton Koberger.

Ed. 6. Milan (1498) = Mil

Cicero novus ex Plutarcho (Bruni), *Comment. pet.* (Q. Cicero), *Rhet. Her.* (Ps.-Cic.), *Inv. rhet.*, *De or.*, *Orat.*, *Brut.*, *Top.*, *Part. or.*, *De optimo genere oratorum*, Aeschin. *In Ctes.* (tr. Bruni), Dem. *De cor.* (tr. Bruni), *Commenta in Ciceronis Rhetorica* (Victorinus)

ISTC ic00498000; *GW* 6708

Mil is the first volume of a set of Cicero's works edited by Alexander Minutianus and printed by Guillermus Le Signerre.[218]

[216] Jury (2018: 172-174).
[217] Ibid., 174-176.
[218] Ibid., 176-177.

1.5 Hypothesised Manuscripts

Below is a list of the Greek sigla that I use to denote hypothesised lost manuscripts, together with their independent descendants.

α: ?Bqη?

β: (B)DEMS(TYAr)γ

γ: GXψ

δ: (AAt)BeBrCyDd

ε: BfBk

ζ: BcCn

η: AiCv

θ: IAjAy

ι: ApCfCj

κ: BgBo(Ce)Czν

λ: JU

μ: AqBs

ν: Aν(Cs)Cw

ξ: NVAzBb

π: AdBνσυ

ρ: Oβ

σ: Agτ

τ: Ac(Ar)AxCa(CcCe)Co

υ: AaAeAfAoAs

φ: F

χ: RBh(Cm)

ψ: (AuCg)Cr

ω: ʔ(Bd)Bzɪʔ

CHAPTER 2: THE CREMONA FRAGMENT[1]

The text of *Brutus* was lost for several centuries before the discovery of the famous *Codex Laudensis* (L) in 1421. L, discovered in Lodi, in northern Italy, apparently contained, in addition to an almost complete text of *Brut.*, four other rhetorical works then attributed to Cicero (*Rhet. Her.*, *Inv. rhet.*, *De or.*, and *Orat.*).[2] L disappeared in or after 1428, but its *Brut*. was transcribed at least four times, and all extant manuscripts derive from it. Consequently, editors of the text have focused their efforts on the reconstruction of L from its earliest and most faithful descendants.

In 1954, a ninth-century fragment of *Brut.* was discovered in the Archivio di Stato in Cremona (C, Fragm. Cod. Comune 81 (ex 295)).[3] Since all other extant manuscripts can be dated to after 1421, C is by far the earliest surviving witness to the text. However, only two leaves of C survive (containing *Brut.* 218-227 and 265-274), and so it has been difficult for scholars to determine its relationship to L. Isabella Pettenazzi (1955-1957), who discovered the fragment, contended that C was part of L, but this view was opposed by Enrica Malcovati (1958: 40-47; 1970: vi-vii, xiii), whose arguments led to a scholarly consensus that C should not be identified with L, but is rather a copy or twin.[4] More recently, Bernhard Bischoff (1998: 209) and Emilio Giazzi (2005: 496) have expressed doubts about the validity of Malcovati's conclusion,[5] but neither has attempted to put forward a reasoned case for the identification of C with L.

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[1] I thank Stephen Oakley for suggesting some of the arguments presented in this chapter.
[2] For discussion of L's contents, see pp. 226-227.
[3] For a detailed description of C, see Pettenazzi (1955-1957) and Giazzi (2005: 495-496). Bischoff (1998: 209) dated the fragment to the second third of the ninth century.
[4] Jahn-Kroll-Kytzler (1962: xxiii); Douglas (1966: lv); Winterbottom et al. in Reynolds (1983: 108).
[5] Bischoff: 'Gegen die vermutete Zugehörigkeit des Fragments zu dem 1421 in Lodi aufgefundenen Cicero-Codex (Pettenazzi) gibt es kein schlüssiges Argument'; Giazzi: 'non sono stati addotti a tutt'oggi argomenti validi contro questa identificazione, che rimane quindi sostanzialmente accettabile'.

In this chapter, I intend to challenge the prevailing view and to suggest that Pettenazzi was correct in proposing that C is a fragment of the archetype L. I begin by comparing C with humanist descriptions of L, before responding to Malcovati's arguments against the identification of C with L. I then suggest reasons why C should be considered part of L, before finishing with a discussion of the impact that the conclusion, if accepted, might have on our knowledge of the transmission of *Brut*.

2.1 C AND THE HUMANIST DESCRIPTIONS OF L

We are largely dependent upon three humanists, Gasparino Barzizza, Flavio Biondo, and Giovanni Lamola, for an account of L's condition. Barzizza and Biondo both stress two particular points concerning the codex: its great age and its illegibility.[6] Barzizza, in a letter to Gerardo Landriani, praises him for bringing to light complete copies of Cicero's major rhetorical works after so many centuries (*omnes oratoriae institutionis partes illas, quibus carebamus, ex his tenebris, quibus tot saeculis delituerunt, in lucem eduxisti*), and then goes on to describe the manuscript as 'very ancient and almost unusable' (*vetustissimo ac pene ad nullum usum apto*).[7] Biondo, in the subscription to his copy of *Brut*., also describes L as *vetustissimus*, and in 1450/1451, in his *Italia Illustrata*, Biondo recounts the discovery of L and says that the codex was very old and there were very few who were able to read it (*pervetustus et cuius litteras vetustiores paucissimi scirent legere*).[8] Lamola, in a letter to Guarino Veronese written in 1428, also emphasises the age of the manuscript (*hic autem ipse codex, summae*

[6] Barzizza oversaw the first transcription of L: the discoverer of the codex, Gerardo Landriani, bishop of Lodi, was unable to read it himself and sent it to Barzizza, a scholar highly regarded for his work on Cicero's rhetorical works, in the hope that he might be able to transcribe it. Biondo produced a copy of *Brut.* (B) in 1422; the second part of his transcription was made directly from L. Lamola made a copy of L in 1428; Lamola's MS (λ) is lost, but two descendants (JU) survive.

[7] Furiettus (1723: 215-216).

[8] Biondo, *Italia Illustrata* (2011-2017: iii.151).

quidem venerationis et antiquitatis non vulgaris effigies).[9] An additional testimony to the age and illegibility of L can be found in the second colophon to O, in which Francesco degli Ardizzi, one of the three scribes who corrected the manuscript from L in 1425, records that the old codex was *non sat a plerisque legibilem ob antiquarum litterarum effigiem stilumque incognitum*.[10]

Four further details can be gleaned from the evidence of the Renaissance writers. Firstly, the *Laudensis* lacked the chapter divisions that are present in many of the later manuscripts.[11] The absence of chapter divisions in L is stated explicitly by Biondo in B, his copy of *Brut*. (f.19^{r}: *in veteri continuat testus ubique sine capitulo vel testiculo*), and supporting evidence can be found in the absence of chapter divisions from FJU, three manuscripts which derive from L independently of Barzizza's codex, and from the second part of B, copied by Biondo directly from L. Secondly, an excerpt from Biondo's subscription (*Non erat amplius in exemplari: a quo abscisse sunt charte due*) indicates that the final two pages of L's *Brut*. had been removed before he completed his transcription in 1422. The scribe of Bk corroborates Biondo's testimony by quoting the following words, as he claims, from the writings of Gasparino Barzizza:

> Deficiunt pauca, non ultra folia duo ad plus, et ut ego coniecturam facio non ultra columnam. Plura enim in codice vetustissimo non comperi: ex quo in fine carte recise iniquitate fortune erant.[12]

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[9] Sabbadini (1915: i.640-641).

[10] For a transcription of both colophons in full, see above, p. 59.

[11] Gasparino Barzizza was probably responsible for introducing these chapter divisions. See below, p. 238.

[12] After leaving a few lines empty, the same scribe adds: *Hec ex praeceptore doctissimo Gasparino de Barzizis Pergamensi scripta relicta habentur*. Cf. also Francesco degli Ardizzi's comment in O's colophon: *Non inveni plura in perveteri codice. fortunę quidem iniquitas id totum, si tamen quiddam erat, recidit*. The language used in Bk and O is so similar that their testimony probably derives from a common source. (Note especially the shared use of the phrase *iniquitas fortunae*.) For further discussion of the two MSS and their subscriptions, see below, p. 133.

Thirdly, it would appear from the same quotation in Bk that the pages of L were written in multiple columns. Finally, the following quotation from Lamola's letter to Guarino suggests that the text of L was subjected to many erasures, alterations, and additions by its fifteenth-century copyists:

> Hic autem ipse codex … ab istis in quorum manibus <fuit> quique ex eo accurato exemplari exemplum, quod vulgatum ubique est, traduxerunt, summis ignominiis adfectus est, quippe qui multa non intellexerunt, multa abraserunt, multa mutarunt, multa addiderunt …[13]

Thus, if the humanist descriptions of L are to be believed, we should expect a surviving fragment of L to date from several centuries before the 1420s, to be very difficult to read, to contain no chapter divisions, to be written in columns, and to be heavily corrected. Does C meet these criteria? On the basis of its script, a neat Caroline minuscule, the manuscript can be dated with confidence to the ninth century and so certainly meets the age requirement. There are no chapter divisions; each side contains two columns of text; and there are frequent corrections. Some corrections are by the initial scribe, but the majority are in a different, although roughly contemporary, hand (C^2). C^2's corrections predominantly involve the replacement of archaic spellings (e.g. *quom*, *conlega*) with more standard medieval ones (*cum*, *collega*).[14] C^2 usually attempted to erase the original ink, sometimes even damaging the parchment in so doing, before writing an emended version on top. This practice could well have prompted Lamola to complain of the *summae ignominiae* with which L had been treated. However, if this were so, Lamola would have been wrong to attribute the corrections to his contemporaries, since C^2 is a ninth-century hand. Alternatively, it may be that Lamola

[13] Sabbadini (1915: i.640-641).
[14] For a full collation of C, see below, pp. 87-91.

was exaggerating the extent of the erasures and changes made in the fifteenth century, or that there simply were none on the pages which survived as C.

The criterion of illegibility, however, is harder to satisfy. Indeed, for Douglas, the neatness and clarity of the writing in C 'suffice to show that it cannot be a part of the Laudensis' (1966: lv). This conclusion is understandable, because it does seem hard to reconcile the condition of C with Barzizza's description of L as *pene ad nullum usum aptus* or with Biondo's comment that *litteras vetustiores paucissimi scirent legere*. Nevertheless, Douglas is too quick to exclude the possibility of C's having been part of L. Only two folios of C are extant, and other parts of the manuscript might have been much more difficult to read, perhaps because of damage to the pages or because another, less careful scribe, was responsible for other sections of text. We cannot assume from two folios that C was uniformly neat and easy to read. Additionally, the early copies of L do not differ wildly from one another in their texts of *Brut*., as one might expect if L had been virtually illegible. The accuracy of the principal witnesses to the text of L is hard to quantify, and depends on the care taken by the scribes as well as the clarity of the exemplar, but F, for example, in 90 paragraphs of *Brut*., contains around 25 non-trivial errors absent from the other branches of the stemma, while Lamola's copy of L (λ), which can be reconstructed from JU, apparently contained only a handful of errors in the entire work.[15]

That L's copyists managed to produce relatively accurate transcriptions does not prove that the whole of its text was as legible as C, but it does allow room for doubt about the humanists' claims concerning L's condition. As Pettenazzi points out (1955-1957: 96), it would have been in the interest of the humanists to exaggerate the difficulty of

[15] For lists of the errors of F and λ, see below, pp. 92-93. Douglas (1966: lv-lvi) admits that the fifteenth-century copyists were generally accurate. On Lamola's *De or.*, see below, p. 250 n. 88.

transcribing L in order to accrue more glory for themselves. Gasparino Barzizza, in particular, having decided to keep L and return only a copy to its finder, Gerardo Landriani, had a further motive for describing L as *pene ad nullum usum aptus* in his letter to Landriani: to justify his appropriation of the *vetus codex*.

Both because other leaves of C may not have been easy to read, and because L may not have been as illegible as the humanists suggest, C's neat and legible script does not suffice to show that it cannot be a fragment of L.

2.2 MALCOVATI'S ARGUMENT: C ≠ L

There are four main strands to Malcovati's argument that the Cremona fragment cannot be a part of the *Laudensis*. The first of these, which I have discussed already, is that C is clear and legible, whereas L, according to the humanists, was very difficult to read.[16] Malcovati infers from the humanists' testimony that L could not have been written in a script as simple as Caroline minuscule, but must rather have been in a pre-Carolingian script full of ligatures and abbreviations. She therefore suggests that L must have been at least a century older than C. However, in the absence of any detailed description of L's script or any reference to its containing ligatures and abbreviations, these conclusions are unwarranted. As pointed out earlier, other parts of C may have been much more obscure, and consequently this argument against the identification of C with L is weak.

The second component of Malcovati's argument is that L was written in *scriptio continua*, whereas C has word division.[17] To prove that L was in *scriptio continua*, Malcovati cites a few examples from *Brut.* where some of L's descendants have divided

[16] Malcovati (1958: 43-45).
[17] Malcovati (1958: 44).

words incorrectly: 63.11 *lege repetit* FG^{c}λ] *legere petit* ρ; 72.5 *docuisse et* λρ] *docuisset* F; 97.19 *legi tabellariae* λρ] *legit abellariae* F; 101.25 *durior is* G^{c}] *durioris* Fλρ; 119.32 *more se exercuit* λρ] *mores exercuit* F; 192.1 *in eis* Bλρ] *meis* F. None of these examples are from the sections of text where C is extant. As Malcovati demonstrates earlier in her article,[18] C sometimes divides words incorrectly, and so the examples she cites of incorrect word division in Fλρ are of no value; they may derive from incorrect word division in the archetype. Had Malcovati cited readings where C divides words correctly and L's descendants incorrectly, this argument would have some weight, but as it stands, it is invalid.[19]

For her third argument, Malcovati compares the texts of C and F and seeks to prove that F cannot derive from C.[20] She suggests that F sometimes has modernised spellings where C has archaic spellings. However, in all three cases which she cites (218.6 *paulo* C^{2}F] *paullo* C; 218.7 *cum* C^{2}F] *quom* C;[21] 222.29 *cui* C^{2}F] *qui* C),[22] C^{2} has updated the original archaic spelling, and F's readings can derive without difficulty from C^{2}. Malcovati then points out that at 220.2 F has the archaic *optumis*, while C has the standard medieval spelling *optimis*. Again, though, this does not prove that F is independent of C, because Niccolò Niccoli, the scribe of F, could have introduced the archaic spelling here, either because of a desire for consistency with the immediately preceding *proxumus* (spelled thus in C and in F), or as part of a more general attempt to restore the authentic Ciceronian orthography. Finally, Malcovati quotes readings where

[18] Malcovati (1958: 42).
[19] The word division in C is ill defined, with words frequently running together with little or no gap (Figure 1). Malcovati's bald statement that 'C presenta le parole divise' (1958: 44) is therefore misleading; it is easy to understand how scribes copying from C might sometimes have divided words incorrectly.
[20] Malcovati (1958: 45).
[21] Malcovati does not provide a text reference for *cum*] *quom*, but C^{2} frequently updates the archaic form, and C^{2}'s spelling is always shared with F; I provide here only the first instance.
[22] Malcovati claims that F has *cui* in place of C's *quoi*, but *qui* appears to have been the spelling in C^{ac}.

she believes that F has the truth and C a corruption: 266.19 *ne* BF] *nec* Cλρ; 269.10 *postumius* F] *postumus* BCλρ; 271.26 *spoletinum* BFJ^{c}U] *spolentinum* CJρ; 271.29 *accium* F] *attium* BCλρ; 271.4 *amentatae* BCFU^{c}X] *āmentatae* C^{c} (ut vid.) DEGJMO. Of these instances, only at 271.26 *spoletinum*] *spolentinum* is C's text definitely corrupt. More significantly, however, in all these cases C's reading is found in some of the other independent descendants of L, and so one could not easily argue that L shared F's reading. It is far more likely that F's readings are due to conjecture. Malcovati has found nothing in the text of F which demonstrates its independence from C.

The last of Malcovati's arguments is significantly weakened by the fact that, at the time of writing her article on the Cremona fragment, she incorrectly believed that F was a direct copy of L.[23] Malcovati lists errors of F not found in BCλρ which, in her opinion, demonstrate that F was copied from an exemplar which was hard to read: 219.20 *stultius*] *sulpicius*; 220.2 *bonitatem*] *vanitatem*; 222.26 *cn.*] *m.*; 269.13 *acer nimis*] *acerrimus*. Since it is now agreed that F is at best a copy of a copy of L, these errors may be due to illegibility in F's exemplar. In any case, errors of this sort are very commonly found in manuscripts and may be due to scribal carelessness, rather than an illegible exemplar. The final error of F mentioned by Malcovati is actually a small piece of evidence in favour of C's being a part of L, because C's *acer nimis* (Figure 2) could easily be confused with *acerrimus*.

2.3 C = L

In this section, I hope to demonstrate that C not only might be part of L, but that it almost certainly is. As well as its compatibility with the humanist testimony concerning

[23] By 1960, Malcovati had changed her view (1960: 328-329), persuaded by Ullman's identification (1960: 60) of F as the work of Niccolò Niccoli.

L, C has a text which (with two trivial exceptions)[24] matches exactly the reconstructed text of L. L, as reconstructed from its apographs, shares all the errors present in C: 219.24 *senatu*; 222.19 *m. aquili*; 223.2 *cognitionibus*; 226.27 *tacuisset*; 227.7 *quidem*; 227.9 *his*; 268.8 *ut … oratio*; 269.10 *postumus*; 271.26 *sunt* (with main verb omitted); 271.26 *spoletinum* BFJ^{c}U] *spolentinum* CJρ; 273.26 *quam*.[25] Each of L's descendants adds more errors of its own.[26]

Several details of C's text also correspond with what one would expect to find in L. C's *acernimis* (mentioned above) well explains F's *acerrimus,* and similarly at 226.29 *iuli illam* BCFλ] *iulullam* GO: *vilullam* M: *iululam* X^{vl}: *vilulam* DEX: *iullam* T, C's text, in which the two words *iuli* and *illam* are not properly separated (Figure 3), can explain the various corruptions in the descendants of ρ.[27] At 225.22 *cavendum est* Fλρ] *cavendum·st* C (*-um st* B), B shares the elided form with C, and the scribe, Flavio Biondo, has added a marginal note, *pro est,* to clarify the meaning of the archaism. These three readings are suggestive, but none can act as decisive proof that C is part of L: if C had instead been a copy of L, its scribe could have produced a faithful representation of the *Laudensis* in each of these places.

More important is 270.20 *quom* BCFλ] *cum* ρ: *quam* X^{vl}. There are fifteen other places in C where the initial scribe has written *quom*,[28] but in each one C^{2} has erased the initial reading and replaced it with *cum*; this reading is the only uncorrected *quom*. In all the other places, BFλρ unanimously share C^{2}'s spelling *cum*, but here, BFλ share the uncorrected *quom*. Flavio Biondo has added in the margin of B a sign indicating that

[24] At 219.20 *vituperavit* BFλρ] *vitiperavit* C and at 220.4 *orationes* BFλρ] *oratones* C^{2}: C^{ac} incert., fort. *oratores*, the readings of C and C^{2} could have been corrected by the scribes of BFλρ.
[25] Scribal emendation is a satisfactory explanation for the few places where C has an error and some of BFλρ have the truth: cf. above, p. 83.
[26] See the lists in Chapter 3.
[27] For the relationships between ρ's offspring, see below, pp. 95-110.
[28] e.g. 218.8 *cum senatum*; 218.11 *cum inveheretur*; 219.22 *cum illarum* (Figure 1).

quom was the spelling found in L. There are only two plausible explanations for these data: either the humanists were copying from C, or they were copying from a descendant of C. In either of those scenarios, one could readily understand how the spelling *quom* came to be present in BFλ only (in the sections where C is extant) at 270.20. On Malcovati's view that L is over a century earlier than C, the presence of *quom* only at 270.20 is very difficult to explain.

In defence of Malcovati, one might argue that C^2's corrections derive from L. However, C^2's corrections are not of the sort which a scribe would typically copy from another manuscript. Almost all involve the modernisation of spelling (*conlocemus*] *collocemus, conlega*] *collega, unquam*] *umquam*, etc.), and it would be odd for a scribe to be so careful in importing spellings from another manuscript that he would even, on its authority, leave one particular *quom* uncorrected, while altering all the others. It is much more probable that the corrector of C was making his own decisions as regards orthography, and that, in reading through the text of *Brut.*, he overlooked one instance of *quom*.[29]

The decisive proof that C is a part of L is 267.26 *app.* COλ] *appius* BFβ: *ap.p.* O^v. At first sight, this reading might appear to be evidence against the identification of C with L, since the *vetus*-corrector in O has indicated that L read *ap.p*, whereas C has *app.* However, there is a mark on the parchment between the two 'p's in C (Figure 4). The mark resembles the dot which follows the second 'p', but the colour is different from that of the ink used to write the text; it seems instead to be a blemish, like the other lightly-coloured dots scattered over the page. The *vetus*-corrector has mistakenly identified it as

[29] Bernard Bischoff and Mirella Ferrari believed that the scribe who corrected C was also responsible for the modernisation of spellings in Biblioteca Ambrosiana, E 153 sup., an important MS of Quintilian (Bischoff (1998: 209); Ferrari (1998: 183-184)). For further information on the corrections in the Quintilian MS, see Ferrari (1984: 267-270).

a punctuation mark and consequently has added *ap.p.* in the margin of O. The possibility of there having been a similar mark on the parchment of C's exemplar is exceedingly remote, and so, for O^{v}'s reading to be explicable without C being identified with L, L would have to be a descendant of C. Yet L's scribe could not merely have copied *ap.p.* from C, because that reading would then have appeared in at least some of BFλρ. O^{v}'s correction puts the identification of C as part of L beyond all reasonable doubt.

As well as these textual arguments, there is one further positive reason why C should be considered part of the archetype of *Brut*. C was discovered in Cremona, the home town of Cosimo Raimondi, the humanist who first transcribed the *Laudensis*. Although Gasparino Barzizza guarded L carefully and seems to have taken it with him when he left Milan for Pavia in or before 1425,[30] he may subsequently have given it to Raimondi.[31] Certainly, this hypothesis is intrinsically more likely than the main alternative, that there happened to be a second copy of *Brut*. from the early Middle Ages lying hidden and undetected in Cremona throughout the Renaissance.[32]

2.4 Concluding Remarks

The Cremona fragment is part of the *Laudensis*. Not only does C have a text which matches exactly the reconstructed text of L, but it was found in the home town of the man who produced the first fifteenth-century transcription of L. The age of the fragment and the presence of corrections cohere with the humanists' descriptions of the *Laudensis*, and even minor features of C, such as an uncorrected *quom* and a discolouring of the parchment, can account for details present in the descendants of L.

[30] Malcovati (1958: 32-34). See further below, pp. 232-233.
[31] Pettenazzi (1955-1957: 85-87) summarises what we know of the movements of Barzizza and Raimondi, and suggests that Raimondi might have left L, together with the rest of his library, in Cremona when he moved to Avignon in 1428. The paucity of evidence makes it hard to move beyond speculation.
[32] Cf. Pettenazzi (1955-1957: 94).

Should this conclusion have an effect on the editing of *Brut.* and Cicero's other rhetorical works? C's text cannot provide much help in solving textual problems, even where it is extant. The knowledge that C is part of L should, however, cause us to reassess Malcovati's approach to orthography. It is wrong to write *cum* at 218.8 and *quom* at 270.20, because the only reason that BFλ have the archaic spelling in the second instance is due to an oversight by C^2. More generally, the knowledge that the spellings in L, or at least in part of it, were altered by a second hand, should reduce our confidence in the authority of L's descendants with regard to orthography. A return to a more uniform approach to spelling is in order.

Perhaps it is the textual history of Cicero's rhetorical works that will be affected most. If Bischoff and Ferrari are right to identify the correctors of C and Biblioteca Ambrosiana, E 153 sup. as the same scribe, further comparison of the two manuscripts and further investigation of the Quintilian codex may shed fresh light on the date and provenance of L. The two manuscripts may well have been located in the same place during the ninth century, presumably, on the basis of the Quintilian's history, in Pavia, and they may even have been copied in the same scriptorium.[33] Closer analysis of the corrections in the two manuscripts may enable us to learn more about the habits of the corrector and hence about how he may have altered the rest of L's text.

2.5 Collation of C

I list here all differences, including the purely orthographical, between C and the text of Malcovati (1970). I exclude differences in word division, because C is often unclear in this regard. Where the text of the first hand is no longer visible, I supply in brackets either

[33] Ferrari (1998: 184).

a possible reconstruction or a numeral to indicate the approximate number of letters missing.

218.6 *paulo* C^{c}] *paullo* C

218.7 *e* C^{2}] *e*[*x*] C

218.8 *conloquentem* C] *colloquentem* C^{c}

218.8 *cum* C^{2}] [*quo*]*m* C

218.9 *est a*] *e* C

218.11 *cum* C^{2}] [*quo*]*m* C

218.11 *disputatioque* C^{2}] *disputati*[*oquae*] C

218.12 *est* C^{2}] *e*[2] C

219.17 *tantamne* C^{2}] *ta*[*m*]*tamne* C

219.19 *flagiti*] *flagici* C: *flagicii* C^{c}

219.21 *vituperavit*] *vitiperavit* C

219.22 *cum* C^{2}] [*quo*]*m* C

219.24 *senatum*] *senatu* C

219.28 *est* C^{2}] [1] C

219.28 *dicenti* C^{c}] *dicendi* C

220.29 *cum* C^{2}] [*quom*] C

220.2 *optumis*] *optimis* C

220.4 *orationes*] *oratones* C^{c}: *orato*[*re*]*s* C

220.7 *mediocriter* C^{2}] *mediocrite*[1] C

220.8 *in* C^{c}] [*s*]*in* C

221.15 *fortis* C^{1}] *forti* C

222.19 *accusatione* C^{c}] *acusatione* C

222.19 *m'.*] *m̄* C

222.20 *m.*] *m̄.* C

222.22 *lucullum* C^{c}] *locullum* C

222.23 *publici* C^{c}] *public*[*um*] C

222.24 *lucullum* C^{2}] *l*[*o*]*cullum* C

222.24 *f.*] *filios* C

222.24 *auctoritate* C^{c}] *autoritate* C

222.28 *ab*] *a* C

222.29 *cui* C^{2}] [*q*]*ui* C

222.29 *co*[*n*]*locemus* C] *collocemus* C^{c}

223.2 *contionibus*] *cognitionibus* C

224.5 *est* C^{1}] *s*[*t*] C

224.11 *sed* C^{c}] *set* C

224.17 *simillimus* C^{c}] *simillumus* C

225.21 *cui* C^{2}] [*quoi*] C

226.29 *petitionem* C^{2}] [2]*titionem* C

226.31 *cum*] [*quom*] C, del. C^{c}

226.31 *ageret* C^{c}] *ager*[2] C

226.1 *co*[*n*]*lega* C] *collega* C^{2}

226.3 *maxumae*] *maxumę* C

227.7 *quidam*] *quidem* C

227.8 *cum* C^{2}] [*quo*]*m* C

227.8 *vi*[*t*]*io* C] *vicio* C^{2}

227.9 *iis quibus*] [9] C: *his quibus* C^{c}

227.10 *sullae*] *syllae* C

266.16 *cum* C^2] [*quo*]*m* C

266.18 *civis* C] *cives* C^c

266.19 *ne*] *nec* C

266.20 *acerba* C^c] *acerda* C

266.21 *exspectatio*] *expectatio* C

266.21 *et* C^c] [3] C

266.22 *quaerimus*] *quęrimus* C

267.25 *cum* C^2] [*quom*] C

267.27 *conlega* C] *collega* C^2

267.28 *cum* C^2] [*quo*]*m* C

267.29 *cum* C^c] [*quo*]*m* C

267.29 *antiquitatisque*] *antiquitatis qu*[*ae*] C: *antiquitatis que* C^c

267.31 *cum* C^2] [*quom*] C

268.2 *quantumcumque* C^2] [*quam*]*tum*[*quo*]*mque* C

268.5 *asciscere*] *adsciscere* C

268.6 *obtineret*] *optineret* C

269.10 *postumius*] *postumus* C

269.12 *effrenatus* C^c] *e*[*x*]*frenatus* C

269.16 *ii* C^c] *ii*[*s*] C

269.16 *co*[*n*]*ligis* C] *colligis* C^c

270.22 *adsequor*] *assequor* C

271.26 *spoletinum*] *spolentinum* C

271.29 *accium*] *attium* C

271.29 *cuius* C^2] [*quo*]*ius* C

271.1 *cluentio* C^1] *cluenti* C

271.1 *eratque* C^{2}] *eratqu*[*ae*] C

271.2 *praeterea*] *pręterea* C

271.3 *hastae* C^{c}] [*ast*]*ae* C

271.4 *amentatae* C, ut vid.] *ammentatae* C^{c}, ut vid.

272.8 *umquam* C^{2}] [3]*quam* C

272.13 *cumque* C^{2}] [*quo*]*mque* C

272.14 *concinnae*] *concinnę* C

272.14 *acutaeque* C^{2}] *acutaequ*[*ae*] C

272.16 *quae*] *quę* C

272.16 *videretur* C^{2}] *vide*[*tur*] C

272.17 *plura quam* C^{2}] [10] C

272.18 *quod non* C^{2}] *qu*[2] C

272.18 *dici* C^{2}] [2]*ici* C

272.20 *cum* C^{2}] [*quom*] C

273.24 *civium* C^{2}] *civi*[3] C

273.2 *quae*] *quę* C

273.3 *cum* C^{c}] [3] C

273.5 *ceciditque* C^{2}] *ceciditq*[*uae*] C

274.7 *m.*] *m̄.* C

274.10 *comprensio*] *conprensio* C.

CHAPTER 3: A NEW STEMMA

In *Brut*. 1-130, there are three lines of descent from the archetype L: F, λ, and ρ. From *Brut*. 130 onwards, B derives directly from L and represents a fourth line of descent.[1]

That JU, O, and BDEGMSTX(QWY) are independent of F is proved by the presence of significant errors of F not found in these manuscripts, including:

59.23 *est*] *etiam* F: *et* S

131.11 *de plebe*] om.

149.11 *se tamen sic*] *sed tamen sic se*

156.11 *multo*] *nullo*

161.20 *quidem*] om.

185.5 *horum*] om.

200.24 *quod*] *cum* F: om. D

201.3 *hos*] *quos*

219.20 *stultius*] *sulpicius*

220.2 *bonitatem*] *vanitatem*

222.26 *cn.*] *m.*

JU share errors, which demonstrates that they derive from a common ancestor λ and that F, O, and BDEGMSTX are independent of J, U, and λ.[2] Although λ appears to

[1] See Figure 5.
[2] I discuss λ, the MS copied by Giovanni Lamola, in greater detail in Chapter 6.

have been a very accurate copy of L, the agreement of JU in the following errors is sufficient to prove their derivation from a common source:[3]

5.11 *angimur* BDEGJ^{2}MO] *augimur* SX: *angitur* B^{v}E^{vl}FO^{v}: *augitur* TX^{vl}: *an igitur* JU

45.15 *in*^{2}] om. BJU

65.26 *edisserendoque*] *disserendoque*

89.5 *rutili*] *rutilia* BDFGJ^{2}MOTX: *rutila* JU

102.5 *t.*] *ti.*

127.6 *qui in* J^{c}] *qu. in* J: *qum* U: *cum* U^{c}

198.19 *neglegerentur*] *neglerentur*

233.31 *fimbria* J^{2}] *fimbriam* JU

279.28 *dubitamus*] *dubitabamus* GJU

289.26 *relinquuntur*] *reliquuntur* U: *reliquntur* J

333.19 *est*] *ista*.

J cannot derive from U, because U has its own significant errors:

78.20 *enim*] om.

79.24 *isdem*] *ipse*

91.27 *est causae*] *cause est*

98.1 *constat summam*] *summam constat*

130.1 *fuit*] om.

163.19 *omnibus*] om.

299.4 *fuit*] om.

[3] Corrections have been added to J by the initial scribe and by a later corrector. Corrections by the initial scribe I denote as J^{1}, corrections by the later corrector J^{2}, and those of uncertain origin J^{c}. Most corrections *a prima manu* have been made from λ, but those of J^{2} appear to derive predominantly, and perhaps entirely, from the contaminated and worthless MS ψ, the source of Cr and part of AuCg. There is no indication that any of J^{2}'s readings has weight in the reconstruction of λ or L.

307.19 *me*] om.

Similarly, J's significant errors prove that U is independent of it:

57.26 *etiam*] *enim*

105.27 *quoi*] *quo* BDEFGMOTUX: *quo ad* J (an emendation by the scribe of J)

170.19 *idem*] om.

215.6 *ei*] *enim*

227.11 *etiam*] *esse*.

(B)DEGMOSTX(QWY) share errors absent from FJU.[4] These manuscripts therefore derive from a common ancestor ρ, of which FJU are independent. Further support for this derivation can be found in the set of chapter divisions shared by (B)DEGMOSTX(QWY), but absent from FJU and from §§130-333 of B.[5] The errors of ρ include:

22.1 *ecquodnam* JOU] *et quodnam* F: *quodnam* BDE^{c}GO^{c}STX: *quoddnam* EM

65.21 *nostrorum*] *nostrum* BDEGMOX: *nostram* T

75.26 *bellum punicum*] *bello punicum* FJU: *bello punico* U^{c}: *bello punico eum* BDEGJ^{2}MTX

104.20 *dicimus* BDEFGJMOUX] *didicimus* B^{c}E^{vl}G^{vl}O^{vl}TX^{vl} (variant reading evidently present in ρ)

109.2 *vir* FJO^{v}U] *iure* BDEGMOTX

133.9 *mediocris*] *mediocriter* DEGMOTX

[4] S now only preserves the text of *Brut.* from the beginning to 60.6 *secundo quaestor-*. M is extant until 317.19 *solute et*, from which point M's apograph Y is an independent descendant of β. D is damaged, but two descendants, Q and W, can be used to reconstruct its readings when it is illegible.

[5] See Table 1.

146.25 *admirandus*] *ammirandus* BO^{v}: *ammirabilis* DEMOTX^{c}: *amirabilis* GX

153.22 *et loquendi*] *et eloquendi* O: *eloquendi* DGMTX: *elloquendi* E

168.34 *m.*^{1}] om. DEGMOTX

209.14 *loco* O^{2}] om. DEGMOTX

225.23 *revecti* O^{v}] *reiecti* DEGMOTX

233.34 *tam*] *etiam* DEGMOTX

244.8 *ita*] *tam* DEGMOTX

261.20 *emendat*] *emendabat* DEGMOTX

305.31 *excesserat* E^{c}O^{v}T] om. DEGMOX

328.14 *afuisti*] *affuisses* DEGOTXY: *afuisses* O^{c}

331.24 *eloquentiae laude iunxisses*] *eloquentia deiunxisses* DEGOTXY.

O is an independent descendant of ρ. That none of BDEGMS(T)X derives from O is demonstrated by a list of some of O's significant errors:

14.24 *posset esse*] *esse posset*

68.16 *id muta*] om.

83.13 *priscis*] om.

90.23 *scriptum reliquit*] *reliquit scriptum*

112.1 *habebat hoc*] *hoc habebat*

115.27 *consulares*] om.

170.14 *habitum ex latio*] *ex latio habitum*

291.11 *proprium esse*] *esse proprium*

328.19 *fato suo*] *suo fato.*

O, copied in 1422, was corrected from the archetype in 1425. Generally, the correctors added the reading from L in the margin, together with the word *vetus*, to indicate that the correction came from the *vetus codex*, but sometimes they seem to have made corrections without adding the note *vetus*.[6] A probable example is 209.14 *loco* O^2] om. DEGMOTX: *loco* has been added by the same hand which made *vetus*-corrections on the same page. Some readings of O^v have been cited above, but there are more than 80 in *Brut*.; I provide a full list at the end of the chapter.

(B)DEGMS(T)X(QWY) share many errors and must derive from a common ancestor, β. O is independent of β, since it does not contain these errors, which include:

16.14 *quom*] *quam* B^vFJOU: *sępe* EGMT: *sepe* BS

34.14 *et*] om. BEGMQSTWX

35.20 *quoi*] *cui* J^2X^{vl}: *quo* EFJOU: *in quo* BDE^cG^{vl}MSTX: *cui quo* G

48.12 *aliis*] om. BDEGMSTX

56.21 *laena*] *veste* $B^{1gl}E^{1gl}M^{1gl}X^{1gl}$ (gloss evidently present in β)

72.1 *conditam autem*] *autem conditam* BDEGMTX

73.10 *xl*] *xxxx* FJOU: *xxx* BDEGMTX

88.26 *exisse*] om. BDEGMTX

97.23 *clientes*] *dicentes* BDEGMTX

109.3 *frater*] om. BDEGMTX

111.26 *cum … diceret*] om. BDEGMTX

112.3 *huius … sunt*] om. BDEGMTX

150.23 *civile facile*] *facile civile* DEGMTX

163.21 *ex iis*] om. DEGMTX

[6] O^v denotes corrections with *vetus* added in the margin, O^1 corrections probably made by the original scribe, and O^2 those not by the initial copyist but without an accompanying *vetus*-note.

170.17 *inquit*] om. DEGMTX

227.8 *cum vitio*] *cui convitio* DGMTX: *cui convicio* E

228.18 *non*] om. DEGMTX

246.21 *esset*] om. DEGMTX

274.8 *prope*] om. DEGMX

281.27 *suis*] om. DEGMX

284.26 *ille*] om. DEGMX

322.18 *iudicum animos*] *animos iudicum* DGXY: *animos iudicium* E.

Before going on to work out the relationships between the offspring of β, I must admit that there is another possible explanation for these shared errors of (B)DEGMS(T)X(QWY): that ρ and β were in fact the same manuscript, and that the errors I have assigned to β were eliminated from O by comparison with L. This alternative hypothesis merits consideration, because Francesco degli Ardizzi, one of O's correctors, claimed that Francesco Bossi, the owner of O, was the first person to 'renew the old codex' (*idem Cumanus … primum veterem et superiorem codicem … in latinas et explicatas bene litteras, studioseque interpunctas, summa diligentia renovavit*), i.e. to produce a legible transcription of it. Francesco degli Ardizzi's assertion is demonstrably false, because O shares an exemplar with (B)DEGMS(T)X(QWY) and cannot be the first transcription of L.[7] But if the initial scribe of O had been checking L as he was copying from ρ, there would be at least an element of truth in the corrector's claim. Yet even that possibility seems unlikely. To check one manuscript while copying from another is a

[7] It has been known for a long time that O is not a direct copy of L: see, e.g., Stangl (1886: x). In *De or*., O apparently shares an exemplar with Pal. lat. 1469 (Stroux (1921: 123); Kumaniecki (1969: x), with the bibliography cited in n. 5).

difficult process.[8] It is even more difficult to be consistent in checking both exemplars throughout a text as long as *Brut*. Yet the errors of ρ and β are distributed evenly throughout *Brut.*, and so consistency would have been necessary. Francesco degli Ardizzi, writing three years after O was copied and from a desire to honour his patron, Francesco Bossi,[9] should not be expected to provide reliable testimony as to which exemplar was used by the initial scribe of O.

Two of the independent descendants of β, B and T, derive only the first part of their text from β, both changing their exemplar while copying *Brut*. As can be seen from an examination of the errors of ρ and β, B switches exemplar between 112.3 and 133.9. In fact, the change of exemplar can be located more precisely, because the scribe, Flavio Biondo, added the following note at the top of f.29^{r} of B: *Hic habui exemplar vetus*. Part-way down the page, he wrote a further note in the left margin: *hic vetus incepi habere exemplar*. This note is placed next to 130.4 *magnum fuit Brute,* and it is highly likely that Biondo began copying from L at this point.

Reis (1934: v-vi) argued that B and G were twins throughout the text, and that their exemplar shared an ancestor with O.[10] Reis believed that Biondo did not actually copy from L, but rather made use of the *vetus codex* in checking the readings of his exemplar. However, the evidence points decisively to the conclusion that Biondo copied directly from L from §130 onwards. B contains none of the 25 or so errors of ρ after this point, and only two of around 70 errors of β: 263.18 *patientes*] *patentes* and 294.16

[8] It would have been easier for the scribe of O to add corrections to his exemplar before copying it, or to correct the text of O from L after it had been copied, but he can have done neither, because corrections in ρ would have appeared in at least some of BDEGMQSTWXY, and because the errors of β are entirely absent from O.

[9] Malcovati (1958: 35) suggests that Francesco degli Ardizzi's assertion betrays 'la preoccupazione del collazionatore di voler associare il vescovo di Como alla gloria del vescovo di Lodi scopritore del codice'.

[10] For a mock-up of Reis' stemma (with my sigla instead of his), see Figure 6. Kytzler, in his revision of Jahn-Kroll (1908), agrees with Reis that none of B's text of *Brut.* is copied directly from L, but Kytzler provides no reason for this view (Jahn-Kroll-Kytzler (1962: xxii)).

formam quandam] *quandam formam*.[11] The first of these is quite trivial, and in context it is easy to see how the error could have been made independently in B and β. The second case is more striking, but the transposition of a noun and an adjective is a common error in the copying of Latin texts and this shared error is almost certainly due to coincidence. If B had derived these two errors from β but had eliminated all the other errors of β and ρ, it would have been necessary for Biondo to check his exemplar against L so thoroughly that it would almost amount to copying directly from L. Confirmation of the change of exemplar can be found in the fact that B shares the chapter divisions present in DEGMOSTX up to §130, but lacks them thereafter.[12]

Upon gaining access to L, Biondo not only started copying from this manuscript instead, but he also corrected his copy of *Brut*. 1-130 from L, marking these with the note *in testu* (or *in t.*) to indicate that these corrections were from the archetype. Biondo was less thorough than the correctors of O, however, making only a handful of corrections from the *vetus codex*:[13]

1.8 *inauguratum* B^{v}] *mihi auguratum* B

5.11 *angimur* B] *angitur* B^{v}

9.5 *maxume* B^{v}] *maxime* B

11.27 *amicissume* B^{v}] *amicissime* B

[11] This second reading is the only one cited by Reis (1934: vi) from §§130-333 as evidence that Biondo continued to copy from G's exemplar after gaining access to L.

[12] Malcovati (1958: 39 n. 24), (1959: 180), starting from her collations of BG in the places where C is extant (i.e. after §130), and then extending these collations to other parts of the text, unsurprisingly found herself in disagreement with Reis' view that BG were twins, and instead she seems to have believed, correctly, that the scribe of B changed his exemplar and began to copy from L from §130. However, Malcovati did not discuss the convincing evidence Reis provides of the close relationship between B and G in §§1-130, and instead despaired of the possibility of establishing a stemma.

[13] Malcovati described Biondo's corrections in §§1-130 thus: 'cum vetere exemplari diligenter contulit et quaedam correxit addita in margine' (1960: x). However, the adverb 'diligenter' is unwarranted, since Biondo's corrections end at §21, and even before this several significant errors are left untouched.

12.3 *gravissumos* B^{v}] *gravissimos* B

15.3 *qua* B] *quo* B^{v}

16.14 *quom*] *quam* B^{v}, *sepe* B

21.26 *optumi* B^{v}] *optimi* B.

None of DFGJMSTUX derives from B, since B has its own significant errors, including:

8.27 *ipsis*] om.

25.2 *unam*] om.

33.6 *aut ... erat*] om.

37.15 *aculeos etiam*] *etiam aculeos*

44.12 *eiusdem*] om.

62.26 *ac monumenta*] om.

110.20 *fit ... dicitur*] om.

147.27 *inquit*] om.

197.30 *conservando*] om.

225.24 *sumus locuti*] *locuti sumus*

232.13 *immo ... hortensium*] om.

291.13 *sed ... bene*] om.

333.12 *illis*] om.

The change of exemplar occurs considerably later in T than in B.[14] Until *c.*§251 T derives independently from β, but after this point it is free from β's errors, and instead

[14] Malcovati studied the text of T, but discarded it on the grounds that, compared with BGO, it was 'un discendente deteriore dell'apografo barzizziano' (1958: 40).

shares errors with O. In fact, T shares all the non-trivial errors of O in §§251-333, including:

265.9 *gravitas* O^{v}] *dignitas* OT

276.28 *totumque*] *totidemque*

310.12 *loquuntur*] *eloquuntur*

311.24 *fecerunt*] *faciunt*

324.17 *idem*] *idemque*

325.25 *dictionis* O^{v}] *orationis* OT

328.19 *fato suo*] *suo fato*

328.21 *ominare*] *o mire* O^{v}: *omitte* OT

333.10 *binos*] *bonos*

333.15 *dicendi*] *loquendi*.

T's own significant errors prove that it is not the source of any of DEGMOSTUX:

7.25 *profecto*] om.

8.28 *essent*] om.

11.26 *est*] om.

14.19 *perdiligenter … inquam*] *per*

35.20 *perfectum et*] om.

111.26 *putares*] om.

226.30 *agens … causam*] om.

228.16 *erat*] om.

309.6 *et*] *ac*

329.24 *impendentis*] *impudentes*.

Given that T has all the significant errors of O in §§251-333, and adds some of its own, T almost certainly derives from O in this portion of *Brut*. Further support for this conclusion can be found in the fact that O and T were owned by the brothers Francesco and Luigi Bossi. If the scribes of T, commissioned by Luigi Bossi, had been deprived of access to β before they had finished copying *Brut.*, it is understandable that they might have had recourse to the manuscript owned by Francesco in order to complete the text.

Since T shares some of O^{v}'s corrections in §§251-333, T must have been copied after the *vetus*-corrections were added to O, i.e. after 1425. Readings shared by O^{v}T include:[15]

259.26 *q.* O^{v}T] om. Oβ

305.31 *excesserat* O^{v}T] om. Oβ

317.22 *mihi* O^{v}T] *nichil* O.

T's change of exemplar must have occurred between the errors of β at 247.32 (*memmius*] *meminius* DGMTX) and 255.15 (*non* OT] *non solum* DGMX). However, the change can be located more precisely. As well as the chapter divisions apparently inherited from ρ, four of the descendants of β, GMST, include a set of sub-divisions marking the changes of speaker;[16] these sub-divisions are not present in FJOU or their descendants.[17] Not all changes of speaker are marked in all of GMST, but the sets of sub-divisions are sufficiently similar that one can deduce that they derive from a common source, and therefore that they were present in β. T's sub-divisions cease after 251.10 *et*

[15] Some places where T follows O^{ac} rather than O^{v} are cited in the above list of the shared errors of OT; others include: 260.12 *accusante* O^{v}] *accusatore* OT, 295.28 *de*^{2} O^{v}] *et* OT, 317.17 *tum* O^{v}] *tamen* OT.

[16] For more general discussion of chapter divisions and speaker changes in MSS, see Schröder (1999); Jażdżewska (2018).

[17] Unfortunately, I did not record whether the sub-divisions are present in X. They are absent from BDE, either because the scribes of these MSS chose not to include them or because BDE derive from β before the sub-divisions were added.

ille praeclare. GM share this sub-division and then include another at the next change of speaker, 252.19 *sed tamen brute*. Hence, T's change of exemplar probably took place between these two points, perhaps at the end of f.217^{v}, before 251.13 *quare sive*.

Another independent descendant of β is S. S now contains only §§1-60 of *Brut.*, although it may previously have had a full text. S is very corrupt, with many of its own errors, such as:

10.12 *cum inter se*] *inter se cum*

11.26 *ex asia*] *ad alia*

17.21 *debes*] om.

31.14 *sermonibus*] om.

49.22 *commune*] *ratione*

51.13 *et nimis*] om.

52.19 *veniamus … intellegere*] *vere*

57.8 *ennius*] *fluvius*.

A fourth independent descendant of β is M. M is incomplete, having lost the final part of *Brut*. (§§317-333). M is the most accurate of the extant descendants of β, but it nevertheless has several significant errors not present in BDEGSTX, including:

16.14 *ager qui*] *qui ager*

177.24 *eius aliquot*] *aliquot eius*

185.11 *doctis … dissensio*] om.

203.23 *malebat*] om.

216.18 *e luntre*] *elucubre*

232.15 *vero inquit*] *inquit vero*

243.27 *enim*] om.

M has one surviving copy, Y. As stated earlier, Y has a complete text of *Brut.* and can therefore be used in the reconstruction of β in §§317-333. Y has all the non-trivial errors of M, including all those listed above, as well as several of M's minor errors (e.g. 219.29 *effluere*] *affluere*, 228.16 *proxumus*] *proximius*, 310.11 *commentabar*] *comentabat*), and adds some mistakes of its own:

4.5 *viro*] om.

21.21 *vero inquam*] *inquam vero*

28.26 *illum quidem*] *illud quod*

278.25 *tenebamus*] om.

The best proof of the derivation of Y from M that I have found is the dittography of *videor … esse* at 18.30, present in both manuscripts. In M, the phrase is first written at the very end of one page, and then it is written again at the start of the next page. Since there is nothing in the Latin words themselves that would make the dittography likely, the scribe of M probably introduced the error, having lost the point he had reached in his exemplar as he moved on to a new page.

A fifth independent descendant of β is D. D is perhaps the most corrupt of BDEGMSTX, and has many of its own significant errors, including:

26.14 *et litteris*] om.

35.22 *dicam … non*] om.

46.24 *plerosque … paratas*] om.

95.33 *victu excultus*] *excultus victu*

122.24 *aliae et*] om.

153.23 *nulla sunt*] om.

187.25 *ego … efficiatur*] om.

231.4 *quid … poteritis*] om.

268.5 *asciscere … obtineret*] om.

276.8 *opus … memini*] om.

Two extant manuscripts derive from D: Q and W. The close relationship of these three manuscripts is evident in the selection of ρ's chapter divisions found in them. Whereas ρ and β seem to have had 36 chapter divisions, DQW display only seven of these, and the trio is unique in preserving this combination of chapter divisions.[18]

In all the portions of QW I collated, and in all the readings listed above, the two manuscripts share all the significant errors of D. The only possible exception is 324.16 *tu es* QW] *es tu* D. However, D is very damaged here, and I suspect that, as elsewhere in the manuscript, the scribe of D corrected the word order by writing the letters *b* and *a* above the words, but that the subsequent damage to the page has made it impossible to see this correction. In any case, there is decisive proof that W derives from D. At 226.26, the word *coniunctus* is split across two lines in D (*coniunc/tus*), and this has prompted W's corruption *comune ius*. Also, at 273.27 *splendida et*] *splendida oratio et* W, the scribe of W has initially jumped to the line below to copy *oratio*, which is directly beneath *et* in D, before returning to the line above.[19]

The following singular errors of W prove that it is neither the source of D nor of Q:

217.3 *totam*] *datam*

224.13 *factus esset*] *esset factus*

226.26 *coniunctus*] *comune ius*

[18] See Table 1.

[19] W also jumps to the line below in D at 323.6, omitting *idem … coniunxerat*, although homoioteleuton renders this example less cogent.

227.5 *utebatur*] *videbatur*

323.6 *idem … coniunxerat*] om.

331.15 *transversa*] om.

Decisive proof that Q derives from D is lacking, but there is little room for doubt, since Q has all of D's significant errors and adds the following of its own:

1.6 *cogitatione*] *cognitione*

8.32 *ipsa*] om.

8.2 *ipsi*] om.

21.21 *ego*] *ecce*

323.6 *mearum*] om.

324.20 *orationes utriusque*] om.

329.29 *sunt*] om.

A sixth independent descendant of β is E, which also has significant errors of its own:

82.2 *orationes*] *errores*

99.4 *fuerunt*] om.

118.22 *paene … traducti*] om.

121.11 *loquatur*] om.

131.11 *de … fecissem*] om.

177.21 *et aequalibus*] om.

180.20 *rustici etiam*] *etiam rustici*

194.17 *coponio*] *co. m. currium pomo*

234.9 *nullo … locum*] om.

263.16 *rationes*] om.

The two remaining independent descendants of β, G and X, apparently share an exemplar. Each has many errors of its own.

G: 9.9 *quodam*] om.

12.4 *mihi accidit*] *accidit mihi*

20.14 *mihi nuper*] *nuper mihi*

46.19 *tyrannis*] *nostra vis*

82.29 *rem*] om.

107.18 *scipionem*] om.

142.22 *quod*] om.

157.22 *devenerint*] om.

227.9 *quibus*] om.

265.7 *quaedam*] om.

275.25 *agitur autem*] *autem agitur*

287.29 *consequitur*] om.

289.22 *proditum esse*] om.

X: 5.11 *grato*] om.

22.31 *saepe*] om.

219.27 *quidem*] om.

226.2 *multae ad eum*] *ad eum multae*

270.22 *sed … dicere*] om.

274.18 *rerum*] om.

322.12 *continetur*] om.

328.18 *dictatore*] om.

331.13 *brute*] om.

332.29 *iam*] om.[20]

GX share the following errors:

70.9 *usi*] *nisi* GX

71.20 *ait*] *aut*

105.33 *fuisse* X^{c}] *esse* G, X^{ac} (ut vid.)

143.30 *utro*] *vero*

201.29 *disseruissem*] *desseruissem* G: *deseruissem* X

212.6 *vero*] *non*

217.1 *peroravissem*] *procuravissem*

228.16 *doctus … deditus*] om.

273.22 *eius in*] *in eius*

276.7 *habebat*] *habebat quid inter abesse et deesse referat* G: *habebat* (*quid … referat* in marg.) X

301.22 *et*[1]] om.

Individually, each of these shared errors could be explained by appeal to coincidence or to corrections, glosses, and variants in β, but together they constitute a compelling case for a close relationship between G and X.[21] The likeliest and most economical explanation of this set of shared errors is that GX share an exemplar, γ, which derived from β. In order to have produced only the errors listed above in the copying of

[20] X's independence from G is further proved by the presence of the gloss *veste* at 56.21 *laena*, a gloss shared with BEM but not with G.
[21] The fact that GX were probably copied by the same scribe points to the same conclusion.

Brut., the scribe of γ must have been a careful copyist, but this degree of accuracy is not impossible.[22]

There are two alternative explanations: that G is a contaminated copy of X, and that X is a contaminated copy of G. This contamination could provide a mechanism for the elimination of the majority of X's errors from G, or of G's errors from X. However, both G and X contain all the significant errors of β, and neither shows any evidence of influence from a manuscript independent of β, or from another extant descendant of β. This fact would necessitate the conclusion that the supposed contamination in G or X was from β, or from a lost copy of β, because otherwise errors of β would have been removed.

I cannot disprove these two alternatives, but it is simpler to hypothesise a common ancestor of GX. The only slight argument against this theory is the provenance of G. G was at one time in the possession of Guiniforte Barzizza, son of Gasparino. If, as I shall suggest later, β was a manuscript owned by Gasparino Barzizza, then one might expect Guiniforte's copy of the text to have been copied directly from his father's; to interpose an intermediate manuscript is inconvenient. Nevertheless, this consideration is certainly not fatal to the hypothesis of a shared exemplar of GX, especially since β is not extant and I cannot prove that it was indeed a manuscript owned by Barzizza. The relationship between G and X is the most doubtful part of my stemma, but since there is no need to postulate contamination, it is best to assume that GX derive from a common exemplar, γ.

A few errors shared by some of DEGMSTWX can be attributed to coincidence (e.g. 90.19 *tum*] *tamen* DM and 277.11 *rem*] om. DG), and others probably reveal places

[22] The scribes of GX may, of course, also have corrected some additional minor errors present in γ. As comparanda, Lamola's transcription of L, λ, seems to have been even more accurate, and the scribe of M also made only a handful of errors in his copy of *Brut.*

where β had corrections and minor errors (3.23 *ab*] *ab ab* MT, 163.19 *crasso*] *crasso quoque* DEM, and 225.23 *ad* G[c]] *ad ad* GMT). A small set of errors shared by GT merits more attention:

143.4 *mira explicatio*] *explicatio mira*

160.17 *cenavisset*] *cenavisset lucilius tribunum plebis*

197.3 *delicato*] *dedicato*

239.24 *natura*] *vero*.

With the exception of the second error, these shared innovations could all have arisen independently; such coincidences are to be expected in the copying of a text of a moderate length, like *Brut*. The second error, in which homoioteleuton is involved, is also quite a straightforward problem to resolve: if the scribe of β had jumped from *cenavisset* to *lucilius*, before realising his error and adding dots of expunction underneath *lucilius tribunum plebis*, some of the copyists could easily have failed to notice the correction. There is no need to postulate a shared exemplar of GT, or contamination from one into the other, to explain these readings.

3.1 Coda: A Contaminated Descendant of β

As I hope to demonstrate in the subsequent chapters, all the surviving manuscripts of *Brut.* not mentioned above are either certainly or probably *codices descripti* of other extant manuscripts. The only exception is Ar,[23] which shares some of the errors of β and ρ, but which is independent of BDEMSTγ, since it lacks the distinctive errors of each. Ar's *Brut.* has been copied by two scribes. The section copied by the second scribe,

[23] I exclude here the contaminated and corrupt descendants of ψ, which may have been an independent descendant of γ.

§§126-333, derives primarily not from β but from F, and will be discussed among the descendants of τ. In §§1-126, the section copied by the first scribe, Ar derives primarily from β, because it shares almost all the errors of β (e.g. 16.14 *quom*] *sępe*, 48.12 *aliis*] om., and 72.19 *conditam autem*] *autem conditam*). However, Ar lacks the following significant errors of β in §§1-126:

34.14 *et*] om.

88.26 *exisse*] om.

109.3 *frater*] om.

111.26 *cum ... diceret*] om.

112.3 *huius ... sunt*] om.

Therefore, Ar cannot derive exclusively from β. Since Ar also lacks a few of the errors of ρ (e.g. 65.21 *nostrorum*] *nostrum*), the first part of Ar's text probably derives from β, but with some of the errors of β and ρ corrected from another manuscript. Ar's independence from BDEMSTγ means that it could be used in the reconstruction of L in §§1-126. However, the contamination apparently present in Ar complicates any attempt to use it to determine the readings of β and ρ, since particular readings of Ar may not actually derive from β. For this reason, and also because Ar's text is very corrupt,[24] I have chosen to exclude it from the stemma in Figure 5, which is intended as a guide for editors of *Brut.* on how to reconstruct the text of the archetype.

3.2 READINGS OF O^v

1.6 *dolebam* O^v] *videbam* O

2.17 *gloriosi* O^v] *generosi* O

[24] For a list of some of Ar's errors, see p. 149.

4.5 *clarissumo et beatissumo* O^{v}] *clarissimo et beatissimo* O

5.11 *angimur* O] *angitur* O^{v}

7.21 *cum* O^{v}] *tum* O

10.12 *cum* O^{v}] *tum* O

11.25 *epistulam* O^{v}] *epistolam* O

13.14 *ulla* O^{v}] *illa* O

21.28 *tractum* O^{v}] *tractatum* O

25.26 *confirmaverim* O] *comferam veri* O^{v}

30.6 *multi* O^{v}] *multo* O

35.17 *versatus* O] *versatur* O^{v}

41.6 *saeculo*] *sacculo* O: *seculo* O^{v}

47.4 *antiphontem* O] *antiphoontem* O^{v}

53.22 *qui*] *quem* O: *que* O^{v}

55.14 *interrege appio*] *inter* [spat. vac. v litt.] *a. p.* O: *interrege a. p.* O^{v}, ut vid.: *interregea p.* O^{2vl}

56.24 *ullum* O^{v}] *illum* O

58.11 *nono* O^{v}] *novo* O

59.5 *dixerit ... quaestor-*] *vetus*-note added next to this line, but it is unclear to what it refers

61.24 *nonnullae*] *nonnullorum* O: *nonulle* O^{v}

62.3 *cum* O^{v}] *tum* O

64.14 *certos* O] *certo* O^{v}

66.1 *ut* O^{v}] *et* O

70.2 *imitentur* O^{v}] *imiterentur* O

73.9 *senensi* O] *senesi* O^{v}

73.13 *naevius*] *ennius* O: *nevius* O^{v}

79.24 *qui bis* O^{v}] *quibus* O

79.29 *aiunt* O^{mg}] *al* [spat. vac. VI litt.] O: *aliunt* O^{v}

81.15 *numerius*] *miaserius* O: *nuaserius* O^{v}

81.16 *quinctusque* O^{v}] *quintusque* O

82.3 *catonis* O] *caπonis* O^{v}

84.16 *ipsa* O^{v}] *ipse* O

84.16 *viriathi bello*] *viri adhibet* [spat. vac. V litt.] O: *viri adhibet to* O^{v}: *viriaci bello* O^{mg}

85.28 *societatis … redemisset de-*] *vetus*-note added next to this line, but it is unclear to what it refers

89.11 *cognitast* O^{v}] *cognita* [spat. vac. IV litt.] O

93.16 *motusque … quod*] *vetus*-note added next to this line, perhaps referring to *flaccesciebat*

95.32 *gaiusque* O^{v}] *gravisque* O

95.4 $m.^{2}$ O^{v}] *l.* O

109.2 *vir* O^{v}] *iure* O

109.3 *etiam* O^{v}] *et* O

129.23 *paulo* O] *pavilo* O^{v}

130.3 *patrocinio* O] *patricinio* O^{v}

134.16 *qui …* 18 *audires* O^{v}] om. O

146.25 *admirandus*] *ammirabilis* O: *ammirandus* O^{v}

150.24 *vostrae*] *vestre* O: *vostre* O^{v}

154.24 *cumque* O] *quunque* O^{v}

155.2 *sapientissume* O^{v}] *apsentissume* O

167.29 *afranius* O^{v}] *africanus* O

169.9 *asculanus* O^{v}] *esculanus* O

175.9 *itam in iure* $O^{c}O^{v}$] [spat. vac. v litt.] *in iure* O

178.2 *consularium* O^{v}] *consulatum* O

178.8 *t.*] *ti.* O: *t. i.* O^{v}

182.14 *p. antistius*] *pasticius* O: *patistius* O^{v}

191.33 *movere*] *mereri* O: *moveri* O^{v}

204.33 *et lenissimo* O^{v}] *edenissimo* O

205.7 *eam* O^{v}] *etiam* O

207.19 *scriptis* O^{v}] om. O

211.31 *c.* O^{v}] om. O

216.15 *cacinnos* O^{v}] *cachinos* O

216.18 *e luntre*] *cluntre* OO^{v}: *eluntre* O^{2vl}

225.23 *revecti* O^{v}] *reiecti* O

231.3 *ii* O^{v}] *ut* O

243.33 *anni* O^{v}] *animi* O

252.21 *fere* O^{v}] *fore* O

256.30 *duo* O] *duos* O^{v}

258.19 *barbaries* O^{v}] *barbari* O

259.26 *q.* O^{v}] om. O

260.12 *accusante* O^{v}] *accusatore* O

265.9 *gravitas* O^{v}] *dignitas* O

267.26 *appius*] *app.* O: *ap.p.* O^{v}

268.8 *plena* O^{v}] *plane* O

295.28 *de*^{2} O^{v}] *et* O

305.31 *excesserat* O^{v}] om. O

307.21 *et* O] *ei* O^{v}

309.3 *me mecumque*] *me cum .q.* O: *me cumque* O^{v}

312.27 *sulla* O^{v}] *silla* O

313.3 *quoniam … vide*-] *vetus*-note added next to this line, perhaps referring to *crepundis*

313.11 *vi* O^{v}] *in* O

316.3 *cnidius* O^{v}] *enidius* O

317.17 *tum* O^{v}] *tamen* O

317.22 *mihi* O^{v}] *nichil* O

317.25 *canuleio* O^{v}] *camuleio* O

325.25 *dictionis* O^{v}] *orationis* O

328.18 *sulla* O^{v}] *sylla* O

328.21 *ominare*] *omitte* O: *o mire* O^{v}

330.6 *rei publicae*] *rei pu.* O: *re in. p.* O^{v}

CHAPTER 4: THE DESCENDANTS OF ρ AND B

4.1 THE DESCENDANTS OF O[1]

As I demonstrated in Chapter 3, the final portion of T derives from O. The only other manuscript which shares many of O's significant errors is At.[2] At has various errors not present in O, including:

16.14 *quievit*] om.

17.21 *petam*] om.

265.8 *gravitas … decorabat*] om.

268.7 *non ferebat*] om.

323.2 *essemus*] om.

As well as sharing ρ's errors and chapter divisions, At lacks the significant errors of β, but shares errors with O, including:

14.24 *posset esse*] *esse posset*

310.12 *loquuntur*] *eloquuntur*

311.24 *fecerunt*] *faciunt*

324.17 *idem*] *idemque*

328.19 *fato suo*] *suo fato*.

Although the text of At is most similar to O, At appears not to derive exclusively from it. At lacks some of O's non-trivial errors (10.13 *itaque*] *atque*, 14.22 *mihi quidem*]

[1] For a stemma of the descendants of BOXγ, see Figure 7.
[2] A group of three MSS (θ) has been contaminated with readings from O: see below, pp. 143-144.

quidem mihi, 276.28 *totumque*] *totidemque*), and also shares errors with G and with G's descendant δ (discussed further below):

20.14 *mihi nuper* Oβ] *nuper mihi* GAtδ

21.22 *paulum* GOAt^{c}β] *paululum* Atδ

21.26 *et* O] *atque* GAtδ

23.11 *bene nemo* GOβ] *nemo bene* Atδ

215.6 *excellebat autem* GOAt^{c}β] *autem excellebat* Atδ.

Since its primary affiliation is to O, but with some errors removed and some errors of δ added, At probably derives from O, but with some contamination from δ, or from a descendant of δ. At sometimes shares the reading of O^{ac} and sometimes that of O^{v}:

1.6 *dolebam* O^{v}] *videbam* O^{ac}At

2.17 *gloriosi* O^{v}At] *generosi* O^{ac}

265.9 *gravitas* O^{v}] *dignitas* O^{ac}At

268.8 *plena* O^{v}] *plane* O^{ac}At

317.22 *mihi* O^{v}At] *nichil* O^{ac}

325.25 *dictionis* O^{v}At] *orationis* O^{ac}

328.21 *ominare*] *o mire* O^{v}At: *omitte* O^{ac}.

The readings shared by O^{v}At are found in the other descendants of L, and At has probably inherited them from δ, since At was copied before 1425, the year in which O^{v}'s corrections were added.[3]

[3] On At's influence on the text of the *editio princeps*, Rom, see below, pp. 150-151.

4.2 THE DESCENDANTS OF B

There are three independent descendants of B (BiBmDa),[4] and two further manuscripts which derive from Bi (KBp).[5] With two exceptions, to be discussed shortly, these five manuscripts share all the significant errors of B in the sections I have collated, including:

8.27 *ipsis*] om.

25.2 *unam*] om.

31.16 *haec*] om.

32.25 *eam*] *illam*

33.6 *aut … erat*] om.

225.24 *sumus locuti*] *locuti sumus*

266.16 *tuam perpetuam*] *perpetuam tuam*

280.17 *parum a magistris*] *a magistris parum*

320.24 *suum*] om.

321.3 *quod erat*] om.

333.12 *illis*] om.

Additionally, KBiBmBpDa, like B, share the errors of ρ and β in §§1-130, but not in §§130-333. There can be no doubt that Bi and Bm derive from B, because both contain several of B's *vetus*-notes, where the scribe of B has added corrections from L (e.g. 1.8 *inauguratum* $B^{v}Bi^{c}Bm^{c}$] *mihi auguratum* BBiBm, 5.11 *angimur* BBiBm] *angitur* $B^{v}Bi^{c}Bm^{c}$, 9.5 *maxume* $B^{v}Bi^{c}Bm^{c}$] *maxime* BBiBm). The corrections in Bi and Bm are

[4] Bi has been cited in some editions with the siglum M, and Bm with the siglum H. Reis (1934: vi-vii) demonstrated that both MSS derive from B, although he still cited them occasionally in his edition. Malcovati (1960: 332-333) showed that Bi and Bm are not useful even as sources of conjectures, and she rightly removed them completely from her apparatus.

[5] Four MSS contaminated with readings from B (ApCfChCj) will be discussed among the descendants of F.

in the same format as in B: in each case, the correction has been added in the margin with the note *in testu* or *in t*. Bm also includes the beginning of B's initial subscription,[6] the same chapter divisions as B, and a note copied from Biondo's manuscript indicating that L lacked these chapter divisions.[7] Furthermore, in several places the scribe of Bm has copied an error from B, apparently without noticing a correction in his exemplar (e.g. 30.6 *dicendi multi* B^{c}] *multi dicendi* BBm, 266.14 *enim eorum* B^{c}] *eorum enim* BBm). As a further proof of Bi's derivation from B, there are two places where the scribe of Bi shows awareness of the readings of B^{ac} and B^{c} (222.19 *diligentiae* B^{c}Bi^{c}] *digentiae* BBi, 322.20 *dilatare* B^{c}Bi^{c}] *dilutaret* B: *dilutare* Bi).[8]

Although the scribe of Da did not copy any of B^{v}'s corrections, he did, like the scribe of Bm, miss some of B^{c}'s corrections:

14.22 *optatissimum quidem mihi* B^{c}] *mihi quidem optatissimum* BDa

20.14 *in tusculano inchoavisti*] *in tusculano incohavisti* B^{c}: *incohavisti in tusculano* B: *incoavisti in tusculano* Da

30.6 *dicendi multi* B^{c}] *multi dicendi* BDa

225.20 *solutus* B^{c}] *dissolutus* B: *dissollutus* Da.

Da shares almost all the significant errors of B. However, there are two exceptions:

266.14 *admodum* Da] om. BBiBm

268.10 *esse* Da] om. BBiBm.

[6] See above, pp. 47, 57.

[7] Both B and Bm have the following note before 49.17: *In veteri continuat testus ubique sine capitulo vel testiculo. verum unde hec capitula tu mi Guarine intellegis.* Ugo Mazzolato, the scribe of Bm, has also copied from B a letter of Guarino Veronese to Flavio Biondo. From the content of two letters of Guarino to Ugo Mazzolato, one of them copied by Mazzolato on f.196^{v} of Bm, it can be deduced that Bm was a direct copy of B: see below, pp. 241-242.

[8] For both Bm and Bi, see also 30.9 *fuit* B^{c}Bi] *fueri* B: *fuerit* Bm: *fuerunt* Bi^{vl}.

Although the second error might conceivably have been corrected by conjecture or by accident, the first could not have been. Therefore, the scribe of Da cannot have been copying exclusively from B. Since most of B was copied directly from L, one cannot postulate a common ancestor of BDa to explain this situation. Rather, because Da shares nearly all the significant errors of B in the sections I have collated, Da must be a descendant of B contaminated with readings from another manuscript. Apart from the two readings cited above, there is no evidence of influence from anywhere except B, and consequently the contamination is probably limited to the correction of a handful of errors.

None of BiBmDa is the source of B, or of any other of the three, since each has significant errors of its own.

Bi: 24.15 *magis*] om.

266.20 *et*[1]] om.

276.31 *esse*] *est*

320.32 *continuatione*] *concinnatione*

324.12 *inter se*] *interesse*.

Bm: 14.22 *est*] om.

216.19 *aliud*] *aliquid*

219.20 *stultius*] *subtilius*

223.4 *etiam*] *autem*

276.1 *illa*] om.

326.15 *oratio*] om.

329.28 *ipsius*] *illius*.

Da: 7.24 *e manibus*] om.

13.14 *inquam esse*] om.

16.9 *nobis*] om.

29.1 *tum fuit*] *fuit tum*

228.26 *aspectum et probatum*] *et probatum et aspectum*

270.20 *numquam in publico*] *in publico nihil*

279.29 *enim*] om.

319.15 *quinquennium fere versatus*] *fere versatus quinquennium*.

As mentioned already, Bi has produced two offspring, K and Bp.[9] These two manuscripts share all the errors of Bi listed above, and they, like Bi, have only one chapter division in *Brut.* (at 25.23 *hic ego*). K also has several of Bi's minor errors (e.g. 24.18 *adipisci*] *adpisci*, 25.5 *artium*] *atium*). In one place, Bp shares both the text reading and a variant with Bi: 30.9 *fuit* BiBp] *fuerunt* Bi^{vl}Bp^{vl}.[10]

K and Bp share no significant errors, and so they must derive from Bi independently of each other. K has errors which prove that neither Bi nor Bp descends from it:

7.25 *profecto fuit*] *fuit profecto*

33.5 *hunc enim*] *enim hunc*

224.5 *mentio est*] *est mentio*

265.8 *omnia vitae*] *omni virtute*

268.7 *si modo orator*] om.

[9] The influence of Bi upon VenA will be considered below in my discussion of the printed editions of *Brut.*

[10] Cf. also 25.2 *quadam* Bi^{c}] *aliquadam* BiBp.

Likewise, Bp has errors which prove that neither Bi nor K derives from it:

16.12 *largitatem*] om.

32.4 *quendam*] om.

227.12 *ab oratoribus*] om.

267.31 *et multa*] om.

313.6 *in nobis*] om.

4.3 The Descendants of G[11]

There are twelve extant descendants of G. They fall into four families: BeBrCyDd, BaBfBk, BcCn, and AiBqCv.

4.3.1 The Descendants of δ

BeBrCyDd derive from a common ancestor, δ.[12] The shared errors of BeBrCyDd include:

5.7 *frui nobis*] *nobis frui*

8.29 *amplissimis*] *amplissimis honoribus*

14.20 *mihi*] om.

17.19 *ea*] om.

19.8 *a te sane*] *sane a te*

216.13 *tardus in cogitando*] *in cogitando tardus*

221.13 *naturalem quandam*] *quandam naturalem*

265.6 *erant*] om.

268.2 *totum*] om.

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[11] See Figure 8.

[12] Gabriele Rota tells me that these four MSS form a family in *De optimo genere oratorum* as well.

276.1 *tertia illa*] *illa tertia*

276.5 *et*] *atque*

323.28 *illum*] *istum.*

The provenance and contents of these manuscripts cohere with their derivation from a common exemplar: Be and Cy were both copied in Parma, and all four contain the same four texts (*De or.*, *Orat.*, *Brut.*, *De optimo genere oratorum*).[13] The texts are in the same order in three of the manuscripts, BrCyDd.[14] δ appears to have been a contaminated descendant of G, since its offspring contain some, but not all, of G's significant errors.[15] The errors of G present in BeBrCyDd include:

2.13 *tempore* G^{c}] om. GBrCyDd: spat. vac. Be

12.4 *mihi accidit*] *accidit mihi*

20.14 *mihi nuper*] *nuper mihi*

219.28 *est*] om.

227.9 *quibus*] om.

272.9 *a commentatione*] *commenta* GBeBrDd: *comenta* Cy

275.25 *agitur autem*] *autem agitur* GBrCyDd: *aut agitur* Be

316.3 *cnidius*] *ovidius*

325.5 *aeschylus*] *aeschylus aeschines*

326.14 *aut*^{1}] om.

[13] Be also has *Somn.* and Bruni's *Cicero novus.*
[14] O is the only other extant MS which has these four works of Cicero in this order.
[15] Br was cited by various editors (with the siglum D) until Reis (1934: vii-viii) proved that it derives from G.

The errors of G present in none of BeBrCyDd include:

13.6 *id*] om.

20.13 *id*] om.

46.19 *tyrannis*] *nostra vis* G: *tyrannus* Br: *tiranmus* Dd

265.11 *oratio*] om.

269.13 *publici*] om.

In general, δ must have been a relatively pure descendant of G, but nevertheless it would have been very difficult for a scribe to have corrected G's corrupt *nostra vis* or to have restored the omitted *oratio* and *publici* without the aid of another manuscript. There was probably a limited amount of contamination involved in the composition of δ, or in an ancestor of δ. The alternative explanation, that Gδ derive from a common exemplar, is improbable, because at 35.20 *quoi*] *quo* FOλ: *in quo* βγG^{vl}: *cui quo* G: *cui in quo* BrDd, the scribe of δ seems to have misinterpreted G's marginal variant *in quo*. (It is possible, but unlikely, that G's exemplar had a similarly ambiguous variant reading.) An additional argument in favour of δ's deriving from G is that δ shares G^{ac}'s omission of *tempore* at 2.13 (see above). In this case, too, G's exemplar might have had the omission and the correction, but it is more probable that the error arose in G.

None of BeBrCyDd derives from any other of the four, since they all have their own significant errors.

Be: 15.28 *litterarum*] om.

26.13 *se orator*] *orator se*

272.15 *venustus ... e*] om.

276.3 *nec ... consilio*] om.

317.17 *qui ... hortensius*] om.

Br: 10.16 *novi*] om.

20.16 *nostrum potius*] *potius nostrum*

222.20 *tuum*] om.

268.1 *iniuriarum*] om.

322.10 *exquisitius*] om.

Cy: 12.1 *prosperae res*] *res prospere*

13.11 *salutem*] om.

14.20 *saluti*] om.

20.14 *mihi*] *tibi*

220.9 *effecerit*] om.

Dd: 23.14 *quisquam*] om.

33.9 *quam ... observatione*] om.

222.19 *aquili ... m.*] om.

270.24 *ipsis*] om.

314.20 *nomen*] om.

As well as the errors shared by all four manuscripts, there is a set of errors common to BrCyDd but not present in Be. Some of these errors are:[16]

5.11 *grato animo*] *animo grato*

25.26 *vero*] *ego*

26.12 *mihi occurrunt*] *occurrunt mihi* BrDd: *mihi occurrit* Be

[16] Cy is mutilated and is absent for some of these readings. Where it is extant, however, it shares the errors of BrDd, including those not in Be.

28.25 *clarissimus*] *dignissimus*

35.21 *inveniri*] *in currenti*

273.28 *perurbana*] *perturbata*

314.20 *iam*] *iam et.*

On this basis, one might postulate the existence of a common ancestor of BrCyDd, deriving from δ. However, there are also errors of G which are present in BrCyDd but absent from Be:

25.25 *loco*] om.

217.1 *peroravissem*] *procuravissem* GBrCyDd: *perorassem* Be

226.31 *causam* Be^{c}] om. GBeBrCyDd.

In view of all this evidence, I judge that Be is a contaminated descendant of δ, and that the contamination has led to the removal of some of the errors of G and δ. Since Be, like BrCyDd, preserves all the significant errors of β, the contamination in Be probably comes from another descendant of β, or from β itself. The scribe of Be cites Gasparino Barzizza twice in marginal annotations to the text of *Brut*., which suggests that the corrections might have come directly from β (which is probably Barzizza's manuscript).

Another manuscript, A, shares some of δ's distinctive readings.[17] A is without doubt contaminated, sharing significant errors of F and G.[18] There are two discernible sources of the text of A: Cw and δ (or alternatively, their descendants). Cw derives from F and will be discussed further among the descendants of κ. The errors A shares with Gδ include:

9.9 *quodam* CyDd] om. G: *quotidiano* ABr: *quottidiano* Be

21.26 *et*] *atque*

25.25 *loco*] om.

226.31 *causam*] om.

269.17 *enim*] om.

275.25 *agitur autem*] *autem agitur*

323.3 *sic*] *sic et*

327.22 *et*^{2}] om.

Distinctive readings of δ also present in A include:

17.19 *ea*] om.

216.13 *tardus in cogitando*] *in cogitando tardus*

276.5 *et*] *atque*

[17] Rubio (1960) argued that A, to which he gave the siglum b, is a copy of a lost direct copy of L. In attempting to demonstrate the independence of A, Rubio cited errors of B and F not shared by A, but this evidence proves only that A does not derive exclusively from B or F. Rubio then went on to list various places where A has a true reading and most, or all, of BFGO have errors (e.g. 25.6 *habeat* AG^{c}] *habeant* BFGJOU; 30.7 *abderites* AF^{c}] *abderitas* BFGJU: *abderita* O; 91.28 *appareat* A] *apparet* BFGJOU), and he suggested that A's true readings derive from the archetype. However, all the true readings of A noted by Rubio could have been conjectured, and the agreement of Fλρ in these errors proves that A's readings do not come from L. Rubio failed to distinguish between significant and trivial errors, and many of the readings cited in his article are orthographical variants with no stemmatic weight. Rubio's arguments are wholly insufficient to prove his claim that A is an independent and valuable witness to the text of L.

[18] Errors shared with F include 228.21 *perspici*] *percipi*, 269.13 *acer nimis*] *acerrimus*, and 331.17 *amoris*] *moris*.

278.25 *animos* Dd] *animos quod* ABeBrCy

323.28 *illum*] *istum*

332.6 *pammenes* Be] *permaenes* BrDd: *parmaenes* Cy: *peramenes* A.

In one place (18.26 *tibi* BeCyDd] om. ABr), A shares a significant error with a single descendant of δ. This reading implies that the influence on A might come from Br, rather than from δ, but it is insufficient to prove this inference. I conclude simply that δ, or a descendant of δ, is one of the sources of A.

4.3.2 The Descendants of ε

Another family of manuscripts deriving from G is BaBfBk. These manuscripts agree in the following distinctive errors:

1.8 *iuratus*] *virtus*

4.1 *in civitate*] om.

4.4 *misericordia … quam*] om.

11.19 *eo*] om.

12.5 *meas*] om.

16.7 *sic … obstructus est*] om.

25.5 *quinque*] om.

26.10 *haec est*] *est hec* BaBfBk^{c}: *h est hec* Bk

35.21 *facile*] om.

330.10 *ipsa*] om.

BaBfBk derive from a common ancestor, ε. As well as the shared errors listed above, an additional proof is the fact that BaBfBk have identical textual dislocations,

with 99.8 *erat* – 107.13 *brutus* placed before 92.9 *melius*, and with 114.18 *graecis* – 122.20 *persequamur* placed before 107.13 *m. filius*. The four sections of text involved in the dislocation (§§92-99, 99-107, 107-114, and 114-122) are of almost exactly the same length, and hence the dislocation must be due to the disordering of pages in a manuscript. Since the dislocations do not correspond to the page divisions in any of BaBfBk, nor to the page divisions in G, from which they derive, the disordering must have occurred in the intermediate manuscript, ε. In Bk, the first hand has added a marginal note restoring §§114-122 to their correct position after §§107-114. Since the scribe of Bk managed to restore the text to exactly the right place, he may well have made the correction from ε itself.

Neither Ba nor Bf derives from Bk, since Bk has significant errors not found in BaBf:

5.9 *referre ... felicitatem*] om.

31.16 *et malis*] om.

228.24 *sit satis*] *satis sit*

276.29 *suaviter*] om.

326.13 *sic in hoc*] om.

BaBf share many errors against Bk. These errors prove that neither is the source of Bk, and that BaBf are closely related:[19]

1.3 *cepi dolorem*] *dolorem coepi*

3.20 *interitum*] *mortem*

7.26 *aut errore hominum*] om.

[19] Both are of Lombard origin; their contents are identical (although some of the pages of Bf have since been lost), and are shared by no other MS.

16.11 *diligenter colemus*] *colemus diligenter*

32.2 *docuit alios*] *alios docuit*

222.18 *l. fufius*] om.

224.12 *fortunae et vitae*] *vitae et fortunae*

269.18 *mihi*] *tamen*

276.28 *et sanum*] *ac suum*

280.21 *inquit istuc*] *istuc inquit*.

In fact, Ba derives from Bf. In the collated portions, Ba has all the significant errors of Bf. Ba has very few errors of its own, but it does add the following:[20]

216.18 *cn. sicinius*] *en sicinius* Bf: *eu sicinius* Ba

218.8 *conloquentem*] *eloquentem.*

Both of these errors are relatively minor. Nevertheless, the derivation of Ba from Bf is almost certain, because there are errors introduced by the corrector of Bf which are also present in Ba:[21]

4.3 *mortis opportunitatem*] *oportunitatem mortis* Bf: *oportunitat mortis* BaBf^{c}

35.20 *quoi*] *cui quo* GBf: *in quo* G^{vl}Bk: *cui in quo* BaBf^{c}

271.25 *amicos nostros*] *equites nostros amicos* Bf: *nostros amicos* BaBf^{c}

273.3 *cum*] *enim* Bf: *enim cum* BaBf^{c}.

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[20] Ba has many significant errors of its own in the closing section of *Brut.*, including 319.20 *animadvertendum*] *admirandum* and 325.24 *adulescentiae … senectuti*] om., but the last part of the text is now lacking in Bf, and so these errors cannot help to prove the derivation of Ba from Bf.

[21] In a few other places, Bf has readings which seem more primitive than those of Ba, since they apparently reflect more closely the text which must have been in ε: 219.28 *posuisset* BaBf^{c}Bk^{c}] *meminisset posuisset* BfBk; 266.14 *utrumque* BaBf^{c}Bk] *utrum* GBf; 268.8 *plena* BaBf^{c}Bk] *plene* GBf; 273.29 *accusationes* G^{c}BaBf^{c}Bk] *accusat*[??]*es* G^{ac}: *accusatones* Bf. Since, as I show below, many of the errors of β, G, and ε have been eliminated from Bk by contamination, the absence of some of these errors from Bk does not indicate that they were also absent from ε.

The derivation of ε from G is complicated by the fact that Bk is contaminated and does not contain all the errors of G. Nevertheless, BaBf contain almost every significant error of G in the collated portions.[22] These include:

2.13 *tempore* G^{c}] om. GBaBfBk

9.9 *quodam*] om. GBaBfBk

18.29 *nihil*] *nichi* G: *mihi* BaBfBk

29.28 *theramenes* G^{c}Bk] *therames* G: *theranes* BaBf

227.9 *quibus*] om. GBaBfBk

265.7 *quaedam* Bk] om. GBaBf

275.25 *agitur autem* Bk] *autem agitur* GBaBf

325.5 *aeschylus* Bk] *aeschylus aeschines* GBa.

The only errors of G absent from BaBf in the collated portions which might be considered non-trivial are:

20.14 *mihi nuper* BaBf] *nuper mihi* GBk

279.28 *dubitamus* BaBfBk] *dubitabamus* G.

Since the first of these errors of G is also in Bk, it was almost certainly in ε, and then was probably corrected by accident by the scribe of Bf, who was particularly prone to errors of transposition. The second error could have been corrected in ε either by conjecture or by accident. Consequently, there is no impediment to the conclusion that ε was a pure descendant of G.

[22] BaBf also share one error with G^{c}: 17.19 *exspectanda*] *expectenda* GBk (and probably β): *expetenda* G^{c}BaBf.

In Bk, many of the significant errors of G and its parent γ, but none of those of ρ and β, have been removed. As well as those listed above, the errors not present in Bk include:

217.1 *peroravissem* Bk] *procuravissem* γGBaBf

226.30 *causam* Bk] om. GBaBf

228.16 *doctus … deditus* Bk] om. γGBaBf

265.11 *oratio* Bk] om. GBaBf

269.13 *publici* Bk] om. GBaBf

272.9 *a commentatione* Bk] *commenta* GBaBf

326.14 *aut*[1] Bk] om. GBa.

These errors could not have been corrected by conjecture, and so readings from another manuscript must have been introduced into the text of Bk. Interestingly, in the first section I collated, Bk has all the errors of G and shows no sign of contamination. Upon checking the readings of Bk against a list of G's errors from the whole text, I found that there was no evidence of contamination until 130.1 *fuit* Bk] om. G, but that G's errors were frequently corrected thereafter.

Since almost all the shared errors of BaBfBk are from the first section of text, one might infer that Bk's exemplar was changed at *c.*§130, rather than that contamination was responsible for the removal of many of G's errors. However, two readings confirm that Bk still derives from ε in the latter part of *Brut.*:

219.28 *posuisset* BaBf[c]Bk[c]] *meminisset posuisset* BfBk

330.10 *ipsa*] om. BaBk.

The source of the contamination in Bk is uncertain, because Bk has no particular affiliation to any manuscript except ε. A subscription at the end of Bk, copied in the same hand as the text of *Brut.*, is strikingly similar to the subscription in O, and also reveals knowledge of the number of pages of L missing at the end of *Brut.*[23] This knowledge could not have come from G, which does not include such information. In the subscription itself, the scribe states that the source is the writings of Gasparino Barzizza, and so these words do not indicate that the scribe of Bk had access to L or that he was using the subscription to O as a source of information concerning the *Laudensis*. Rather, it seems that Barzizza had initially written them down as an observation on L's text of *Brut.*, and that after this, Barzizza's observation, having influenced the phrasing of Francesco degli Ardizzi's subscription to O, was copied, perhaps verbatim, by the scribe of Bk in his subscription.[24]

Had O, or any other manuscript independent of β, been the source of the contamination in Bk, one would expect, given the proportion of G's errors that have been removed, that some of β's errors would also have been eliminated. Because this is not the case, the contamination has presumably come from another descendant of β, or from β itself. Indeed, since β was probably Barzizza's manuscript, the scribe of Bk might well have copied his subscription directly from β, although the *scripta relicta* of Barzizza could also be a reference to his literary works.

[23] The subscription in Bk reads: *Deficiunt pauca, non ultra folia duo ad plus et ut ego coniecturam facio non ultra columnam. Plura enim in codice vetustissimo non comperi, ex quo in fine carte recise iniquitate fortune erant.* Further down the page is written: *Hec ex praeceptore doctissimo Gasparino de Barzizis Pergamensi scripta relicta habentur*. The subscription in O, copied by one of the later correctors, includes the following: *Non inveni plura in perveteri codice. fortunę quidem iniquitas id totum, si tamen quiddam erat, recidit*.

[24] The scribe of Vat. lat. 2957 (Dictys Cretensis) makes a similar comment on the activity of Gasparino Barzizza; see Oakley (2020: 297-298).

4.3.3 The Descendants of ζ

Another family deriving from G is BcCn. These two manuscripts share many errors, including:

6.14 *reliquis*] om.

9.4 *fortunate beateque*] *beate fortunateque*

13.8 *litterae*] om.

14.17 *omnem rerum*] *rerum omnium*

29.3 *interdum*] om.

34.15 *necessitate*] om.

266.13 *mentione commotus*] *commotus mentione*

272.10 *tantos processus*] *processus tantos*

309.10 *dies vacuus*] *vacuus dies*

320.24 *illud*] om.

327.20 *adulescens*] *adulescentiis*.

BcCn derive from a common ancestor, ζ. Cn cannot derive from Bc, because Bc has its own significant errors:

26.13 *primum se*] *se primum*

227.7 *non*] om.

273.22 *qui ... fuit*] om.

317.26 *tamen*] om.

320.27 *tantum quasi*] *quasi tantum*.

Likewise, Cn's errors prove that it cannot be the source of Bc:

3.20 *erat gloriosius*] *gloriosius erat*

11.22 *cura levatis*] *levatis cura*

35.18 *subtilis*] om.

219.22 *illarum*] om.

220.1 *eius*] om.

BcCn share some, but not all, of G's significant errors. Errors present in GBcCn include:

19.3 *est* G^{c}] om. GBcCn

46.19 *tyrannis*] *nostra vis*

97.23 *tamen*] om.

157.22 *devenerint*] om.

224.18 *atticorum*] *antiquorum*

276.7 *habebat*] *habebat quid inter abesse et deesse referat*

320.29 *existumator*] *exstumator* G^{c}: *et stumator* GBcCn.

Errors of G absent from BcCn include:

12.4 *mihi accidit*] *accidit mihi*

20.14 *mihi nuper*] *nuper mihi*

25.25 *loco*] om.

226.31 *causam*] om.

265.7 *quaedam*] om.

275.25 *agitur autem*] *autem agitur*.

Although BcCn do not share all the errors of G, there is little doubt that they derive from it. Two further readings help to strengthen the case for the derivation:

95.6 *orator est habitus* G^{c}] *orator habitus est* G: *habitus orator est* BcCn

121.6 *est* G] om. G^{c}BcCn.

Especially significant is 95.6 *orator est habitus*, because here, the scribe of G, after realising his mistake, has added the letters *b* and *a* above the line to indicate that *est* and *habitus* should be transposed. However, *b* and *a* are confusingly placed above the final letters of *orator* and *habitus* respectively, which has led the scribe of ζ to make the wrong transposition.

Contamination must have been responsible for the correction of many of G's significant errors. As with Bk, the contamination has not resulted in the elimination of any of β's significant errors, and hence the corrections were probably made from β or a descendant of β.

4.3.4 Ai, Bq, and Cv

The final family of descendants of G is AiBqCv. These three manuscripts share various distinctive errors, including:

216.11 *una*] om.

217.1 *titinia*] *ticinio*

224.10 *c.*] om.

271.29 *pisaurensem*] *pisauriensem* Ai^{c}BqCv: *pisauriensiem* Ai

312.1 *inde multae*] *multe inde* BqCv: *multae* Ai

318.11 *nimis*] *hic* Bq: *hec* Cv: *haec* Ai.

Some of these errors are minor, but together they constitute quite a strong case that these manuscripts were closely related, perhaps sharing an exemplar (α). Since, as will be

shown later, the final part of Cv seems to be contaminated, or to derive from a different exemplar, two additional shared errors of AiBq probably also derive from α:

322.13 *bene factorum beneque dictorum*] *bene dictorum beneque factorum* Ai: *benedictorum benefactorumque* Bq: *benefactorum benedictorum* Cv

331.25 *laude iunxisses*] *deiunxisses* ρβγG: *laude devinxisses* AiBq: *laude vinxisses* Cv.

The precise relationship between AiBqCv has been obscured by contamination, but the presence of a clear set of errors shared by AiCv suggests that they derive from a common ancestor, η. Some of the errors of AiCv are:

2.15 *putabant*] om.

3.21 *omnino*] om.

7.19 *consili non ingeni*] *ingenii non conscil*(*l*)*ii* Ai(Cv)

8.27 *quamquam*] *quom* Cv: *cum* Ai

14.20 *inquam*] om.

17.19 *inquit brutus*] om.

32.3 *etiam*] om.

274.18 *rerum*] om.

316.15 *habitus*] om.

321.2 *stilo*] om.

Neither Bq nor Cv derives from Ai, since Ai has its own significant errors:

3.21 *adversarium*] *inimicum*

18.28 *tibi molestum*] *molestum tibi*

228.17 *latine loquens*] *loquens latine*

273.4 *voluntate bonorum*] *bonorum voluntate*

332.25 *duplex nos afficit*] om.

Bq's significant errors include:

11.19 *animo ad te*] *ad te animo*

25.25 *hoc*] om.

227.7 *oratio*] om.

273.28 *contiones aliquot*] *aliquot conciones*

316.6 *molonem*] om.

Finally, the significant errors of Cv, a highly corrupt manuscript, include:

15.2 *a doctis*] om.

32.4 *quendam … numerum*] om.

228.20 *maiorem … et*] *in*

311.19 *trium*] om.

327.20 *enim genus illud*] *illud enim genus*.

None of G's distinctive errors are present in all of AiBqCv. However, Bq shares many of G's errors, including:

9.9 *quodam*] om.

12.4 *mihi accidit*] *accidit mihi*

13.6 *id* Bq^{c}] om. GBq

20.14 *mihi nuper*] *nuper mihi*

25.25 *loco*] om.

33.8 *magis tum* G] *magistra* G^{vl}Bq

35.20 *quoi*] *cui quo* GBq: *in quo* βG^{vl}Bq^{vl}

43.28 *praebebat*] *parebat* G: *parabat* G^{c}Bq

275.25 *agitur autem*] *autem agitur*

323.3 *sic*] *sic et*

326.14 *aut*[1]] om.

There are also significant errors of G not shared by Bq, such as:

82.29 *rem*] om.

97.23 *tamen*] om.

226.31 *causam*] om.

227.9 *quibus*] om.

265.7 *quaedam*] om.

265.11 *oratio*] om.

269.17 *enim*] om.

One might conclude from these data that Bq shared an exemplar with G, or that Bq was contaminated with readings from G. However, Bq shows no particular affinity to any other branch of the tradition, and because the manuscript also shares some, but not all, of the significant errors of ρ, β, and γ, it is more probable that Bq is a descendant of G, but that contamination and correction have resulted in some errors being removed.

If this conclusion is correct, and if AiCv are closely related to Bq, why do AiCv lack these errors of G? I suspect that η, the shared ancestor of AiCv, was highly contaminated. In the cases discussed earlier in this chapter, the contamination involved was apparently quite limited, but η (or a lost intermediate manuscript between η and α) seems to have been so rigorously corrected from another manuscript that few traces of its original affiliation remained. To support this understanding of the relationship of AiCv

to Bq, I present a list of distinctive errors of ρ and β contained in AiCv, which show that they have at least a loose affiliation to this part of the tradition, and one error of AiCv apparently originating from an error of G:

16.14 *quom*] *sępe* βAiCv: *saepe* Bq

22.1 *ecquodnam*] *quodnam* ρAiBqCv

34.14 *et*] om. βAiBqCv

225.23 *revecti*] *reiecti* ρAiBqCv

295.29 *fieri quicquam*] *fieri quicquam fieri* G: *quicquam fieri* AiBqCv

322.18 *iudicum animos*] *animos iudicum* βAiBqCv

328.14 *afuisti*] *affuisses* ρAiBq: *abfuisti* Cv.

The stemma I have drawn for AiBqCv (Figure 8) represents one possible relationship between these manuscripts. The principal alternative is that α never actually existed, and that AiCv derive from Bq via a contaminated intermediate manuscript (η). In either case, it remains probable that all of AiBqCv derive primarily from G. What can be said with confidence is that none of the three is of use to an editor of *Brut*.

There is one further complication to consider. In the final part of its text, Cv shares many errors with Ar, including:

316.4 *rhetorum*] *oratorum*

326.18 *mirabantur*] *admirabantur*

327.1 *comprensio*] *reprehensio*

327.6 *concinnitas*] *comitas*

329.28 *ipsius*] *illius*

330.9 *esse oportere*] *oportere esse*

330.11 *salute*] *saluti* L: *saluti essent* ArCv

331.18 *frui virtute*] *virtute frui*

331.20 *erat illud curriculum*] *illud curriculum erat*

332.7 *hospes*] om.

333.11 *unus*] *unus et.*

There are also readings which Ar has received from its ancestors, σF, which are present in Cv:

333.10 *laudabilis*] *laudibus* σArCv

333.16 *post*] *p. et* F: *post et* ArCv

333.19 *concursatio*] *a concursatio* F: *accursatio* ArCv.

It is unclear whether the scribe of Cv changed his exemplar in the final part of *Brut*. Ar has errors absent from Cv (e.g. 325.23 *erat*] om., 330.31 *quasi*] om.), and so the final few paragraphs of Cv's *Brut.* are not simply copied from Ar. Cv might perhaps have been copied from Ar's exemplar in this portion of the text, but alternatively Cv's exemplar might have been corrected from Ar (or a relative).

4.4 The Descendants of X

Three manuscripts, IAjAy, appear to be contaminated descendants of X.[25] IAjAy derive from a common exemplar (θ), as can be seen from the numerous errors they share, including:

7.24 *arma posset*] *posset arma*

11.26 *monere te*] *te monere*

16.13 *noster animus*] *animus noster*

[25] Bv has been contaminated with readings from θ. See p. 196.

24.19 *victoria* Aj^{vl}] *gloria* IAjAy

216.18 *et cn.* Aj^{c}] om. IAjAy

219.22 *iam tempora*] *tempora iam*

277.8 *etiam* Aj^{c}] *esset* IAjAy

316.7 *praestantem*] *praestantissimum*

321.3 *augere quantumcumque erat*] *quantumcumque erat augere*

322.26 *unum est oratoris*] *oratoris unum est*

323.6 *illum primo*] *primo illum*

323.6 *mearum gestarum*] *gestarum mearum*

326.17 *cum* Aj^{c}] *tum* IAjAy.

IAjAy share some errors with X, including:

219.27 *quidem*] om.

223.1 *ex*] om.

226.2 *multae ad eum*] *ad eum multae*

272.12 *et*^{1} Aj^{c}] om. IXAjAy

274.20 *diffluentia*] *deffluentia* X: *defluentia* IAjAy

280.16 *atque*] *at*

314.12 *et* X^{c}] om. IXAjAy

322.17 *esset* Aj^{c}] *esse* IXAjAy.

However, IAjAy do not share all the significant errors of X. Errors present in X but not in IAjAy include:

5.11 *grato*] om.

22.31 *saepe*] om.

270.22 *sed … dicere*] om.

274.18 *rerum*] om.

322.12 *continetur*] om.

328.18 *dictatore*] om.

The same is true of the errors X has inherited from its ancestors. Although many of the errors of β and γ are in IAjAy, some are absent, including:

16.14 *quom*] *quam* FIOAjAyλ: *sępe* βX

48.12 *aliis* IAjAy] om. βX

111.26 *cum … diceret* IAjAy] om. βX

228.16 *doctus … deditus* IAjAy] om. γX

274.8 *prope* IAjAy] om. βX.

This evidence proves that, while IAjAy are closely related to X, they cannot derive exclusively from it, or from an exemplar shared with it, since IAjAy do not contain all the significant errors of X or of its ancestors. In fact, IAjAy are contaminated descendants of X. The following readings help to demonstrate that θ, the shared exemplar of IAjAy, apparently contained variants and corrections from O:

24.21 *propter* O] *prope* IO^{vl}AjAy

83.10 *vetustior* I^{vl}O^{c}AjAy] *venustior* IOAj^{vl}

95.32 *gaiusque* O^{v}Aj^{c}] *gravisque* βIOAjAy

146.25 *admirandus* Aj^{vl}] *ammirandus* O^{v}: *admirabilis* βIAjAy: *ammirabilis* O

278.26 *sanitate* O] *suavitate* IO^{vl}AjAy

310.12 *loquuntur*] *eloquuntur* OAj^{vl}: *eloquntur* Ay: *eloquimur* IAj

311.24 *fecerunt* IAjAy] *faciunt* OAj^{vl}

312.27 *sulla* IO^{v}Aj^{vl}Ay] *silla* OAj

317.17 *tum* O^{v}Aj^{vl}] *tamen* IOAjAy.

Contamination from O provides a ready explanation for the absence of some errors of X, γ, and β from IAjAy. Tellingly, there are no significant errors of ρ absent from IAjAy in the portions I collated.[26] A brief examination of the lists of errors present in IAjAy and the readings shared with O will reveal that the scribe of Aj has been the most diligent in including these corrections from O, but a sufficient number are present in I and Ay for one to be confident that the contamination took place in θ, rather than in Aj.

That none of IAjAy is the source of the others is proved by the significant errors each has of its own.

I: 4.3 *vero*] om.

23.11 *bene nemo potest*] *nemo potest bene*

25.2 *omnium*] om.

227.14 *nemo … aetatis*] om.

277.14 *ipsum etiam*] *etiam ipsum*.

Aj: 3.23 *semper*] om.

7.22 *bene*^{2}] om.

19.5 *id*] om.

50.24 *temporibus illis*] *temporibus* Aj: *illis temporibus* Aj^{c}

60.8 *unius esset*] *esset unius*.

[26] The correction of minor errors of ρ (e.g. 11.22 *praesentem* IAjAy] *praesente* ρOX) can be attributed to conjecture by the scribe of θ.

Ay: 32.22 *domus*] om.

274.8 *potius inter multos*] om.

274.11 *ipsius*] *flexibile*

280.12 *dicere*] om.

326.18 *multitudo movebatur*] om.

Since there is no clear set of errors shared by any two of IAjAy, all three must be independent copies of θ. All that remains to be discussed is the final portion of the text of Ay, which is palpably different from the rest of Ay's *Brut*. At 331.23, Ay lacks a non-trivial error present in ρOX (*eloquentiae laude iunxisses*] *eloquentia deiunxisses*). At a stretch, one might argue that this error could have been corrected in Ay by emendation. However, two errors shared by Ay with F but not with ρOX (331.17 *amoris*] *moris* and 333.16 *post*] *p. et*) confirm that the end of Ay's *Brut.* derives from a different source from the rest of the text. The reason for this apparent change of exemplar in Ay is not hard to find. Both I and Aj lack the last few paragraphs of *Brut.*, and although their texts finish at slightly different points,[27] θ probably also lacked some of §§330-333; the final part of *Brut*. has been supplied in Ay from F, or from a descendant of F. The portion of Ay's text which derives from F is too brief to allow it to be located more precisely among F's progeny.

4.5 The Contaminated Descendants of γ

A group of three manuscripts, AuCgCr, derives from a common exemplar, ψ. Cr, however, is the only manuscript to derive from ψ throughout *Brut.*; Au only derives from

[27] I ends at 329.28 *quae con-*, Aj at 330.11 *sin secus.*

ψ in section IV of my collations, and Cg only in sections I-II.[28] Hence, there are shared errors of CgCr in §§1-228 and of AuCr from §§309-333. The errors shared by CgCr include:

4.26 *occidit*] *cecidit*

5.11 *felicitatem*] *facultatem*

8.29 *quo*] om.

10.10 *otiosus domi*] *domi ociosus*

16.15 *efferre fruges*] *fruges efferre* Cr: *fruges afferre* Cg

19.5 *id*] *quid*

25.1 *illa*] om.

25.6 *existimari*] *quis existimare*

31.14 *ex*] *ex verborum*

216.14 *et*] om.

221.17 *animos*] *animosus*

224.10 *improbissimus*] om.

The errors shared by AuCr include:

311.24 *quod*] *ut*

313.3 *naevo*] *vacuo*

313.6 *in*] om.

318.5 *interim*] *iterum*

318.10 *maturitatem quandam*] *quamdam maturitatem*

320.29 *existumator*] *et senator*

[28] Au is a descendant of Cl in the first part of its text (pp. 161-162); the final portion of Cg derives from Cw (p. 177).

321.5 *praetor*] *pater*

324.19 *dicendi*] *deinde*

326.14 *interdum utiles*] *utiles interdum*

326.15 *oratio*] *omnino*

328.15 *declarat*] *delectarat declarat*

329.27 *esse*] om.

The independence of AuCgCr is proved by their singular errors.

Au: 314.20 *celebratum meum nomen*] *meum nomen celebratum*

317.22 *mihi*] om.

323.3 *duodecim*] om.

329.22 *ut vis inquam*] *inquam ut vis*

333.16 *perfecta nondum*] *nondum perfectum*.

Cg: 12.29 *totius*] om.

16.12 *etiam*] om.

19.10 *atque ut possis*] om.

217.22 *erat fasciis*] *fasciis erat*

222.20 *magnum*] om.

Cr: 18.19 *inquit*] om.

217.1 *peroravissem … me*] om.

266.14 *enim eorum*] *eorum enim*

280.21 *distinguis*] *dignius*

323.1 *consul*] om.

A later hand has introduced into J, one of the two extant descendants of λ, some corrections either from Cr or from ψ. This can be seen from such readings as:

4.26 *occidit* J] *cecidit* J^2CgCr

4.3 *doleamus* J] *dolemus* J^2CgCr

216.18 *e luntre*] *cluntre* J: *cliviter* J^2Cr: *eliviter* Cg

320.29 *existumator*] *aestumator* J: *et senator* J^2AuCr.

Not all J^2's corrections come from Cr, because sometimes J^2 corrects to a reading different from Cr's (e.g. 309.2 *diodoto* J^2] *dioto* J: *diodo* Cr), and so it is perhaps more likely that J^2's corrections have been taken from ψ.[29]

ψ did not derive simply from one part of the tradition, but rather was a conflation of the text of γ (or a descendant) with that of F (or a descendant). The dominant source appears to have been γ, various distinctive errors of ρ, β, and γ being present in ψ's offspring (e.g. 225.23 *revecti*] *reiecti* ρβγCgCr, 226.29 *iuli illam*] *iulullam* ρβγCr: *iullam* Cg, 228.18 *non*] om. βγCgCr, 276.7 *habebat*] *habebat quid inter abesse et deesse referat* γCr, 322.18 *iudicum animos*] *animos iudicum* βγAuCr); however, the majority of the errors of ρβγ have been removed. ψ shares a few of F's errors (e.g. 22.1 *ecquodnam* Oλ] *et quodnam* FCgCr: *quodnam* O^cβ and 333.16 *post*] *p. et* FAuCr), but again most are absent. Interestingly, although ψ, or one of its ancestors, was the product of a careful comparison of two manuscripts, ψ's text was nevertheless very corrupt, as proved by the large number of errors shared by its descendants. It seems that, at some point in the history of the copying of ψ and its ancestors, the diligent attempt to purify the text of *Brut.* by means of correction from another manuscript was undone by a scribe's negligence.

[29] J^2 may, of course, have made some of these corrections by conjecture.

4.6 A Descendant of Ar

I have already shown that the first part of Ar (§§1-126) derives from β.[30] Ar has produced one offspring, By. Where it is extant, By shares all the significant errors of Ar, including:[31]

5.7 *non*] om.

9.5 *tum ... quibus*] om.

11.23 *vestris*] om.

11.26 *et ... visus*] om.

15.26 *temporum*] om.

18.1 *animadverti paulo te*] *animadvertite paulo*

20.13 *est id*] *id est*

20.15 *qui ... fuissent*] om.

26.12 *occurrunt*] *occurrerunt*

29.2 *crebri*] om.

31.15 *tum*] om.

34.14 *spiritu*] *scriptu*.

The presence of all the errors of Ar in By is sufficient to demonstrate the derivation, but a second proof is that By's text of *Brut.* ends exactly at the end of a page, and a quire, of Ar. The scribe of By has copied the catchword *dicendi* at the bottom of f.60^{v} of Ar, but has written nothing further. Since the scribe of By did not copy to the end of f.61^{r}, the point where the change of exemplar, and of hand, took place in Ar, I infer that the seventh

[30] pp. 110-111. On the relationship of Ar to Cv, see above, pp. 140-141.
[31] By's *Brut*. ends at 123.32 *dicendi*, and so it lacks §§126-333, in which Ar derives from τ (see pp. 199-200, 203-204).

quire of Ar was detached from the preceding six for a period of time, perhaps while the rest of *Brut.* was being copied onto it.[32]

Ar contains most of ρ's chapter divisions in §§1-126, and By's chapter divisions are exactly the same as those in Ar. By is an accurate copy of Ar, but it does add a few errors of its own, including:

5.7 *iam*] *non* By: om. By^{c}

22.4 *fascisque*] *facesque*

22.6 *obmutuit*] *obmittuit*

68.16 *id*] *ita*.

4.7 THE *EDITIO PRINCEPS* (ROM)

Four of the six printed editions of *Brut.* from the fifteenth century are based on earlier editions, with only the first two, Rom and VenA, deriving purely from manuscripts. The text of the *editio princeps*, Rom, appears to be a conflation of the texts of at least two manuscripts. Rom shares several of the distinctive errors of At, a contaminated descendant of O:

7.26 *pacis*] *civitatis*

225.20 *tam*] *tamen*

271.25 *ne*] *non*

320.28 *quasi*] om.

325.4 *et faceto*] om.[33]

[32] If the watermarks are a reliable guide, Ar must have been copied at around the same time as By, dated by Sanzotta to *c*.1435.

[33] Note also 4.27 *lugere*] *lugerer* At: *lugeret* Rom, 218.9 *ille sermo* At^{c}] *sermo ille sermo* At: *sermo ille* Rom.

This relatively brief list can be supplemented with some errors inherited by At from its two sources, O and γ, and also present in Rom:

1.6 *dolebam* O^{v}] *videbam* OAtRom

20.14 *mihi nuper*] *nuper mihi* γAtRom

14.24 *posset esse*] *esse posset* OAtRom

265.9 *gravitas* O^{v}] *dignitas* OAtRom

328.19 *fato suo*] *suo fato* OAtRom.

However, At cannot be the only source of Rom, because Rom does not share all the significant errors of At.[34] Additionally, the text of Rom displays influence from another part of the tradition. Rom shares various errors with H and with its descendants, AhCx.[35] These include:

215.6 *quaedam ex his*] *ex his quaedam*

223.4 *palicanus*] *p. alicanus*

316.10 *supra fluentis*] *super afluentes* H: *superaffluentes* Rom

320.30 *cognoscere*] *magnum scelus* L: *cognoscere magnum scelus* HRom

321.5 *praetor*] *p. r.* HRom.

H derives from F via Ad, the manuscript copied by Poggio Bracciolini; Rom shares some of the distinctive readings H has inherited from Ad:

10.13 *itaque*] *atque*

220.2 *bonitatem*] *vanitatem* F: *varietatem* HAdRom

280.14 *verisimile*] *verisimiliter* AdRom: *verisimilter* H.

[34] Rom shares none of the errors of At listed on p. 116.
[35] On H(AhCx), see further below, pp. 210-212. H was copied in Rome, where the *editio princeps* was printed.

As was the case with At, there are many significant errors of H not present in Rom.[36] I have found no readings of Rom which suggest that other manuscripts were consulted except H and At, and so I conclude that Rom is a conflation of the texts of H and At. Malcovati, who occasionally cites Rom in her edition (with the siglum R), was broadly correct when she wrote the following of the manuscript used as its source: 'fuisse videtur aliquis e Florentino (i.e. F) profectus, contaminatus autem atque interpolationibus depravatus' (1965: xiv). Rom does, though, seem to share more readings with At, and consequently with O, than with H and its ancestor F.

No extant manuscript derives from Rom, since Rom has its own significant errors, including:

218.9 *ille sermo*] *sermo ille*

219.25 *exiens*] *exitus*

220.4 *itaque … censeo*] om.

269.13 *nimis*] om.

275.23 *vocant graeci*] *graeci vocant*.

4.8 Subsequent Printed Editions

VenA, the second printed edition containing *Brut.*, appeared in 1485, and it seems to have been completely independent of Rom. VenA shares many of the errors of B, including:

32.25 *meo quidem*] *quidem meo*

225.24 *sumus locuti*] *locuti sumus*

266.14 *admodum*] om.

[36] Of the errors of H listed on pp. 210-211, Rom shares only 215.6 *quaedam ex his*] *ex his quaedam*.

268.9 *terroris*] *horroris*

268.10 *esse*] om.

280.17 *parum a magistris*] *a magistris parum*

320.24 *suum*] om.

321.3 *quod erat*] om.

Among the descendants of B, VenA is especially close to Bi (and to its descendants, K and Bp); VenA and Bi share the following errors:

30.9 *fuit* B^{c}Bi] *fueri* B: *fuerunt* Bi^{vl}VenA

227.8 *paulum*] *paulo*

266.20 *et*^{1}] om.

276.31 *esse*] *est*

320.32 *continuatione*] *concinnatione*.

As well as sharing several errors, Bi and VenA both have a single chapter division, at 25.23 *hic ego*. In Bi, the heading *TRACTATUS* is written in red ink before this chapter division, while VenA has the similar *Tractatus Incipit*. The heading is absent from both K and Bp, and VenA lacks their distinctive errors. Therefore, VenA must derive from Bi independently of KBp. VenA is not simply a copy of Bi, because some errors present in Bi are not in VenA, including:

8.27 *ipsis*] om.

24.15 *magis*] om.

25.2 *unam*] om.

31.16 *haec*] om.

33.6 *aut … erat*] om.

276.29 *est*[1]] om.

322.20 *propria*] *prova*.

Girolamo Squarciafico, the editor of VenA, must have checked Bi against some other manuscript, or perhaps against Rom,[37] in order to eliminate these errors from his edition. The proportion of errors removed decreases markedly in the later part of *Brut.*, which suggests that Squarciafico became less careful in checking the text of Bi as he continued through the work. VenA cannot be described as a genuinely critical edition, and is much less useful than Rom as a repository of humanist emendations.

VenB, printed in 1488, is a reprint of VenA. This can be seen from the contents and layout, both of which are identical in the two editions, as well as from the fact that VenB shares all of VenA's significant errors and some of its typographical errors. The shared errors include:

5.7 *eo*] *eo non*

14.18 *est*] om.

14.20 *ipsum*] *ipsum quidem*

28.27 *constat fuisse*] *fuisse constat*

220.1 *eius aequalibus*] *aequalibus eius*

224.7 *specie*] *ipse*

280.13 *inquam*] *inquam brute*

309.8 *esse dilatatam*] *dilatam esse*

328.11 *inquit et ista*] *ista inquit*

333.13 *gracchi*] *cracchi*.

[37] However, VenA shares none of Rom's distinctive errors in the portions of text I have collated.

Because only very minor typographical mistakes are corrected in VenB, it is clear that no manuscript or edition was used to check the text of VenA. The same is true of the third Venice edition, VenC, printed in 1495. VenC is a reprint of VenB. Again, the contents are identical, and there is a dittography of a full line of VenB's text (13.6 *certe ... quae te*). VenC has all the significant errors of VenA and VenB, as well as some of their typographical errors. The distinctive errors of VenB present in VenC include:

9.5 *quibus*] om.

10.13 *omnis*] *ominis*

23.7 *istuc*] *instuc*

24.15 *brute*] *bute*

25.24 *expromere*] *exponere*

220.5 *languidiores*] *laguidiores*

317.25 *canuleio*] *manuelio*

325.3 *asia*] *asita*.

The fifth printed edition to contain *Brut.* is Nur, printed in Nuremberg in 1497. Nur is a reprint of VenC. More errors have been removed than by the printers of VenB and VenC, but none which suggest knowledge of any text except that of VenC.[38] The distinctive errors of VenC present in Nur include:

3.18 *nobilis*] *nobilio*

10.10 *xysto*] *yisto*

13.6 *certe ... quae*] *certe ... quae te certe ... quae te*

14.17 *eum*] *est*

[38] Examples of errors corrected in Nur include 216.15 *commovebat*] *commovebar* and 320.30 *ut in*] *in ut in*.

224.11 *ridiculus*] *ridiculus ridiculus*

275.26 *consultorum*] *consultarum* VenC: *consulto tam* Nur

322.13 *dictorum*] *ditorrum*

333.14 *et liberiore genere*] *genere et liberiore*.

The final fifteenth-century edition is Mil, printed in Milan in 1498. Mil is not simply a reprint of an earlier edition. Its contents are similar to those of the previous four editions, but not identical. Mil is based on the text of VenB, since it contains some of the distinctive errors of VenA and VenB, but none of those of VenC and Nur. The errors of VenB present in Mil include:

25.24 *expromere*] *exponere* VenB VenC Nur Mil

215.9 *cuiquam*] *cuique* VenB VenC Nur Mil

315.25 *auctum*] *acutum* VenB VenC Nur Mil

320.21 *consulatum* Nur] *consultatum* VenB VenC Mil

325.3 *asia*] *asita* VenB VenC: *a sita* Nur: *asica* Mil.

The editor of Mil, Alexander Minutianus, took much more care than those responsible for VenB, VenC, and Nur in trying to remove errors from the text.[39] He eliminated many minor errors, as well as some that are more significant, and their combined weight indicates that Minutianus probably had recourse to a manuscript, or perhaps to Rom, in his attempt to improve the text of *Brut*.[40] Some of the errors present in VenB but not in Mil are:[41]

[39] My findings are in line with Hunt's findings concerning Mil: Hunt (1998: 232-234) argues that Minutianus' edition of *Acad.* was based on an earlier printed edition (either de Pensis or Bivilaqua), but that he corrected this edition by comparison with a MS.

[40] There is, however, no obvious set of shared errors which can point us towards a particular source of Minutianus' corrections.

[41] All these errors are in VenC and Nur.

1.7 *in*[1]] om.

5.11 *summam*] *non summam*

9.5 *quibus*] om.

215.7 *quaedam*] *quaedam ea*

217.24 *gratiam*] *gratias*

317.25 *canuleio*] *manuelio*

322.24 *ad*] om.

The distinctive errors of Mil include:

23.11 *dicere enim*] *enim dicere*

223.4 *etiam*] *autem*

228.22 *cum*] *quin*

271.28 *et*[2]] om.

312.1 *nos*] *non minus*.

Unlike in many textual traditions, there is no sign that any of the fifteenth-century printed editions has exerted influence upon any extant manuscript. No manuscript derives from a printed edition, because all the printed editions have significant errors not present in the manuscripts, and I have found no manuscript that appears to be contaminated from an incunable.

CHAPTER 5: THE DESCENDANTS OF F[42]

F, copied by Niccolò Niccoli in Florence in 1423, had a greater influence on the dissemination of *Brut.* than any other extant manuscript. In fact, more than half of the extant manuscripts of *Brut.* derive either exclusively or primarily from F. In this chapter, I provide evidence for this claim, and I also sketch out the relationships among the descendants of F.

The most significant errors of F in my collated portions are:

219.20 *stultius*] *sulpicius*

220.2 *bonitatem*] *vanitatem*

222.26 *cn.*] *m.*

269.13 *acer nimis*] *acerrimus*

272.16 *e*] om.

279.5 *redeamus*] *respondeamus*

330.5 *me in vitam*] *me* [spat. vac.] *itam*

331.17 *amoris*] *moris*

333.16 *post*] *p. et*.

Other errors of F which persist in many of its descendants include:

22.1 *ecquodnam*] *et quodnam*

216.19 *oratoris*] *oratori*

225.23 *ad*] *a*

274.12 *aeque*] *eaeque*

274.13 *fuerit*] *fuerunt*

[42] See Figure 9.

280.21 *quidnam*] *quinam*

333.19 *concursatio*] *a concursatio*.

5.1 The Descendants of Cp

Cp is a pure descendant of F. This is evident from the fact that Cp shares all the errors of F in both of the above lists, and from an error which Cp shares with F^c: 223.1 *elegantis*] *eligentis* F: *eligantis* F^cCp. Also indicative are errors shared by F^{ac}Cp, which include:

16.8 *exaruit* F^cCp^c] *exauruit* FCp

221.15 *et*^{2} F^c] *in* FCp

268.9 *quaereres* F^c] *quaereres quaereres* FCp

316.7 *scriptoremque* F^c] *scriptorem* FCp

326.9 *senibus* F^c] *sensibus* FCp.

Six extant manuscripts derive purely from Cp (BdBjBwBzCkCl), as well as a further four contaminated manuscripts (ApCfChCj). Additionally, Cc is a pure descendant of Cp in sections II-IV of my collations, and Au is a pure descendant of Cp in sections I-III. Some of the errors of Cp found in some or all of these manuscripts are:[43]

11.23 *absenti* Bw^c] *absentem* AuBdBjBwBzCkClCp: *absentes* Bd^c

16.11 *in*] om. ApAuBdBjBwBzCfChCjCkClCp

223.2 *aptissimos*] *aptimos* BdBwClCp: *optimos* AuCcCk

226.29 *consulatus*] om. ApAuBdBwBzCcCfChCjCkClCp

227.10 *l.*] om. AuBdBwBzCcCkClCp

268.10 *quod … publica*] om. AuBdBwBzCcCkClCp

[43] Bj contains only §§1-76, 91-99 and 178-207 of *Brut*.

278.21 *elicere*] *eligere* AuBdBwCcCkClCp: *elligere* Bz

331.18 *eam*] om. ApBdBwBzCcCfChCjCkClCp.

Additionally, smaller errors of Cp can explain corrupt readings in some of these manuscripts, and these extra readings thus provide further evidence for their derivation from Cp:[44]

2.13 *exstinctus* Bw^{c}Cl^{c}] *extenctus* Cp: *extentus* BjBwCl: *exterritus* Ck

7.19 *angor* ApCf^{vl}Cj^{vl}Cl^{c}] *augor* ClCp: *auguror* BdBwBzCf^{c}ChCj: *auguror al. angor* Cf

34.16 *defici* Bw] *defi* Cp: *deficere* ApBdBzCfCh: *deici* AuCl^{c}: *de vi* BjCkCl

227.9 *floruit* Cl^{c}] *flurit* Cl (ut vid.) Cp: *fl* [spat. vac.] Cc.

Since BdBjBwBzCkCl have all the significant errors of Cp in the collated portions and add further errors of their own, all six manuscripts must derive from Cp. Likewise, Cc contains all the significant errors of Cp in sections II-IV of my collations, and Au contains all of Cp's significant errors in sections I-III, and consequently Cc and Au must derive these parts of their texts from Cp. In the rest of *Brut.*, Cc and Au are copied from different exemplars, independent of Cp and unrelated to each other.[45]

[44] Cf. also 314.14 *sperata* Cl^{c}Cp^{c}] *sperata mil* Cp: *sperata mihi* Cl, 327.19 *erat* Cl^{c}Cp^{c}] *erant* Cp: *eran* Cl.

[45] Initially Cc is a descendant of τ (see pp. 199-200); the change of exemplar appears to have occurred between §§107 and 117 (as is evident from such readings as 87.18 *mane* FCc] om. Cp, 89.5 *rutili*] *rutilia* FCp: *rutiliana* Cc*τ*, 92.10 *putent* FCp] *putem* Cc*τ*, 107.19 *esset* FCc] *est* Cp, 117.12 *augures* F*τ*] *augeres* CcCp, 120.5 *academicorumque* F*τ*] *academicorum* CcCp, 120.8 *aliquantoque* F*τ*] *aliquanto* CcCp). Au deserts Cp at some point between §§280 and 309, and instead shares an exemplar with Cr (see pp. 145-147). Not having been able to collate any more of Au, I have been unable to locate the change of exemplar more precisely.

The relationships among the descendants of Cp can be further defined. Cl is the source of Bj, Ck,[46] and sections I-III of Au. The following list of Cl's errors provides evidence for this conclusion, and also demonstrates that Cp cannot derive from Cl:

3.24 *communicando*] *in communicando* CkCl: *incommunicando* AuBj

4.27 *lugere*] *legere* CkCl: *ledere* BjCl^{c}: *dolere vel lugere* Cl^{2}: *dolere* Au

12.2 *res*] *et res* AuBjCkCl

31.20 *a*] *de* AuBjCkCl

34.10 *natura*] om. AuBjCkCl

219.17 *fuisse oblivionem*] *oblivionem fuisse* AuCkCl

226.3 *omnes maxumae*] *maxime omnes* AuCkCl

271.2 *quibus*] om. AuCkCl

271.4 *parata*] om. AuCkCl

272.5 *autem*] om. AuCkCl

276.5 *natura ... quod*] om. AuCkCl

313.8 *non procul*] *procul non* CkCl

315.25 *et doctore*] om. CkCl

324.12 *vel*] om. CkCl

331.16 *tangit*] om. CkCl.

With the exception of the final section of Au (and the part of the text lacking in Bj), every significant error of Cl is present in these manuscripts. Consequently, Cl must

[46] The derivation of Ck from Cl is not a surprise, since both MSS were owned by Giannozzo Manetti.

be the source of AuBjCk. Nevertheless, the following readings constitute further evidence of the derivation:[47]

219.22 *cum … sermone* Au^{c}CkCl^{c}] om. AuCl

223.30 *q.* Cl^{c}] *q. etiam catulum* Cl: om. Ck (Cl's correction is unclear and has confused the scribe of Ck)

266.19 *istis* Au^{c}Cl^{c}] *istis duobus … nec istos* (266.16-17) AuCl: *istis duobus* Ck

329.22 *mea* Cl] *in ea* Ck (Cl has *m*/*ea* split across two lines).

A final proof is afforded by the disarrangement of the pages of Cl's *Brut.*[48] The same dislocated text is present in AuBjCk. Since the dislocation is clearly a result of the disruption of the order of folios in Cl, all three must derive from Cl.

The singular errors of Au, Bj, and Ck demonstrate that none of them is the source of any other.

Au: 13.14 *mihi potuit inquam*] *inquam potuit mihi*

22.3 *et … cederet*] om.

228.20 *et sulpici*] om.

271.26 *nuper*] om.

279.5 *iam*] om.

Bj: 6.16 *forum*] om.

30.11 *enim*] *cum*

54.2 *appellatus est*] *est appellatus*

179.17 *l.*] om.

[47] See also 26.12 *qua* AuCl^{c}] *quare* BjCkCl, 277.15 *capitis* Cl^{c}] *captus capitis* AuCl, 324.18 *ante* Cl^{c}] *et ante* CkCl.
[48] For details of the disarrangement, see the description of Cl in Chapter 1.

Ck: 4.5 *et beatissumo*] om. Ck: *et doctissimo* Ck^{c}

17.20 *attico … fortasse*] om.

219.21 *volebat quae vituperavit*] om.

330.5 *in viam*] om.

333.17 *amplius tantum dico*] om.

Another descendant of Cp is Cc. Cc only shares Cp's errors for approximately the final two-thirds of *Brut*. Cc is independent of Cl, Cl's descendants, and BdBwBz, since it does not share their errors. Cc has various errors of its own, including:

222.20 *ceperat*] om.

265.8 *elegantia … et*] om.

271.27 *defendi*] om.

279.10 *consecuti*] om.

320.24 *remisit*] om.

The next three descendants of Cp, BdBwBz, may share an exemplar. There are a few errors shared by all three manuscripts:

7.19 *angor*] *augor* Cp: *auguror* BdBwBz

15.1 *at* Bd^{c}Bw^{c}] *aut* BdBwBz

27.16 *fuerunt* Bd^{c}] *ferunt* BdBwBz

27.20 *clisthenem*] *clistenem* Cp: *clistienem* BdBwBz

274.16 *lucilius*] *lucidius* BdBwBz.

None of these errors is sufficient to prove that BdBwBz share an exemplar, but they are suggestive. Far more significant are the errors shared by two of the three. BdBz share the following errors:

16.14 *quom*] *quam* FCp: *quamquam* BdBz

20.16 *nostrum potius*] *potius nostrum*

22.6 *obmutuit*] om.

23.8 *tam*] om.

24.19 *victoria*] om.

26.10 *haec est*] *est hec*

35.19 *perfectum*] *perfectum iam*.

BdBw share many errors, including:

218.13 *misso*] *remisso*

222.26 *populi*] om.

224.8 *quam … homines*] om.

227.5 *tamen*] om.

265.12 *non consideratum*] *inconsideratum*

276.7 *illi*] om.

277.15 *ille*] om.

316.10 *nos*] om.

322.26 *unum est*] *est unum*

327.8 *ille brute*] *brute ille*

329.28 *ipsius*] *illius ipsius*.

It should be noted that the shared errors of BdBz are limited to section I of my collations, and the shared errors of BdBw to sections II-IV. Therefore, whether or not there was a close relationship between all of BdBwBz, the lists of errors above make it abundantly clear that in the first part of *Brut.* the scribe of Bd was copying from an exemplar with a text similar to that of Bz, and in the remainder of the text from an exemplar with a text like that of Bw. The singular errors of BdBwBz may help to clarify the relationship of these manuscripts.

Bd: 14.18 *mihi quidem*] *quidem mihi*

25.25 *propositum … neque*] om.

28.27 *tamen*] *etiam*

219.18 *quidem umquam*] *unquam quidem*

311.18 *recuperanda*] *in recuperanda*

332.4 *est semper*] *semper est*.

Bw: 27.17 *aliquem habeat*] *habeat aliquem*

28.24 *etiam eloquentia*] *eloquentia etiam*

28.26 *illum quidem*] *quidem illum.*

Bz: 15.2 *doctis*] *multis doctis*

17.16 *et*] om.

22.4 *iam*] om.

218.12 *inter … esset*] om.

277.13 *in respondendo*] om.

314.21 *profectus … menses cum*] om.

The errors of Bd and Bz prove that no extant manuscript derives from either of them. Hence, on the basis of their shared errors in section I, I infer that BdBz probably derive from a common exemplar, ω, in this part of *Brut*. Bw, however, does not have any significant errors of its own in sections II-IV of my collations. The two most substantial errors of Bw not present in Bd in sections II-IV are 314.14 *a sperata*] *aspera* and 329.29 *vindicavisse*] *iudicavisse*; these do not prove Bd's independence from Bw, because an astute copyist might have been able to correct them. Given that a few of F's errors are absent from Bd (e.g. 223.30 *ordini*] *ordinis*, 279.5 *respondeamus*] *redeamus*), it seems that the scribe of Bd was competent in correcting a Latin text, and so sections II-IV of Bd probably derive from Bw.[49]

The final group of manuscripts deriving from Cp is ApCfChCj. These manuscripts share some, but not all, of the significant errors of Cp (see above, pp. 159-160). They also share errors with some or all of BdBwBz, including:

7.19 *angor* ApCf^{vl}Cj^{vl}] *augor* Cp: *auguror* BdBwBzCf^{c}ChCj: *auguror al. angor* Cf

13.14 *gratior* Bd^{c}] *gravior* ApBdBzCfChCj

20.16 *nostrum potius*] *potius nostrum* ApBdBzCf: *potius vestrum* ChCj

22.6 *obmutuit*] om. ApBdBzCfChCj

26.10 *haec est*] *est hec* ApBdBzCfChCj

267.24 *etiam*] *enim* ApBzCfChCj

309.9 *doctori* Cf] *doctrine* ApBzChCj.

The precise relationship between ApCfChCj and BdBwBz is somewhat unclear, but ApCfChCj might derive from the exemplar of Bz (which is probably also the

[49] Further collation of BdBwBz might help to clarify the relationships between these MSS, particularly with regard to a possible common ancestor of all three, but I do not have access to Bd at present.

exemplar of Bd in section I of my collations). The situation is complicated by the fact that ApCfChCj are contaminated. This contamination is evident from the absence of significant errors of Cp, and also from the presence of errors shared with B and its descendants:

22.1 *ecquodnam*] *et quodnam* FCp: *quodnam* βBCfChCj: *quoddam* Ap

33.9 *casuque*] *casu quae* FCp: *casu* BApCfChCj

34.12 *constricta* FCf^{c}ChCjCp] *circumscripta* BCj^{vl}: *constricta alias circumscripta* Cf: *constructa* Ap

35.20 *cui*] *quo* FCp: *in quo* βBApCfChCj

268.10 *esse* FCp] om. BApCfChCj

328.21 *ominare*] *o mire* FCp: *omitte* BApCfChCj.

ApCfChCj therefore seem to be descendants of Cp, perhaps via Bz's ancestor (ω), contaminated with readings from B, or a descendant of B. The absence of some of F's errors from ApCfChCj provides additional support for this conclusion:

219.20 *stultius*] *sulpicius*

220.2 *bonitatem*] *vanitatem*

279.5 *redeamus*] *respondeamus*

331.17 *amoris*] *moris*.

There are a few shared errors of ApCfChCj:

16.10 *seremus* Ap] *feremus* CfChCj

224.13 *esset*] *esse* CfChCj: *est* Ap

224.17 *atheniensis*] *atheniensi*

315.30 *lubentibus* ChCj^{c}] *iubentibus* ApCfCj

322.13 *beneque dictorum*] *benedictorum*.

These errors are all minor, but nevertheless, in view of the fact that ApCfChCj contain almost exactly the same set of errors of B, F, Cp, and Bz(BdBw), they very probably derive from a common ancestor, ι.[50] Geography also tells in favour of this conclusion, because ApCfChCj are the only extant manuscripts of *Brut*. known to have been copied in France. ι presumably contained the variant readings present in both Cf and Cj (7.19 *angor* Cf^{vl}Cj^{vl}] *auguror* Cf^{c}Cj: *auguror al. angor* Cf, 34.12 *constricta* Cf^{c}Cj] *circumscripta* Cj^{vl}: *constricta alias circumscripta* Cf).

The singular errors of ApCfCh prove that no other manuscript derives from them.

Ap: 6.18 *spoliatum atque orbatum*] *orbatum atque spoliatum*

19.3 *ego … peto*] om.

268.6 *autem*] om.

321.8 *ad me*] om.

327.22 *forma*] om.

Cf: 22.5 *ea*] om.

279.1 *laudibus longe*] *longe laudibus*

327.3 *honores*] *homines*

330.10 *ipsa*] om.

331.22 *et*] om.

Ch: 1.9 *in parentis*] om.

[50] The textual dislocations in Ap suggest that the pages of its exemplar were disordered. CfChCj do not share these dislocations, and so either there was at least one intermediate MS between Ap and ι, or the pages in ι were disarranged after the copying of CfCj, but before the copying of Ap.

16.5 *nec … est*] om.

24.19 *sed … agamus*] om.

222.22 *etiam … lucullum*] om.

314.17 *dicendi*] om.

All the errors of Cj, though, are shared with Ch, and Ch must therefore derive from Cj. Examples of the shared errors of ChCj are:

1.7 *me*] om.

4.6 *nosmet*] *met*

8.28 *multo magis alia*] *alia multo magis*

30.5 *facta*] om.

219.28 *minime mirum*] *mirum minime*

219.28 *dicenti solitam*] *solitam dicenti*

222.21 *ita*] om.

267.27 *satis studiosus*] *studiosus satis*

316.13 *mutatus*] om.

318.10 *quandam suam*] *suam quandam*

322.27 *impellere*] *impelleret* L: *interpelleret* Cj: *interpellaret* Ch

330.4 *doleo me*] *me doleo*

331.17 *eiusdem*] om.

Additionally, one of Ch's omissions (16.5 *nec … est*) seems to have resulted from a scribe jumping to the line below while copying from Cj. The omission is otherwise hard to explain, and in Cj *nec* is almost directly above *unde*, the word which follows *est*. This omission is not a decisive proof of the derivation, because it does not correspond exactly

to a line of Cj's text, but it is indicative. The original contents of ChCj are identical,[51] which accords well with their close relationship within the tradition.

5.2 The Descendants of κ[52]

κ, a descendant of F, had a significant effect on the later tradition: no fewer than 21 extant manuscripts derive wholly or partially from it. Those which derive independently from κ throughout *Brut.* are AvBgBoCwCz. Additionally, Ce, the ancestor of AqBs, derives from κ in section I of my collations, and Cs, the source of AkAmBxCbCu, derives from κ in section IV. The errors shared by κ's independent descendants include:

4.26 *tum*] *tunc* AvBgBoCeCwCz

16.11 *inculto* Bg^2] *occulto* Av (ut vid.) BgBoCeCwCz

34.12 *constricta*] *constructa* AvBgBoCeCwCz

35.17 *in* Bg^{2}Ce] om. AvBgBoCwCz

269.17 *enim*] om. AvBgBoCwCz

273.22 *fortuna*] *forma* AvBgBoCwCz

276.4 *altior* Bg^2] *alior* AvBgCwCz: *aliorum* Bo

315.1 *atticorum*] *antiquorum* AvBgBoCwCz: *attiquorum* Cs

318.3 *unum* Bg^{2}Cs^c] *num* AvBgBoCsCz: *non* Cw

318.4 *nobilis* Cs] *nobis* AvBgBoCwCz

318.11 *ipse* Bg^{2}Cs] om. AvBgBoCwCz

320.25 *omnium*] *omni* AvBgBoCsCwCz.

[51] The work by Ognibene de' Bonisoli is a later addition in Cj.
[52] See Figure 10.

κ derived from F, since every significant uncorrected error of F from the collated portions is present in all the independent descendants of κ.[53] Additionally, some of the descendants of κ contain errors of F^{ac}, such as:

221.15 *et*^{2} $F^{c}Cz^{c}$] *in* FCz: *et in* AvBgCw: om. Bo

268.9 *quaereres* $F^{c}Bg^{c}BoCz^{c}$] *quaereres quaereres* FAvBgCwCz.

I turn now to consider the relationships between the descendants of κ. Cz, owned by Leon Battista Alberti, is a pure descendant of κ and has no particular affinity to any other manuscript.[54] The errors of Cz not shared with the other independent offspring of κ include:

274.19 *alienum*] *alterum*

309.9 *ita*] *tam*

316.10 *nos*] om.

323.28 *autem*] om.

326.13 *venustae dulcesque sententiae*] om.

Additionally, while the other independent descendants of κ follow F and L in repeating *in quibus … magis* after *sententiae* at 326.13, this corruption has been removed from Cz; this acts as another proof that none of AvBgBoCsCw derives from Cz.

[53] If one excludes progressive corruptions of F's errors, the only exception is 330.5 *me in vitam*] *me* [spat. vac.] *itam* F, an error which is absent from Ak and which I presume to have been removed by correction or, more probably, by contamination.

[54] Ströbel (1897: 558) argued that Cz, cited by some editors (with the siglum V), derives from F. While accepting this conclusion, Malcovati nevertheless sometimes records Cz's readings; she justified this decision on the basis of Cz's spelling practice, describing it as 'veteris probaeque orthographiae luculentum auctorem' (1965: xiii). However, a *codex descriptus* cannot have authority, whether on orthography or on any other matter, and Cz should only be cited in an apparatus when it contains useful conjectures.

Another independent and uncontaminated descendant of κ is Bo. The scribe of Bo has occasionally attempted to correct his text (e.g. 219.20 *stultius*] *sulpicius* Fκ: *simplicius* Bo, 225.23 *ad* Bo] *a* Fκ), but the corrections can all be attributed to conjectural emendation. Bo adds many errors of its own, including:

8.28 *lugenda*] *dolenda*

13.12 *tandem*] om.

216.18 *sicinius … cn.*] om.

273.29 *tres eaeque omnes*] om.

326.8 *dicendi … faciebat*] om.

The initial text of Bg derives purely from κ. The only error of κ that I have found to be absent from Bg is 227.11 *probabatur*] *probatur*, where the scribe of Bg has restored the true reading, probably by conjecture. A later hand has added corrections and variants to Bg. Some of these can be seen in the list of κ's errors above. The most significant one, 318.11 *ipse* Bg^2] om. AvBgBoCwCz, would have been difficult to correct without recourse to another manuscript. Likewise, most of F's errors have been corrected by Bg^2 (e.g. 219.20 *stultius* Bg^2] *sulpicius* FBg, 220.2 *bonitatem* Bg^2] *vanitatem* FBg, 222.26 *cn.* Bg^2] *m.* FBg), and the difficulty of these emendations, not to mention the high success rate, make it almost certain that Bg^2's corrections derive from another manuscript. Bg's own errors include:

11.26 *brutus*] om.

19.5 *id*] om.

216.19 *in*] om.

276.32 *moveret*] *flecteret*

326.10 *utroque*] *in utroque*.

Ce, another independent descendant of κ, has produced two offspring, Aq and Bs.[55] AqBs share all the significant errors of Ce, including:[56]

5.7 *id*] om.

11.22 *praesentem*] *praesertim*

13.6 *volui*] *volo*

15.2 *eadem mensura*] *eandem mensuram*

28.22 *ex attici*] *exactis* AqBsCe: *exacti* Ce^{c}

29.28 *suppares*] *scippares*

35.20 *quoi*] om.

218.14 *res*] om.

227.9 *temporibus*] om.

228.19 *interiectusque*] *interitusque*

313.3 *naevo*] *evo*

315.26 *tamen*] om.

328.15 *declarat*] *dederat*.

The presence of corrections by Ce^{c} in AqBs helps to confirm the derivation:

4.3 *doleamus* Ce] *dolemus* AqBsCe^{c}

6.16 *quod* Ce] *quo* AqBsCe^{c}

12.29 *diuturna* Ce] *diurna* AqBsCe^{c}

24.19 *victoria* Bs^{vl}Ce] *gloria* AqBsCe^{1vl}.

[55] AqBs may both have been copied by Giovanni Aretino.

[56] The only noteworthy exception, found in the first paragraph of *Brut.*, is 1.3 *animo* Bs] om. AqCe. The restoration of *animo* by conjecture is unlikely. However, Bs cannot be a brother of Ce, since, as I demonstrate below, AqBs share errors and must both derive from a descendant of Ce, μ. Perhaps *animo* was added from another manuscript in the margin of μ. One would expect such small-scale contamination to be more common in the opening paragraphs of a text.

That neither Aq nor Bs is the source of each other, or of Ce, is proved by their significant errors.

Aq: 12.2 *multae*] om.

220.7 *habet*] om.

221.14 *rebus inveniendis*] *inveniendis rebus*

269.17 *stantes*] om.

323.5 *meus*] om.

Bs: 10.11 *ut consueverat*] om.

216.13 *cum*] om.

273.29 *omnes*] om.

311.23 *adire*] om.

317.20 *sententiam*] om.

The following errors, common to AqBs but absent from Ce, reveal that neither Aq nor Bs was copied directly from Ce, but rather that both manuscripts derive from Ce via a lost exemplar, μ:

2.10 *quod*] *quo*

15.28 *coepissem*] *possem*

30.9 *se*] om.

32.20 *igitur*] om.

219.17 *admirans*] om.

222.19 *ex accusatione*] *excusatione*

225.24 *aliquantum*] *aliquantulum*

313.9 *eoque*] *eo*

319.14 *in*[2]] *cum*

328.16 *oratio*] *orationis*

330.3 *ab*] om.

331.16 *dolor tangit*] *tangit dolor*.

At some point between §§62 and 68, Ce deserts κ and instead derives from τ, but in §§1-62 Ce and its offspring appear to derive purely from κ.[57] The only error from section I of my collations shared by the other descendants of κ but not by Ce is the omission of *in* at 35.17. The preposition could have been restored before *causis forensibus* by conjecture or by accident, and so this reading does not indicate that Ce was contaminated. Some additional errors of κ from §§35-62 help to confirm Ce's place in this family:[58]

44.4 *romanarum*] *humanarum* AvBgBoCeCz

48.11 *removisse*] *remorasse* AvBg[c]CeCz: *remorassem* Bg: om. Bo

49.20 *memorabilia*] *mirabilia* AvBgBoCeCz

61.19 *ut*] om. AvBgBoCeCz

62.29 *his* BgBo] *his his* AvCz: *his ipsis* Ce.

The next two descendants of κ to be considered, Av and Cw, derive from a common exemplar, ν, as can be seen from their shared errors:

1.8 *quo*] om.

1.10 *debebam*] *solebam*

1.22 *illius a me*] *a me illius*

[57] For evidence for the derivation from τ, including readings of τ from shortly after Ce's change of exemplar, see pp. 199-201.
[58] I have not been able to collate Cw in §§35-62.

8.28 *essent multo magis*] *multo magis essent*

16.4 *voluntatem tibi*] *tibi voluntatem*

19.3 *ego*] om.

19.10 *atque ut*] *aut cum*

31.20 *a*] om.

270.19 *ego*] om.

272.19 *nec*] *me*.

In the final portion of *Brut.*, Cs shares most of the errors of ν and derives from it:[59]

311.23 *et*] om. AvCsCw

317.23 *et* Cs] *de* AvCw

323.2 *honore essemus*] *essemus honoribus* AvCsCw

327.3 *gravius quiddam*] *quiddam gravius* AvCs: *quidam gravius* Cw.

I will discuss Cs and its descendants more fully later, but the absence of an error of ν (317.23 *et*] *de*) and some of the errors of κ (see above) need not cause concern: the elimination of errors present in its ancestors is characteristic of Cs, which seems to be contaminated.

Av's singular errors show that it is not the source of any extant manuscript:

228.21 *ipsius*] om.

274.15 *tamquam*] om.

318.5 *interim … hortensius*] om.

[59] The first errors of ν that I have found in Cs are 298.25 *nec*] *ne* and 300.12 *digressi sumus*] *digressimus*, and so Cs probably derives from ν from *c.*§298 onwards.

319.21 *in hortensio*] om.

332.2 *nec … patronorum*] om.

By contrast, Cw, the brother of Av, was copied several times. There are two complete and uncontaminated copies, Aw and Bu. Additionally, Cg is a partial copy, deriving purely from Cw in sections III-IV of my collations.[60] Finally, there are three contaminated manuscripts which share errors of Cw: ACqCt.[61] The errors of Cw and its descendants include:

1.1 *decedens* ACqCt] *discedens* AwBuCw

9.9 *quodam* ACqCt] om. AwBuCw

11.26 *est* ACqCt] om. AwBuCtCw

217.26 *autem ita* Bu] *ita autem* AAwCqCtCw

220.1 *vivis* Ct] *unus* AAwBuCqCw

221.12 *tamen* ACt^2] om. AwBuCqCtCw

272.19 *nec pietate* ACt^2] om. AwBuCgCtCw

276.32 *ut delectaret* ACt^2] om. AwBuCgCqCtCw

280.18 *ad dicendum* ACt^2] om. AwBuCgCqCtCw

313.5 *quae* ACt] om. AwBuCgCqCw

315.1 *recte* A] om. AwBuCgCqCtCw

324.8 *maxume* Ct] *maximis* AAwBuCgCqCw

324.14 *non satis diu* Ct^{2vl}] *diu satis non* AAwBuCgCqCtCw.

[60] In sections I-II, Cg shares an exemplar with the highly contaminated MS Cr (see above, pp. 145-146).
[61] See Chapter 4 for discussion of A's relationship to δ.

Aw, Bu, and Cg (sections III-IV) contain all the significant errors of Cw, as well as many of its minor errors, and, since these manuscripts also have errors of their own, they must derive from Cw. Aw's errors include:

10.10 *in*] om.

225.20 *ut*] om.

313.4 *velle*] *videre*

316.10 *iuvenili*] *vivendi*

326.13 *venustae dulcesque sententiae*] om.[62]

That Aw derives from Cw is demonstrated not only by the presence of all the significant errors of Cw and the addition of some new ones, but also by Aw's repeated *inquit* at 191.29. The scribe of Cw omitted the preceding phrase *et eum … legam*, before supplying it in the margin, but with *inquit* added at the end of the marginal correction. The scribe of Cw must have failed to ascertain the exact portion of text he had omitted, and this led him to add a second *inquit* to the one already in the main text. Aw's repeated *inquit* must derive from Cw.

The significant errors of Bu include:

4.27 *rem publicam facilius*] *facilius rem pu.*

15.30 *teque … munere*] om.

35.25 *nihil ornatum*] om.

228.24 *satis*] om.

269.13 *bene*] om.

278.25 *animos*] om.

[62] Additionally, Aw, like Cz, lacks the dittography of *in quibus … magis* at 326.13, and since this corruption is present in BuCgCw, it proves that Aw cannot be the source of any of them.

Another piece of evidence that Bu derives from Cw is the reading 318.12 *et eloquentiam meam*] *et eloquentiam et eloquentiam meam* Cw: *et eloquentiam* Bu. Here, Cw's dittography probably explains the omission of *meam* in Bu. Furthermore, at 216.16 *et* Cw] *id est* Bu, Bu's error has almost certainly been caused by the striking resemblance between Cw's *et* and an abbreviation commonly used in manuscripts for *id est* (*.i.*).

Cg, the third manuscript to derive purely from Cw (although only in the final part of its text), has the following errors:

266.19 *de istis*] om.

280.21 *inquit istuc*] *istuc inquit*

311.20 *lentulorum*] om.

319.19 *oratoriam*] om.

333.11 *accepimus*] om.

Of the three contaminated descendants of Cw, Cq is by far the purest. In fact, apart from in section I, it contains all the errors of Cw (and of Cw's ancestors κν). Like Aw, Cq has inherited the repeated *inquit* from Cw^{c} at 191.29, and, like Bu, it has corrupted Cw's *et* into *id est* at 216.16. In section I of my collations, however, Cq lacks all the significant errors of Cw. Cq still derives from Cw in this part of the text, though, for two reasons. Firstly, Cq^{ac} has one error in common with Cw^{ac} (34.14 *quasi* Cq^{c}Cw^{c}] om. CqCw) in the opening portion of the text, and secondly, Cq contains some of the errors of ν, the exemplar of AνCw, in this section, including:[63]

1.8 *quo* Cq^{c}] om. AνCqCw

3.22 *illius a me*] *a me illius*

16.7 *repressus* Cq^{c}] *impressus* AνCq (ut vid.) Cw

[63] Cq lacks all the other errors of ν from section I.

19.3 *ego*] om.

Therefore, it seems that, at the start of *Brut.*, the scribe of Cq removed many of the errors present in his exemplar. Although conjectural emendation can account for the elimination of some of these errors, only comparison with another manuscript would allow a scribe to correct such errors as 8.28 *essent multo magis*] *multo magis essent*, 9.9 *quodam*] om., and 16.4 *voluntatem tibi*] *tibi voluntatem.* There are no readings of Cq which point to a particular manuscript as the source of the contamination, but the failure to correct any of F's errors indicates that the manuscript was another descendant of F, or perhaps F itself.

Cq's own errors include:

6.14 *civibus*] *viris*

25.4 *magna*] om.

271.3 *dicendi tamen*] *tamen dicendi*

316.6 *romae*] om.

329.22 *vis*] om.

In contrast to Cq, Ct shows evidence of contamination throughout its text.[64] There were, in fact, two waves of contamination. The first wave, which either took place in Ct's exemplar or was carried out by the initial copyist of Ct, resulted in the removal of many errors of κ, ν, and Cw. The second wave of contamination involved the later addition of variants and corrections to Ct, including some distinctive readings of ρ and β:

16.14 *quom* Ct] *sępe* Ct^{2vl}β

21.28 *tractum* Ct] *tractatum* Ct^{2vl}ρ

[64] Because Ct^{ac} lacks some of Cw's errors, it remains possible that Ct, rather than deriving from Cw, instead shares an exemplar with it. There is no reason to posit the existence of this lost exemplar, though, and the more economical explanation is that Ct derives from Cw.

35.20 *quoi*] *quo* FCtCw: *in quo* $Ct^{2}\beta$

227.8 *cum vitio*] *cum vicio* Ct: *cui comvitio* β: *tum convincio* Ct^{2vl}: *tum convicio* Ct^{vl}

328.14 *afuisti*] *affuisti* Ct: *affuisses* $Ct^{2}\rho$.

There is no sign that the initial scribe of Ct was aware of readings of ρβ, but nevertheless some errors present in FCw are absent from Ct^{ac} (e.g. 219.20 *stultius*] *sulpicius* and 220.2 *bonitatem*] *vanitatem*). It seems, then, that the text of Ct^{ac} was contaminated from a manuscript independent of F, and that subsequently Ct was checked against β, or an apograph of β, and that Ct^{2}'s corrections were added at this time.

Ct has one extant descendant, Db. Db shares all the significant errors of Ct in the portions I collated, as well as some of its variants and corrections:[65]

4.3 *necesse*] *necesse est*

7.19 *animo* CtDb] *animi* $Ct^{c}Db^{c}$

13.7 *fructum* CtDb] *voluptatem* $Ct^{gl}Db^{vl}$

30.8 *eleius*] *seleucus*

216.18 *e luntre*] *elucubre* Ct: *celebre* Ct^{vl}: *elecebre* Db

217.22 *fasciis*] *fascies* Ct: *fascis* Ct^{c}Db: *fasceis* Ct^{vl}: *fasces* Db^{c}

221.15 *et*^{2}] *et in* κCw: *etiam in* CtDb

267.29 *orator* Ct^{c}] om. CtDb

272.7 *qui* Ct^{vl}] *quam* CtDb

315.29 *cum* Ct^{2}] om. CtDb

320.30 *cognoscere*] *magnum scelus* FLCw: *existimare* CtDb (a conjecture unique to CtDb).

[65] As discussed in Chapter 1, the last two folios of Ct's *Brut.* (§§330-333) have been moved to Vat. lat. 4533. The transfer of the folios probably took place after Db was copied, because Db appears to derive from Ct in this section as well.

Db cannot instead be the origin of Ct, because Db has its own errors, such as:

4.1 *vixitque … vivere*] om.

10.17 *aut tu*] om.

222.24 *cn. … octavium*] om.

226.2 *multae*] om.

315.24 *numquam*] om.

The last descendant of Cw to be discussed is A. A shares some, but not all, of the errors of Cw, ν, κ, and F.[66] Since, as was shown in Chapter 4, there is discernible influence on A's text from δ, A must be a contaminated manuscript. I cannot tell which of δ and Cw was the primary source of A, since A has roughly the same number of distinctive readings of each.

5.3 The Descendants of ξ

NVAz form another family of descendants of F. They share several errors, including:

12.30 *ad aspiciendam*] *ad inspiciendam* NV: *adinspiciendam* Az

18.26 *mehercule*] *me hec hercle*

34.12 *verbis est*] *est verbis*

44.11 *athenae sunt*] *sunt athene*

305.18 *numerabantur*] *nominabantur*

311.22 *censorinus*] *censorinus et*

315.29 *quibuscum* V^{c}] *quibuscumque* NVAz

[66] See the list of Cw's errors above. A has one of κ's errors (34.12 *constricta*] *constructa*) and several of ν's (e.g. 1.10 *debebam*] *solebam*, 16.4 *voluntatem tibi*] *tibi voluntatem*, and 323.2 *honore essemus*] *essemus honoribus*).

317.19 *comprendens* Az^{c}] *comprehendes* NVAz

323.28 *meo* V^{c}] *in eo* NVAz.

Since each of these manuscripts also has errors of its own, NVAz must derive from a common exemplar, ξ. ξ, in turn, must have derived from F, since NVAz contain all its significant errors. Some of F's minor errors are not present in NVAz (e.g. 24.19 *quo*] *quod* and 280.21 *quidnam*] *quinam*), but these errors could easily have been corrected and do not pose a problem for the derivation of ξ from F.[67]

NVAz contain their own singular errors.

N: 7.19 *non ingeni*] om.

17.17 *pergrata*] *grata*

17.19 *sunt ea*] *ea sunt*

277.17 *tam leniter*] om.

333.17 *sulpicius*] *sulpicius et*.

V: 13.11 *ut spero salutem adtulerunt*] *salutem attulerunt ut spero*

273.24 *contra*] om.

279.5 *ad eum*] om.

280.17 *admirabilem ad dicendum*] *ad dicendum admirabilem*

317.22 *actionis genere*] *generis actione*.

Az: 42.15 *est attice*] *actice est*

56.18 *aliquid etiam*] *etiam aliquid*

[67] NVAz also share some of the errors of F^{ac}, including 221.15 *et* F^{c}V] *in* FV^{c}: *et in* Az and 326.9 *senibus* F^{c}] *sensibus* FNVAz.

73.11 *fuit aliquanto*] *aliquanto fuit*

314.18 *in asiam proficiscendi*] *proficiendi in asiam*

326.12 *ut*] om.

As well as the errors present in all three manuscripts, there is a set of errors shared by VAz but not by N:

6.13 *cetera fortasse*] *fortasse cetera*

13.12 *tam praeclarum litterarum*] *litterarum tam praeclarum*

20.13 *est id*] *id est*

331.21 *non linguam*] *linguam non* Az: *lingua non* V.

These shared errors may derive from a common exemplar of VAz, but, alternatively, they may be due to variants or corrections in ξ.[68] After collating more of the texts of NVAz, I found no further errors shared by VAz but not by N, but such negative evidence cannot eliminate the possibility of a common exemplar of VAz.[69] Two shared errors of NAz (309.4 *in*] om. and 312.2 *adferebamus*] *efferebamus*) do not help to clarify the situation: even if they were present in ξ and are not simply due to coincidence, they could have been corrected by the scribe of V. On balance, however, I think it more likely that NVAz derive from a single manuscript ξ, and that the scribes of VAz failed to notice some corrections in their exemplar.

[68] Compare, for example, the descendants of B (p. 119), which have copied some of B^{ac}'s transpositions without noticing the corrections by B^{c}.

[69] VAz are from Tuscany, whereas N is Milanese, but this does not increase the probability of a shared exemplar of VAz, since F was copied in Florence, and so too, we must assume, was ξ.

A fourth manuscript, Bb, shares some of the errors of NVAz, including:

311.22 *censorinus*] *censorinus et*

315.29 *quibuscum* V^{c}] *quibuscumque* NVAzBb

317.19 *comprendens* Az^{c}Bb^{c}] *comprehendes* NVAzBb.

Bb also shares errors with VAz in places where I have not been able to check the reading of N (218.9 *omnisque ille sermo*] *ille omnisque sermo* AzBb: *sermo ille omnisque* V and 224.10 *improbissimus*] *improbatissimus* VAzBb), and occasionally shares errors with one of ξ's descendants (16.15 *fruges* V^{vl}] *fructus* VBb, 34.12 *constricta* AzBb] *constructa* Az^{c}Bb^{c}, 35.21 *inveniri* V^{c}Bb] *invenire* VBb^{vl}). Since Bb shows no particular affiliation to any other extant manuscript, and since it shares some, but not all, of F's significant errors, Bb probably derives from ξ, but with contamination having resulted in the removal of various errors of Fξ. Some of F's errors absent from Bb are:

131.11 *de plebe*] om.

156.11 *multo*] *nullo*

161.20 *quidem*] om.

219.20 *stultius*] *sulpicius*.

Bb cannot be the source of any of NVAz, since it has its own significant errors:

12.28 *litteris*] om.

19.6 *ut … id inquam*] om.

226.31 *cum ageret*] om.

315.28 *asia tota*] *tota asia*

324.8 *nostrum*] om.

5.4 THE DESCENDANTS OF CS

Cs, a contaminated descendant of F, has three independent descendants, BxCbCu.[70] The shared errors of BxCbCsCu include:

1.6 *cogitatione* Cu^2] *cognitione* BxCbCsCu

4.26 *tempore* Bx^2Cu^2] *turpe* BxCbCsCu

8.3 *uterentur* Bx^2Cu^2] om. BxCbCsCu

15.3 *etiam* Cu^2] om. BxCbCsCu

16.12 *impendiis* Bx^2Cu^2] *impeditus* BxCbCsCu

25.26 *confirmaverim*] *conferam veri* $FO^vCu^2\lambda$: *confirmaverim veri* BxCbCsCu

26.10 *haec est*] *est hec*

216.18 *e luntre* Cu^2] *eluntrix* BxCbCsCu

222.19 *fructum* Cu^2] *fratrem* $BxCbCsCu^{ac}Cu^{3vl}$

226.3 *deinde* Bx^2] om. BxCbCsCu

269.16 *omnis*] *omnino*

276.30 *quod melius*] *melius quod*

276.31 *efficere*] *efficere denique*

280.15 *crebras quidem certe*] *crebrasque*

313.3 *me*] om.

316.5 *ad*] om.

Since BxCbCu share all the significant errors of Cs and add some of their own, Cs must be their source. The manuscripts' contents help to confirm the relationship. Bx and Cu, like Cs, include *Brut.*, *Orat.*, and *De or.* as the first three works, and, although these texts are frequently found together, the only extant manuscripts to include them in that order

[70] Hunt (1998: 89-91) has already demonstrated that Cb's *Acad. post.* derives from Cs.

are BxCsCu and Bx's offspring Ak. The scribes of Bx and Cu did not copy all the contents of Cs, but Cu does, like Cs, add the mutilated version of *Orat.* after *De or.*[71] Cb's contents are also similar to those of Cs, since Cb and Cs are two of only three extant manuscripts to contain *Fat.* and *Acad. post.* as well as *Brut.*[72]

In two places, some of BxCbCu share the readings of Cs^{ac} and Cs^{c}:

16.6 *ut* $Bx^{c}CbCs^{c}Cu^{c}$] *aut* BxCsCu

35.23 *subtiliter* $BxCs^{c}Cu^{c}$] *subtile* BxCbCsCu.

In the first section of *Brut.*, Cs shares various errors with Z, a descendant of F, including:

6.16 *forum* $Bx^{2}Cu^{2}$] *foro* ZBxCbCsCu

7.22 *bene*^{2} Cu^{2}] om. ZBxCbCsCu

13.13 *litterarum* Cu^{2}] om. ZBxCbCsCu

20.14 *mihi nuper*] *nuper mihi*

20.17 *se velle*] *velle se*

22.5 *ea ipsa* Cb] *ipsa ea* ZBxCb^{c}CsCu

23.12 *verae*] *veram*.

Cs's close relationship to Z ends at *c.*§158; I can find no further shared errors of ZCs thereafter.[73] Even in §§1-158, however, Cs cannot derive exclusively from Z, because Cs lacks some of Z's errors, including the omissions of *in ea* at 26.8 and *praestaret … altera* at 155.4. Cs may share an exemplar with Z in this part of *Brut.*, but I think, for two

[71] Note also the similar subscriptions of Cs (*nil plus repperi sed tamen parum deficit in fine*) and Bx (*nil plus repperi scio firmiter quod parum deficit*).
[72] The other is Bu.
[73] Errors of ZCs from §§23-158 include 118.21 *disserendo*] *disputando*, 158.4 *est*] *est et*, and 158.5 *perbrevis*] *brevis*.

reasons, that Cs is likely to be a contaminated copy of Z. Firstly, Z is probably a direct copy of F. I cannot prove this, but its date and ownership point in this direction: Giacomo Curlo finished copying Z on 1 October 1423, not long after the arrival of φ, F's exemplar, in Florence, and Curlo copied the manuscript for Cosimo de' Medici, with whom Niccolò Niccoli, the scribe and owner of F, was closely associated.

Secondly, though, and more importantly, the scribe of Cs undoubtedly had access to other manuscripts of *Brut*. In §§298-333, Cs shares various errors with ν,[74] while in §§158-298 I have found no significant errors shared by Cs with either Z or ν. A further proof that Cs is contaminated is that it lacks some of the errors present in F and in F's descendants Zν. In §§1-158 and §§298-333, the errors of F absent from Cs (e.g. 24.19 *quo* Cs] *quod* FZν, 59.23 *est* Cs] *etiam* FZν, and 155.5 *tuendum* Cs] *tuendi* FZν) could arguably have been removed by conjecture, but in the middle portion of the text, Cs lacks errors of F which could have been eliminated only through contamination:

161.20 *quidem* Cs] om. FZν

185.5 *horum* Cs] om. FZν.

In my view, Cs has inherited readings not only from Z and ν, but also from a manuscript independent of F. The first part of the text derives primarily from Z and the last part mainly from ν, but throughout *Brut.* corrections have been imported into an ancestor of Cs from other sources. In the middle part of the text, it is unclear which manuscript was Cs's exemplar. Some of F's errors are present (e.g. 200.24 *quod*] *cum*, 201.3 *hos*] *quos*, and 214.29 *id*] *hic*), but there are no signs of a particular affinity to any other extant manuscript.

[74] See above, p. 176.

As can be seen from the above list of the errors of BxCbCsCu, various errors of Cs have been corrected in BxCu. In both manuscripts, the corrections have been made by a later hand. The restoration of omitted words such as *uterentur*, *etiam*, and *deinde* proves that the corrections made by Bx^2 and Cu^2 are not simply the conjectures of a reader, but rather are the fruit of comparison with another manuscript. In one place, Cu^2 corrects a reading of Cs to an error of F (54.22 *qui* CsCu] *qui me* FCu^2), which indicates that Cu^2's corrections come from F, or from another descendant of F. The source of Bx^2's corrections is uncertain: two readings imply that it may have been a manuscript independent of F (149.11 *se tamen sic*] *sed tamen sic se* FBxCs: *se tamen sic se* Bx^{2vl} and 201.3 *hos* Bx^2] *quos* FBxCs), but little more can be said.

Bx has produced one descendant, Ak. The errors shared by AkBx include:

20.12 *quod*] *quid*

228.1 *cedere*] *dicere*

265.8 *et*[1]] om.

272.18 *ita est*] *est ita*

274.22 *dissimulanterque*] *dissimulanteque* Bx: *dissimulateque* Ak

325.21 *floruerit*] *floruit*

325.22 *verissumas*] om.

327.4 *decebat*] *decedebat* Bx: *recedebat* Ak

332.7 *heres*] *here* Bx: *vere* Ak.

The scribe of Ak may have copied the text of Bx before the correcting work of Bx^2, because Ak generally follows the readings of Bx^{ac}.[75] Examples include:

[75] Ak has a few of Bx^2's readings, but may have arrived at them by conjecture (e.g. 16.6 *ut* $AkBx^2$] *aut* Bx, 216.13 *tum* $AkBx^2$] *tam* Bx).

8.3 *uterentur* Bx^2] om. AkBxCs

10.13 *me* Bx^2Cs] om. AkBx

31.12 *subtilitate* Bx^2] *sublimitate* AkBxCs

221.12 *sed tamen orator* Bx^2Cs] om. AkBx.

Ak adds many errors of its own, including:

14.18 *quidem*] om.

223.30 *equestri*] om.

273.28 *contiones*] *actiones*

310.16 *summis*] om.

313.5 *fortasse*] om.

Cu also has one extant descendant, Am. Am shares all the significant errors of Cu, including:[76]

24.21 *idem*] *id*

227.11 *etiam*] om.

265.7 *verborum*] *verborum dignitas*

276.5 *natura ... quod*] om.

278.23 *minimum*] *nimium*

309.5 *contracta*] *constricta*

310.12 *cum*^{1}] *enim*

318.10 *maturitatem quandam*] *quandam maturitatem*

323.5 *versati*] *conversati*.

[76] See also 16.12 *impendiis* Am^{c}Cu^2] *impeditus* AmCsCu.

Unlike Ak, Am was definitely copied after the introduction of the later corrections in its exemplar, since Am usually follows the reading of Cu^2:

13.13 *litterarum* AmCu^2] om. CsCu

19.2 *quod* AmCu^2] *quidem* CsCu

216.19 *simile* AmCu^2] *similiter* CsCu

222.19 *fructum* AmCu^2] *fratrem* CsCu.

Am's own errors include:

4.2 *est ita necesse*] *ita necesse est*

218.14 *quas idem caesar*] om.

222.22 *autem*] om.

269.12 *vemens*] om.

324.20 *etiam*] om.

Finally, the errors of Cb, which demonstrate that it is not the source of any of AkAmBxCsCu, include:

11.19 *atticus*] *amens*

219.20 *inquam brute*] *brute inquam*

219.27 *esset*] om.

274.7 *orator*] om.

318.9 *illud in me*] *in me illud*.

5.5 The Descendants of π[77]

30 manuscripts derive either wholly or in part from a lost ancestor, π, which appears to have been a descendant of F. Within this large family, there are two major sub-families, σ (AcAgAqArAxBnBsCaCcCdCeCiCoDc) and υ (AaAeAfAnAoAs). Ad, copied by Poggio Bracciolini, is the source of a further five of the descendants of π (HAhBt(Cm)Cx).[78] Of the remaining manuscripts, RPBh(Cm) derive from a common ancestor (χ) and are loosely associated with Ad, and Bv is a contaminated descendant of π. Some of the errors shared by the descendants of π are:[79]

36.4 *inesset*] *esset*

43.29 *ita*] om.

59.1 *cuius*] *huius*

69.22 *non*] *num* RAaAdAfAgBhBv: *nun* Ac

95.32 *gaiusque*] *gravisque*

100.21 *numquam sit habitus*] *sit habitus* AcAdAg: *sit habitus non* RAaAd^{c}AfBhBv

264.2 *aculeone*] *culeone* AaAcAdAfAgBhBv: *culcone* R, ut vid.

The relationships between the descendants of π are complex and uncertain. The clearest pattern is of errors shared by υχAd but not by σ, although even here examples are relatively few:

54.3 *dictatorem* AcAgBv] om. RAaAdAfBh

64.14 *certos* F^{c}] *certo* FAcAg: *certe* RAaAdAfBhBv

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[77] See Figure 11.

[78] Ad's relationship to F has been a controversial subject: Heerdegen (1884: xxiii-xxiv) argued for the derivation of Ad from F, but Malcovati (1960: 329-330) objected that Ad (to which she gave the siglum π) does not share all the errors of F. Malcovati does not propose an explanation for the errors shared by FAd.

[79] Unless otherwise stated, these errors are shared by all of RAaAcAdAfAgBhBv, with AcAg taken as representatives of σ and AaAf of υ.

167.29 *perargutus* AcAgBhBv] *peracutus* RAaAdAf

195.23 *formulis* AcAgBh] *formulis qui* AfBv: *formulis quid* RAd: *formulis quidem* Aa

306.11 *adtentius* AcAgBv] *attentius quod* RAaAdAfBh.[80]

Sometimes Ag, a descendant of σ, shares errors with υ but not with Ad (e.g. 167.27 *esse* RAcAdBhBv] om. AaAfAg, 244.5 *notam et aequalem* RAcAdAgBhBv] *notorum et aequalium* AaAg^{c}: *et aequalium* Af), and there are also occasional errors shared by RBh with υ, but not with Ad, even though RBh are usually more closely associated with Ad (e.g. 253.28 *ad* AcAdAg] *cum ad* RAaAfBhBv). Various other contradictory pieces of evidence could be adduced in addition to these, but the essential problem is clear. The sub-families deriving from π cannot be put into a simple stemma. The reason for this is not hard to find: Ad betrays clear evidence of scribal emendation throughout *Brut.*, and υ must have been similarly corrected, since its descendants share numerous conjectures. Contamination can be detected in Bv, as will be shown below, but it may also be present in other descendants of π. The twin forces of contamination and conjectural emendation have meant that, even with full collations of the text of *Brut.* in some of π's descendants, I have not been able to determine with confidence the relationships between σ, υ, Ad, χ, and Bv. They may be five independent copies of π, but the situation may be more complex.

The relationship between π and F is of greater importance. Malcovati sometimes cites Aa and Ad in her apparatus (with the sigla γ and π respectively), but she appears to

[80] There are also emendations present in υχAd but not in σ, such as 123.3 *me numera inquit*] *enumera inquit* FρλAcAgBv: *enumera inquit me* RAaAdBh: *et munera inquit me* Af, and 203.17 *maxume* AcAg] *maxime omnium* RAaAdAfBhBv.

have been uncertain as to how they relate to F.[81] The descendants of π share many of F's distinctive errors, including:[82]

149.11 *se tamen sic*] *sed tamen sic se*

200.24 *quod*] *cum*

201.3 *hos* R] *quos* FAaAcAdAfAgBhBv

211.31 *c.*] om.

212.12 *ti.*] om.

214.29 *id*] *hic* FRAaAcAdAfBhBv: *hoc* Ag

256.29 *l.*] om.

331.17 *amoris*] *moris*

333.16 *post*] *p. et* FRAaAcAdAfBhBv: *p.* Ag.

Additionally, the descendants of π share some errors with F^c:

214.2 *clauderet* F] *claudicaret* F^cRAaAcAdAfBhBv: *claudiret* Ag, ut vid.

292.26 *ipsum* F^{ac}, ut vid.] *ipsam* F^cπ

298.28 *facultate* FAcBv^c] *facultatem* F^cAaAdAfBh^{c}BvDd: *voluntatem facultatem* Bh.

However, π cannot have derived exclusively from F, because it lacked significant errors of F, including:

131.11 *de plebe*] om.

156.11 *multo*] *nullo*

161.20 *quidem*] om.

185.5 *horum*] om.

[81] Malcovati (1960: 329-332).

[82] In this list, and in the two lists which follow, RAaAcAdAfAgBhBv are again taken as representatives of the different families which derive from π.

219.20 *stultius*] *sulpicius*

242.17 *homines*] *honores*.

A further piece of evidence that π was not simply a copy of F is that several of π's descendants, including AaAeAfAgAsBv^{ac}, have the reading *pavilo* for *paulo* at 129.23. This reading is shared with G^{c}O^{v}Tλ (G^{ac} has *pavilio*), and it must therefore have been present in L.[83] Since F has *paulo*, and since the reading *pavilo* is hardly likely to have arisen in π or its descendants by coincidence, it must either have been inherited from L via F's exemplar or introduced by contamination. If the former is true, then π descended from φ (F's exemplar) independently of F. This might seem *prima facie* the more probable of the two explanations, because it would be odd for a scribe to choose the nonsensical *pavilo* over the perfectly normal *paulo*. However, this argument is not decisive, because scribes do sometimes make strange choices, and also because we cannot be sure that the scribe of π did make a conscious choice; he may have been copying from an exemplar with the variants *paulo* and *pavilo*, and may have chosen *pavilo* unthinkingly, perhaps without even noticing the other reading. Alternatively, he may have come to know that *pavilo* was, or was likely to be, the reading of L.

Aside from this reading, the evidence tells in favour of π's having been a contaminated descendant of F. In all the other places where F has corrected an error of L, π's descendants share F's reading, not L's, and so 129.23 *paulo*] *pavilo* is an isolated instance. The nature of the errors which F does, and does not, share with π suggests contamination. Contamination generally results in the removal of some of the most obvious errors (omissions, nonsensical readings, etc.), but readings which are not so plainly corrupt will often be left intact. This is exactly the situation with F and π.

[83] L's *pavilo* was presumably a corruption of an earlier *paullo*.

Omissions and glaring errors like 219.20 *stultius*] *sulpicius* are absent from π, whereas readings such as 149.11 *se tamen sic*] *sed tamen sic se*, 201.3 *hos*] *quos*, and 331.17 *amoris*] *moris* are present in π as well as in F. On the basis of this consideration, as well as the evidence of the errors shared by F^{c}π, I conclude that π was probably a contaminated descendant of F.[84] Even if one were to judge that π's descendants are independent of F, a reconstructed text of π would be of little use to an editor of *Brut*. Several of π's offspring are useful sources of conjectures, but it is highly unlikely that the labour of collating in full all the independent descendants of π would enable us to refine our knowledge of the text of L. The consistent citation of these manuscripts in an apparatus would be unhelpful to readers.

Before turning to the various sub-families deriving from π, I will consider briefly Bv, the only descendant of π which does not fall into one of these groups. Bv, copied in the second half of the fifteenth century, shares π's errors. However, Bv also shares some of the errors of θ, the source of IAjAy, including, in addition to several minor errors:

13.10 *inquam*] *inquit*

24.19 *victoria* Aj^{vl}] *gloria* IAjAyBv

265.4 *dixisses* Aj^{c}] *non dixisses* IAjAyBv

275.27 *esset* Aj^{c}] *etiam* IAjAyBv

316.7 *praestantem*] *praestantissimum*.

[84] Unfortunately, our ignorance of what happened to φ after it was used as the exemplar of F means that the historical evidence cannot add much force to the textual argument for the derivation of π from F. (φ may well have been owned by Giovanni Corvini, who came to Florence in April 1423 as one of the ambassadors of Filippo Maria Visconti, and he may have taken it with him: Corvini travelled on to Rome, where he acted as an ambassador to the pope in May-June 1423 (Ricciardi in *Dizionario biografico degli italiani*, xxix.829).) The Florentine origin of many of π's descendants is certainly coherent with π's having been copied from F, a MS whose owner, Niccolò Niccoli, is known to have lent his books out frequently for use as exemplars in Florence (Vespasiano, *Le Vite*, p. 231).

Hence, Bv apparently derives from π, but with a little contamination from θ, or one of its descendants. Examples of Bv's own errors are:

218.15 *caesar*] *sermo*

268.3 *naturae*] om.

277.8 *cum*] *quod*

314.14 *potius periculum mihi*] *periculum mihi potius*

315.1 *in illis numerari*] *numerari in illis.*

5.5.1 The Descendants of σ

The first sub-family, deriving from π via a lost intermediary σ, is made up of fourteen manuscripts (AcAgAqArAxBnBsCaCcCdCeCiCoDc). Of these, five (AcAgAxCaCo) derive from σ independently of other extant manuscripts throughout *Brut*. Cc derives independently from σ in section I of my collations, and ArCe are independent descendants of σ in sections II-IV. The six remaining manuscripts (AqBnBsCdCiDc) are *codices descripti* of other members of the family. The errors shared by the independent descendants of σ include:

25.4 *earum*] *earum rerum* AcAgAxCaCcCo

27.15 *scripta* Ax^{c}] om. AcAgAxCaCcCo

222.22 *patremque*] *patriumque* AcAgArCaCo: *primumque* AxCe

224.5 *facta mentio*] *mentio facta* AcAgArAxCaCeCo

272.12 *et*^{1}] om. AcAgArAxCaCeCo

273.1 *contentione*] *contione* AcAgAxCaCeCo: *contemptione* Ar

273.2 *quae*] *quam* AcAgArAxCaCeCo

279.2 *quocumque* Ar] *qu*(*a*)*ecumque* AcAgAxCaCeCo

326.13 *venustae dulcesque sententiae*] om. AcAgArAxCaCeCo

333.10 *laudabilis*] *laudibus* AcAgArAxCaCeCo.

Ag has produced two extant copies, Cd and Ci.[85] AgCdCi share many errors, including:[86]

12.28 *litteris*] *litteris et*

23.9 *exercitatioque*] *excusatioque*

26.11 *intueor*] *intuerer*

32.1 *is*] om.

266.16 *tuam*] *etiam*

268.2 *totum*] *tantum*

269.18 *videare*] *viderere*

274.16 *structum … insolens*] om.

309.7 *brute*] om.

311.25 *potuissemus*] *potuimus*

314.15 *dicendi*] om.

Since CdCi include all of Ag's significant errors, they must derive from it. The presence of Ag^{c}'s corrections and errors in CdCi provides further proof of the derivation:

1.7 *cooptatum* AgCdCi] *coaptatum* Ag^{c}Ci^{c}

10.14 *consederit* Ci] *consederat* Ag: *consideret* Ag^{c}Cd

31.18 *ab* Ag^{c}Cd^{c}Ci^{c}] *ad* AgCdCi

273.26 *quam eius* AgCdCi] *cuius* Ag^{c}Ci^{c}

[85] Michael Reeve (in Reynolds (1983: 102 n. 12)) has already observed that Ci's *De optimo genere oratorum* derives from Ag. The production of offspring is characteristic of the MSS copied by the 'Puccini' scribe (Oakley (2016: 346)).

[86] Additionally, AgCd have the subscription *parum deest* at the end of *Brut.*, while Ci has *deest parum*. No other extant MS uses this wording to indicate the incomplete state of the text. Note also the common Florentine origin and identical contents of AgCi.

278.22 *nulla perturbatio animi* Ag^{c}Ci^{c}] om. AgCdCi.

Cd and Ci both have their own significant errors, and hence they must have derived from Ag independently of one another.[87]

Cd: 25.4 *ipsa*] om.

227.12 *quaedam*] om.

278.24 *nostros animos*] *animos nostros*

280.15 *certe*] om.

324.16 *causas*] *omnes.*

Ci: 217.21 *curioque multa dixisset*] om.

219.27 *ne*] om.

317.21 *iam*] om.

319.16 *veni*] om.

327.22 *certe*] om.

All the descendants of σ except AgCdCi derive from a common exemplar, τ. The independent descendants of τ, AcAxCaCo, together with Cc (section I) and ArCe (sections II-IV), share the following errors:

3.18 *memoriae*] om.

20.15 *fuissent*] om.

266.14 *eorum*] om.

[87] I have found one non-trivial error absent from Ag but shared by CdCi (215.6 *excellebat autem*] *autem excellebat*). This shared error is probably due to coincidence: it would have been tempting to take *Antonius* with *excellebat … actione*, rather than with *reperiebat … comprehendebat*, and this mistake would lead naturally to the transposition of *excellebat* and *autem*.

272.8 *umquam*] om.

274.19 *non*] *nunc* AcAxCaCeCo: *nec* Ar

277.8 *in* Ar] om. AcAxCaCeCo

316.5 *ad* Ar] om. AcAxCaCeCo.

There are a few errors shared by some of AcArAxCaCcCeCo, but they do not form a clear pattern, and should probably be attributed to coincidence or to variants and corrections in τ:

10.11 *m. ad me brutus* Ac] *m. brutus ad me* AxCaCcCo

323.6 *primo leviter*] *primo leniter* AcArCe: *leniter primo* AxCaCo^{c}: *leniter primum* Co

332.28 *tuis* ArCeCo] om. AcAxCa.

Cc derives from τ from the beginning of *Brut.* to *c.*§§107-117, from which point it derives from Cp.[88] Its singular errors from the opening portion of text include:

3.19 *poetarum*] om.

12.31 *illam*] om.

31.18 *quod*] om.

32.24 *magister*] om.

Ac derives from τ throughout *Brut*. Its errors include:

11.19 *ad te*] om.

13.16 *quasi*] om.

14.20 *ipsum*] om.

271.26 *mortui sunt*] *sunt mortui*

[88] See above, pp. 159-160.

272.6 *ne*] om.

Likewise, Ax derives from τ throughout the text.[89] Its errors include:

30.8 *hippias*] *lippius*

222.28 *et in praesidiis*] om.

272.10 *aut a cogitando*] om.

309.10 *tamen*] om.

325.2 *frequentatum*] om.

Ce, an ancestor of μ and its offspring AqBs, initially derives from κ,[90] but at some point between §§62 and 68, a change of exemplar took place and for the rest of the text Ce derives from τ. Two of τ's errors from soon after the change of exemplar are:

70.3 *sed*] om. AcAqAxBsCaCcCeCo

71.21 *latina*] om. AcAqAxBsCaCcCeCo.

The next descendant of τ, Ca, has one offspring, Dc. That Dc derives from Ca is clear from the following readings:

2.17 *amiseram* CaDc] *ammissem* Ca^{vl}: *amissem* Dc^{vl}

16.9 *in*] om. CaDc

18.23 *ego*] *vero* Ca: *ego vero* Ca^{c}Dc

34.14 *spiritu*] *in spiritu* CaDc

34.15 *terminatur* Ca^{c}] *termnatur* Ca: *termiatur* Dc (Ca^{c}'s correction misunderstood)

221.17 *pugnans*] *pugnatis* CaDc

[89] A few corrections have been introduced into Ax by a later hand, identified by Ceccherini (2016: 191) as that of Sozomeno da Pistoia; some of these (e.g. 27.15 *scripta* Ax^{2}] om. σAx) should probably be attributed to contamination, rather than to scribal emendation.

[90] See above, pp. 170, 173-175, where I also provide evidence of the derivation of AqBs from Ce.

224.7 *specie*] *in specie* CaDc

227.12 *erat*] om. CaDc

315.1 *recte potest* Ca[c]] *potest recte* CaDc

320.26 *putabat*] *putat* CaDc

326.15 *et erat*] *eerat* Ca: *erat* Dc

333.19 *oportunorum*] *oportunorum et omni* CaDc[c]: *oportumorum et omni* Dc.[91]

Proof that Dc derives from Ca can be found in Dc's omission of *multa ... quae* at 15.25 (with *cum* then deleted by Dc[c]). In Ca, *est ... quidem*, which immediately precedes *multa*, was initially omitted, before being added at the bottom of the page. The scribe of Dc, however, has misunderstood this correction, mistakenly thinking that *est ... quidem* was intended to replace the rest of the text up to the end of the page in Ca, that is, *multa ... quae cum*, and has therefore excised this section of text. Additionally, at 315.1 Ca's *numerari*, split across two lines as *nu*/*merari*, is probably responsible for Dc's corruption *mirari*.

Dc's significant errors include:

22.32 *crebro*] om.

28.22 *annis*] om.

224.13 *licere*] om.

279.1 *laudibus*] om.

326.10 *adulescens*] om.

[91] Ca's addition of *et omni* at the end of *Brut.* was of sufficient interest to Malcovati for her to include it in her apparatus, but the words do not help with the sense and, since there is no other indication that Ca has independent authority in the reconstruction of the archetype, this reading can safely be ignored (cf. Malcovati (1960: 333-334)).

Co has also produced one copy, Bn. With the exception of a few trivial errors, Bn shares all the corruptions of Co, including:

26.12 *occurrunt*] *incurrunt*

33.9 *casuque*] *causa quae*

221.17 *lateribus*] *laboribus*

226.31 *ageret*] *agerit* Co: *egerit* Bn

271.1 *cluentio*] *cluentino*

317.19 *verbis*] om.

319.15 *patronis* Co^{c}] *patronisque* BnCo

319.18 *omnis*] om.

320.27 *tantum*] *tantum tantum*

331.13 *in te*] *in te in te*

332.26 *tamen*] *autem*.

Bn adds various errors of its own. Some of these are:

14.22 *mihi*] om.

16.10 *aliquid*] om.

266.21 *omittamus*] *expectamus*

268.9 *terroris oratio*] *terrore*

326.17 *et stomachantem*] om.

Ar is only a partial descendant of τ. I have already shown that Ar is a contaminated descendant of β in §§1-126.[92] The change of scribe at 126.25 *manus* coincides with a change of exemplar. Before §126, Ar shows no particular affinity to F,

[92] See above, pp. 110-111.

π, σ, or τ, but after this point Ar contains various errors of F (e.g. 149.11 *se tamen sic*] *sed tamen sic se*, 169.8 *et*] om., 200.24 *quod*] *cum*), together with most of those of σ and τ.[93] However, the absence of a few errors of στ suggests the possibility of contamination, and this is confirmed by the significant errors shared by Ar with ρβ, including:

164.26 *in*[2]] om. ρAr

167.22 *temporis*] *temporibus* βAr

255.15 *non*] *non solum* βAr

261.20 *emendat*] *emendabat* ρAr.

In §§126-333, then, Ar derives predominantly from τ, but contamination has resulted in the removal of a few of τ's errors and the addition of a few errors of ρβ. Ar's singular errors prove that it is not the source of any other manuscript in this part of the text:

217.1 *cottae*] om.

266.13 *torquati et triari*] *triarii et torquati*

280.11 *te inquit brutus*] om.

313.5 *fortasse*] om.

313.8 *a vitae periculo*] om.

5.5.2 The Descendants of υ

υ is the source of another family deriving from π. υ has five independent descendants, AaAeAfAoAs. These manuscripts share the following errors:

15.1 *grato tamen*] *tamen grato*

[93] A further proof of the change of exemplar is that the chapter divisions Ar has inherited from ρ cease after 122.19 *nunc reliquorum*.

33.9 *casuque*] *casu quam* AaAeAoAs: *casu* Af

47.2 *conscripsisset*] *scripsisset*

54.7 *incitatam*] *concitatam*

128.14 *quaestio*] *quaestione*

128.15 *c.*] *p.*

146.23 *edisserendi*] *et disserendi* AaAeAoAs: *disserendi* Af

268.3 *naturae*] *naturae ei*

269.11 *vero*] *verum.*

AaAeAfAoAs derive independently from υ, since they all have their own errors.

Aa: 23.12 *quare*] *qua*

56.24 *omnino*] *animo*

265.7 *et*] om.

280.14 *verisimile*] *verisimiliter*

332.8 *maioris*] om.

Ae: 7.27 *timore*] *tremore*

19.10 *cum*] *ut*

269.18 *videare*] om.

279.7 *etiam*] om.

279.10 *eloquentiae laudem*] *laudem eloquentiae.*

Af: 2.16 *mearum*] om.

32.22 *domus ... officina*] om.

221.15 *expeditus ... verbis*] om.

275.24 *insignibus*] om.

332.8 *similes*] om.

Ao: 14.22 *mihi quidem*] *quidem mihi*

27.9 *annis*] om.

217.24 *gratiam*] *gratias*

223.31 *dissedisset*] *discessisset*

331.14 *quasi*] om.

As: 17.20 *attico*] om.

32.21 *ante*] om.

216.13 *dissipatus*] *cogitatus*

267.25 *bibulus*] om.

274.12 *aeque*] om.

A sixth manuscript, An, is related to this family. It has all the errors of υ in the list above except the final two. Additionally, An shares errors with As, including:

3.23 *adiutus*] *auditus*

4.1 *tam*] om.

6.15 *sustineret*] *sustinere* As: *sostinere* An

6.16 *quod*] om.

16.7 *exustusque*] *exutusque*

26.7 *sit*] om.

26.14 *mandari*] om.

223.3 *in*^{2}] om.

223.3 *perturbem*] *perturbemus*

224.5 *generis*] om.

224.7 *specie*] *spede* As: *pede* An

224.14 *plebem*] *plebeus.*

An cannot derive exclusively from As, since it does not share As's significant errors listed above. Neither can An be the source of As, because An was copied 23 years later, and also because An has various errors of its own, including:

15.29 *salutaris*] om.

24.19 *neminem video*] *video neminem*

227.12 *erat*] om.

269.18 *m. servilium*] om.

310.14 *sed … latine*] om.

Significantly, An lacks all the non-trivial errors of π, υ, and As in sections III-IV of my collations. Additionally, in sections III-IV An contains various errors of F not present in AaAeAfAoAs, including:

271.5 *argumenta*] *argumento*

274.12 *aeque*] *eaeque*

279.5 *redeamus*] *respondeamus*

315.1 *atticorum* F^{c}AaAeAfAoAs] *attiquorum* F: *apti quorum* An

316.12 *diffluentis*] *diffluenti*.

These data indicate that the exemplar of An was changed between sections II and III, and that An derives from F independently of π after the change of exemplar. Since An shares

all the significant errors of F in the section copied from this second exemplar, while showing no particular affinity to any of F's descendants, this part of An's *Brut.* derives from F independently of any extant manuscript.

In the first part of *Brut.*, however, An seems to be a slightly contaminated copy of As. An lacks a few of As's errors: some could have been removed by conjecture (e.g. 2.14 *prudentiae* An] *prudentis* As), but two more significant errors (17.20 *attico* An] om. As, 32.21 *ante* An] om. As) demonstrate that An cannot derive exclusively from As. One could therefore postulate a common exemplar of AnAs, but there are two reasons why An is more likely to be a contaminated descendant of As. Firstly, in addition to a few of As's errors, An lacks some errors present in the other descendants of υ and in some or all of the other manuscripts which derive from π (59.1 *cuius*] *huius*, 64.14 *certos*] *certe*, 72.4 *tarento*] *tarentum*, 78.19 *in*] om., 95.32 *gaiusque*] *gravisque* π: *c.* An, 101.25 *cooptatus*] *coactus*).

Secondly, the scribe of As, Leonardo di Giovanni Tolosani da Colle, tells us in the subscription to *Orat*. that he was copying from a highly corrected text. The subscription reads: *M. T. C. ORATOR EXPLICIT EX EMENDATISSIMO CODICE LEONARDI ARRETINI* (i.e. Leonardo Bruni) *EXEMPLATUS. M.CCCC.LVI*. It is possible that Leonardo di Giovanni Tolosani only copied *Orat*. from Bruni's codex, but As's subscription would fit well with the following evidence for scribal emendation in υ's *Brut*.:[94]

253.1 *cogitata praeclare eloqui ut*] *cogitata praeclare eloqui* BFAnλρ: *ut cogitata praeclare eloqui* AaAeAfAoAs

262.8 *volent*] *volunt* FAnλρ: *velint* AaAeAfAo: *vellent* As

273.26 *quam eius* BFAnλρ] *cuius* AaAeAfAoAs

[94] AaAeAfAnAoAs all contain both *Orat*. and *Brut*., and we can assume that υ did too.

277.11 *deferre* AaAeAoAs] *differre* BFAfAnλρ

322.22 *traducere* AaAeAfAoAs] *traduceret* BFAnλρ

325.26 *quam* AaAeAfAoAs] *numquam* BFAnλρ

331.16 *me* BAaAeAfAoAs] om. FAnλρ.[95]

By contrast, I have found only one error of L corrected in AnAs but preserved by AaAeAfAo: 7.26 *errore* An^{c}As^{c}] *terrore* FAnAsλρ. Likewise, there are no errors of F absent from AnAs yet still present in the other descendants of υ. If Bruni's manuscript had been a descendant of υ and the shared ancestor of AnAs, then, in keeping with Leonardo di Giovanni Tolosani's description of Bruni's codex as *emendatissimus*, there ought to have been various emendations present in AnAs, but not in υ. Since there is only one such example, it is much more likely that Bruni's manuscript was υ itself, and that As was copied directly from υ.[96]

Circumstantial evidence also points to the conclusion that As is a direct copy of υ. As's scribe, Leonardo di Giovanni Tolosani, was involved in the composition of two other descendants of υ, writing the text of Aa and the headers in Af. The dating of the production of AaAfAs to a ten-year period between 1450 and 1460 adds to the likelihood that all were copied from the same exemplar. If As was indeed a direct copy of υ, then a shared exemplar of AnAs cannot provide the explanation for their shared errors. Rather, An is probably a descendant of As contaminated with readings from some other manuscript, perhaps the one used as An's exemplar in the second half of the text.

[95] Malcovati cites various readings of Aa in her apparatus (with the siglum γ), and many of these emendations are also present in the other descendants of υ.
[96] For another family of MSS deriving from a codex owned by Leonardo Bruni, see Reeve (2016: 51-70).

5.5.3 The Descendants of Ad[97]

H is the only manuscript which derives from Poggio's copy, Ad, independently of other manuscripts throughout *Brut*. H was copied in Rome in 1429, when Poggio was resident in the city, and contains the same set of works as Ad (albeit in a different order). The proof of the derivation, however, is that H shares all the significant errors of Ad, including:

10.13 *me*] om.

14.22 *mihi quidem*] *quidem mihi*

80.7 *dicendo*] om.

92.10 *se*] om.

217.23 *artuum*] om.

221.16 *oratorem*] *auctorem*

269.17 *aliquando sunt*] *sunt aliquando*

324.20 *nostris*] om.

328.21 *quaeso*] *inquit* Ad: om. HAd^{c}.[98]

H is in turn the source of a further three manuscripts. AhCx derive from H throughout the text, while Bt derives from H from the start of *Brut.* up to *c.*§§95-97.[99] Ah(Bt)Cx share all the significant errors of H, including:

7.19 *angor*] om. HAhBtCx

9.8 *nostris*] om. HAhBtCx

20.17 *hic audire se velle*] *se velle audire* HAhBtCx

[97] See below for discussion of the corrections introduced into Bl from Ad.
[98] See also 82.3 *laeli* Ad^{c}] *l.* HAd, where H has an error which may have originated in Ad.
[99] Bt's change of exemplar probably occurred between 95.32 *gaiusque*] *gravisque* πHAdBt and 97.24 *nimis* Bt] *minus* HAdBt; after this point, Bt's scribe copied from another descendant of F, or perhaps from F itself.

34.14 *quid inane sit*] *sit quod inane* HAhBtCx

215.5 *ea*] om. HAhCx

215.6 *quaedam ex his*] *ex his quaedam* HAhCx

270.22 *illud*] om. HAhCx

273.2 *non*] om. HAhCx

315.31 *disertissimus*] *peritissimus* HAhCx

320.22 *videret*] om. HAhCx

322.16 *quando*] om. HAhCx

323.4 *ille*] om. HAhCx

325.25 *dictionis*] *actionis* HAhCx

330.30 *clarissimi*] *clarissimi viri* HAhCx.

In two places, the corrections in H serve as a further proof that some of AhBtCx derive from it:[100]

3.18 *poetas nobilis*] *poetis nobilis* HBtCx: *poetam nobilem* H^{c}Cx^{c}: *poetam nobilis* Ah

24.18 *se non aut* H^{c}Cx] *se aut non* H: *aut se non* Bt: *se non* Ah. (Bt's reading is due to a misunderstanding of H's correction; the same may be true of Ah's error.)

AhBtCx have no shared errors which are absent from H. Since all three manuscripts have errors of their own, they must derive from H independently of each other.

Ah: 18.2 *paulo te*] *te paulo*

29.1 *ipse*] *non*

[100] The shared errors of H^{ac}AhBtCx (25.23 *igitur eloquentiam* H^{c}BtCx] *eloquentiam igitur* HAh, 32.25 *aluit* H^{c}] *aliud* HAhBtCx, 217.2 *ille contra* H^{c}Cx] *contra ille* HAh, 273.23 *plebis fuit* H^{c}Cx] *fuit plebis* HAh, 313.10 *eram* H^{c}] *etiam* HAhCx) may well have originated in H.

222.19 *tamen*] om.

228.24 *latinis litteris*] om.

327.4 *nec decebat idem*] om.

Cx: 26.13 *primum … extulit*] om.

29.1 *maxume*] *magis*

32.4 *quendam … numerum*] om.

215.7 *quaedam*] om.

329.22 *inquam*] om.

Bt (§§1-95): 11.25 *inquit*] om.

12.1 *proelio populus se romanus*] *populus se romanus proelio*

16.10 *patuit*] om.

26.12 *attice*] om.

28.22 *potest perspici*] *perspici potest*.

Cm seems to be a partial descendant of Ad. In the first half of the text, Cm shares all the significant errors of Ad that I have found in my collations, but after *c.*§161, only a few.[101]

5.5.4 The Descendants of χ

Three further descendants of π are RPBh. Some uncertainties remain about how these manuscripts relate to Ad and π, but it is clear that P derives from R. These two

[101] In the second half of the text, Cm instead seems to be more closely related to RPBh, a group of MSS discussed below.

manuscripts, both now located in Cambridge, have very similar contents, and also share many errors, including:

2.15 *putabant … mearum*] om.

21.25 *causam*] om.

23.8 *fructus*] *fructus quam*

24.15 *dicis*] om.

216.14 *meminisse*] *meminisci* R: *meministi* P

228.19 *duas*] om.

269.16 *diu*] om.

272.8 *illi umquam*] *umquam illi*

278.25 *loco … pro*] om.

312.29 *sex.*] om.

313.3 *non*] om.

322.14 *ad*] *ad id*.

The only non-trivial error present in R but not in P is 35.20 *perfectum*] *prope perfectum*, but *prope* could have been omitted by the scribe of P, either accidentally or as a deliberate correction. There is no doubt that P derives from R, since P omits a line of R's text (11.24 *recreatus … inquit*).[102] P adds many errors of its own, including:

22.4 *aetas*] om.

23.9 *delectat … bene*] om.

218.10 *actum … esset*] om.

271.4 *quaedam … autem*] om.

[102] See also 221.15 *expeditus … abiectus* R] om. P and 279.5 *sit … restat* R] om. P; in both cases P's scribe, while copying a line of R's text, has jumped to the line below.

325.1 *laudabiles … genere*] om.

R(P) share various significant errors with Bh, and, in the second half of the text, also with Cm:

2.11 *civium bonorumque* Cm] *civiumque bonorum* PRBh

16.15 *fruges* Cm] *fructus* PRBh

25.25 *nobis est* Cm] *est nobis* RBh: *nobis* P

35.20 *perfectum* PCm] *prope perfectum* RBh

216.16 *et*] om. PRBhCm

221.16 *quem*] om. PRBhCm

222.27 *m.*[2]] *m.que* PRBhCm

267.26 *appius*] *et ap.* PRBhCm

272.10 *processus*] *progressus* PRBhCm[c]: *progressos* Cm

317.19 *solute et facile sententiam*] *facile et solute sententiam* BhCm: *facile et sententiam solute* PR

331.24 *eloquentiae laude*] *laude eloquentiae* PRBhCm

332.8 *similes maioris partis oratorum*] *maioris partis oratorum similes* PRBhCm.

Because of these shared errors, and also because the manuscripts all add errors of their own, R(P)Bh and the second half of Cm must derive from a common ancestor, χ. Some of R's errors have been listed above. Bh's errors, which prove that neither R nor Cm derives from it, include:

47.2 *conscripsisset*] *scripsisset*

218.15 *administravisset*] *ministravisset*

318.13 *meam perspicias*] *perspicias meam*

330.8 *forti animo*] *animo forti*.

Cm's errors include:

10.10 *cum*] om.

20.14 *mihi nuper*] *nuper mihi*

221.10 *igitur*] *genere*

271.26 *spoletinum … cornelium*] om.

309.6 *putanda … eloquentiam*] om.

Among the descendants of π, χ seems to have been especially close to Ad. The contents of PR suggest an affinity to Ad, since the combination of the first four works in PR (*De or.*, *Brut.*, *Orat.*, *Paradoxa*) is shared only with Bu, a large manuscript containing many of Cicero's works, and with Ad and its descendants. More significantly, χ's descendants share some of the errors of Ad and Ad^{c}:

4.5 *et beatissumo viro* Bh] *viro et beatissimo* RAd

217.3 *cantionibus* Ad] *cantationibus* RAd^{c}BhCm

222.18 *multum* Ad^{c}BhCm] *multus* RAd

222.27 *m. catonem patrem* Ad^{c}] *m. catonem q. patrem* Ad: *m.que catonem patrem* BhCm: *m.que catonem q. patrem* R

277.13 *me*] *memini me* RAdBhCm.

Taken together, these readings suggest that Ad had some link to χ, and perhaps especially to R. χ may, for example, have been a contaminated copy of Ad, or a copy of π corrected from Ad. However, the evidence is rather thin, and I suspend judgement as to the exact relationship between χ and Ad. Nevertheless, Sandys' classification of the text of *Orat.*

in RP as ‘connected’ (1885: lxxxvii) with Poggio’s manuscript does seem to hold for *Brut.* as well.

5.6 Other Descendants of F

Three extant manuscripts, AbAlBl, derive from F but cannot be grouped into any of the above families. A fourth manuscript, Z, has been discussed briefly as the probable source of Cs and its descendants in *Brut.* 1-158;[103] throughout the text Z derives from F independently of other manuscripts. A fifth, Bt, derives from H from the beginning of *Brut.* up to *c.*§§95-97, but is another independent descendant of F thereafter. ZAbAlBl(Bt) share every significant error of F.[104] The following readings strengthen the case for the derivation of ZAbAlBlBt from F:

15.3 *cumulatiore* F^{c}Bl^{c}] *cumulatiores ipsos* F: *cumulatiores* AlBl

16.8 *exaruit* F^{c}Bl^{c}] *exauruit* F, Bl (ut vid.)

223.1 *elegantis* Bl] *eligentis* FAl: *eligantis* F^{c}ZBl^{c}

268.9 *quaereres* F^{c}Bl^{c}] *quaereres quaereres* FZBl

277.10 *chirographa* F^{c}] *chirographum* FAl^{c}: *chirographam* Al

320.30 *cognoscere*] *magnum scelus* BFZBlλρ: *cognoscere magnum scelus* F^{c}AbAlBt

326.9 *senibus* F^{c}Bl^{c}] *sensibus* FBl.

Al’s omission of a complete line of F’s text (333.12 *cato … fuerunt*] *erunt* Al) is decisive proof that Al derives from F. Not as cogent, but still significant, is Z’s omission of *et … effeceras* at 332.28, since *ut*, the next word after *effeceras*, is almost directly

[103] See pp. 187-188.
[104] The only possible exception is 156.11 *multo* Ab] *nullo* F; but here F’s error produces nonsense, and Ab has probably arrived at the truth by conjecture.

beneath *et* in F. However, there can be little doubt that F is the source of all five manuscripts, since they contain all its significant errors and add some of their own.

Z: 26.8 *in ea*] om.

216.11 *magis oratorem commendari*] *oratorem magis commendari*

219.18 *quidem*] om.

318.9 *illud in me*] *in me illud*

332.28 *et ... effeceras*] om.

Ab: 29.2 *compressione*] *compositione*

224.10 *improbissimus*] om.

227.14 *nemo*] om.

278.25 *isto loco vix*] *vix isto loco*

329.29 *morte*] om.

Al: 12.31 *marcelli*] om.

225.20 *in gestu*] om.

311.19 *scaevolae carbonis antisti*] om.

317.2 *et canorum*] om.

333.12 *cato ... fuerunt*] *erunt*.

Bl: 24.18 *non aut*] *aut non*

271.3 *ut*] om.

316.9 *id*] om.

324.8 *perspecta*] *perfecta*

333.19 *concursatio*] om.

Bt (§§95-333): 220.6 *et quasi alere*] om.

224.6 *saturninus*] om.

267.24 *etiam ex iis*] *ex his etiam*

314.16 *vocis*] om.

332.26 *careas … te*] om.

The corrections in AbAlBl merit a brief discussion. In Al, a later hand has made a few emendations to the text, but all are apparently conjectures (e.g. 220.2 *bonitatem*] *vanitatem* FAl: *volubilitatem* Al^2, 274.18 *rerum*] *verum* Al: *solum* Al^2). The corrections in Ab and Bl, however, suggest contamination. The initial scribe of Ab has added a few corrections in the margin, of which the most significant is 131.11 *de plebe* Ab^1] om. FAb. This correction, and perhaps some others, have been introduced after comparison of Ab with another manuscript. In Bl, the source of the contamination can be identified more exactly. A later hand in Bl has made extensive corrections, removing most of Bl's errors, as well as some of F's. Many, and perhaps all, of Bl^2's corrections have come from Ad, because Bl^2 has added various errors and conjectures present in Ad and its descendants. These include:

6.15 *aut*[1] $AdBl^2$] *et* FλρBl

26.11 *quam* Bl] *qua* $AdBl^2$

33.9 *quam* $AdBl^2$] om. FλρBl

221.16 *oratorem* Bl] *auctorem* $AdBl^2$

228.20 *maiorem* Ad^cBl^2] *maioris* BFλρAdBl

274.14 *adhaeresceret* Bl] *ardesceret* $AdBl^2$

277.13 *me* Bl] *memini me* $AdBl^2$

280.14 *verisimile* Bl] *verisimiliter* $AdBl^2$.

CHAPTER 6: A TEXTUAL HISTORY OF CICERO'S *BRUTUS*[1]

6.1 *BRUTUS* BEFORE 1421

It seems that Cicero had largely completed *Brut.* by April 46 BC,[2] just a few months before he composed *Orat.*, another of his major rhetorical works. *Brut.* enjoyed a wide readership in the subsequent centuries: the text is cited or paraphrased by Valerius Maximus, Quintilian, Tacitus, Suetonius, Aulus Gellius, Ammianus Marcellinus, Diomedes, Servius, Jerome, Macrobius, and Rufinus.[3] Indeed, in the late fourth or early fifth century, Jerome, in his *Praefatio in Librum Paralipomenon*, reports that, apparently on account of its length, several people (*nonnulli*) had split the dialogue up into three parts.[4] No trace of this ancient division of the work has survived, but it further attests the wide circulation of *Brut.* in late antiquity. After Rufinus' citation of two paragraphs of *Brut.* in the fifth century, however, the evidence for an active readership dries up, and there is a long period of silence.

In the ninth century, the silence, from our perspective, was punctured by the copying of a manuscript of Cicero's rhetorical works, including *De or.*, *Orat.*, and *Brut.* as well as *Rhet. Her.* and *Inv. rhet*. This manuscript, probably copied in northern Italy in the second third of the century, and now known as the *Codex Laudensis* (L), indicates

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[1] This history owes much to the work of Remigio Sabbadini, whose findings are summarised in Sabbadini (1971), and Enrica Malcovati (1958, 1959, 1960, and 1970).

[2] On the date of composition, see Robinson (1951), Marinone (1997: 191), and Gowing (2000: 62-64).

[3] Val. Max. 8.1.2; Quint. *Inst.* 3.1.8-12, 7.9.12, et al.; Tac. *Dial*. 30.3; Suet. *Iul*. 55-56; Gell. *NA* 11.2.4; Amm. Marc. 30.4.5; Diom. in Keil, *Gramm. Lat*., i.313.9-10; Serv. *Aen*. 1.505; Jer. *Ep*. 7.1.2 (with Hagendahl (1958: 103)); Macrob. *Sat*. 6.2.34; Rufinus in D'Alessandro (2004: p. 30, l.6-19). Cassiodorus apparently alludes to *Brut.* 46 in *Var*. 1 *Ep.* 3 (see below, p. 335 n. 45). On Horace's interaction with *Brut.*, see, e.g., Feeney (2002), Goh (2018).

[4] Jerome in Migne, *PL*, xxix, col. 425: *qui* [i.e. *liber Paralipomenon*] *propter magnitudinem apud nos divisus est, quod nonnulli etiam in Bruto, Ciceronis dialogo, faciunt, ut eum in tres partes secent, cum unus a suo auctore sit editus*.

that there was at least some demand for copies of *Brut.* during the Carolingian period.[5] The text of *Brut.* in L was corrupt in many places, but it probably did originally contain the now-lost ending of the work.

After being copied, L was corrected by a second hand. In the two leaves which survive as the Cremona fragment (C), the corrections are exclusively orthographical, archaic spellings (e.g. *paullo*, *quom*) being replaced with ones current in the ninth century (*paulo*, *cum*). The corrections in this small portion of the manuscript may or may not be representative of the rest of its text. The spellings found elsewhere in *Brut.* in the descendants of L follow the same pattern as in the portions of text where C is extant: in general spellings such as *paulo* and *cum* prevail, but archaisms (e.g. 89.11 *cognita st* O^{v}U, 172.8 *quom* BF) are occasionally found. In C, the corrector seldom leaves archaic spellings untouched: he may have corrected the whole manuscript in the same way, carefully and thoroughly updating the orthography, but from time to time overlooking individual words. Nowhere, though, do the texts of C or of L's descendants suggest that L's *Brut.* contained variant readings or significant (i.e. not simply orthographical) corrections, whether introduced by the initial scribe or by the corrector.

If Bischoff (1998: 209) is right that the corrector of C is the same as the corrector of a ninth-century Quintilian (Biblioteca Ambrosiana, E 153 sup.), then L may have been corrected, and perhaps also copied, in Pavia, where the Quintilian manuscript was produced. However, since the Cremona fragment contains only a small sample of the corrector's hand, Bischoff's suggestion must remain only a possibility. Even if it can be established with confidence that the corrector of the Quintilian was the same scribe who

[5] For further discussion of L, particularly with regard to its relationship to other parts of the MS tradition of Cicero's rhetorical works, see Taylor-Briggs (2006: 102-107). The date of L depends on my identification of it with the Cremona fragment (see Chapter 2), which Bischoff (1998: 209) dates to the second third of the ninth century. On the basis of the humanist descriptions of L, Taylor-Briggs preferred a date before the ninth century.

emended the text of C, this scribe may not have remained in Pavia throughout his life, and so L may still have been copied and corrected elsewhere.

Apart from these details concerning L, little can be said about the textual history of *Brut.* in the Middle Ages. If any copies of *Brut.* were made between the ninth and fifteenth centuries, they have been lost. Nor has evidence that anyone read the text in this period survived. Nevertheless, there is one hint that the text of *Brut.* might not have fallen into total oblivion during these centuries: Richard de Fournival's mention of the work in his *Biblionomia*.[6] Richard, the Chancellor of the Cathedral of Amiens, composed the *Biblionomia c.*1240-1250, at least notionally as a catalogue of the contents of his library, and if he did own a copy of *Brut.*, this would prove that the text was known in northern France in the thirteenth century. The 28th entry in the *Biblionomia* is as follows: *Eiusdem de oratore libri tres, et quartus Brutus, et quintus Orator, in uno volumine cuius signum est littera C.*[7]

However, whether the *Biblionomia* constituted a list of the books actually possessed by Richard de Fournival, or was rather an idealised library, has been the subject of debate. Léopold Delisle (1874: 520) raised doubts about the reality of Richard's collection, but Aleksander Birkenmajer (1922)[8] identified 17 manuscripts from the BnF with items mentioned in the *Biblionomia*, thus demonstrating that Richard did possess at least some of the works he had listed. Birkenmajer's researches revealed that after Richard's death, his library had passed via Gérard d'Abbeville to the Collège de Sorbonne.[9] R. H. Rouse (1974; 1979: 138 n. 31) identified many more manuscripts from

[6] The *Biblionomia* was transcribed by Delisle (1874: 518-535). Nearly a century later, De Vleeschauwer (1965) reprinted Delisle's transcription, together with a facsimile of the MS in which it was preserved.
[7] Delisle (1874: 525).
[8] Translated into French as Birkenmajer (1970).
[9] On the formation of the library of the Sorbonne, see Rouse (1967).

Richard's library, and around a third of the 132 entries from the first section of the *Biblionomia* have now been located.

Nevertheless, there are several reasons to be cautious about whether Richard owned a copy of *Brut.* Firstly, the catalogue of the Sorbonne library contains no record of a manuscript containing *De or.*, *Brut.*, and *Orat*. Of course, there are various possible reasons why the manuscript might not have been transferred to the Sorbonne with the rest of Richard's library, and even if it had reached the Sorbonne, it might somehow have evaded the compilers of the catalogue. More serious doubts concerning the existence of this manuscript of *Brut.* arise from the similarity between Richard's entry in the *Biblionomia* and Cicero's own words in *Div*. 2.4: *Ita tres erunt de oratore, quartus Brutus, quintus Orator*. Winterbottom et al. (in Reynolds (1983: 109)) point out that Richard often appears to have been guided by *Div*. when composing the titles of his copies of Ciceronian works, and they conclude that Richard probably possessed only a *mutilus* of *De or.* and *Orat*.

More recently, Thomas Haye (2010) has given further consideration to the question of whether Richard de Fournival's *Biblionomia* describes a real or idealised library. Haye draws our attention to a metaphor employed by Richard in the introduction to the catalogue, in which he pictures his library as a garden whose fruits might help to introduce students *in secretum phylosophie cubiculum*.[10] These two images, of the library as a garden and of the goal of entering the *phylosophie cubiculum*, suggest that Richard may have aimed at least in part at describing an idealised library. This metaphor, together with the title (*Biblionomia*, rather than the more common *Catalogus*) and the careful structuring of the first section of philosophical texts into eleven shelves (*tabulae*), each

[10] Delisle (1874: 520-521); Haye (2010: 215). For a broader discussion of the garden-library metaphor with reference to medieval book collections, see Hinton (2016).

with exactly 12 volumes, led Haye to conclude that, although Richard's library is not exclusively virtual, 'l'organisation et la présentation des manuscrits et des textes dans la *Biblionomia* relèvent probablement très largement de l'idéalisation' (2010: 224). Hence, I suspect that Richard, being in possession of a *mutilus* of *De or.* and *Orat.*, used Cicero's words from *Div*. 2.4 in the description of his manuscript, and that, for the sake of completeness, he mentioned *Brut.* together with the other two texts.[11] The *Biblionomia* does not provide sufficient evidence to justify the conclusion that copies of *Brut.* were available in thirteenth-century France, and therefore, apart from L, there is no sign that copies of *Brut*. existed between the fifth and fifteenth centuries.[12]

6.2 The Discovery of the *Laudensis*

One of the key sources for the discovery of L is *Italia Illustrata*, a history composed by Flavio Biondo between 1447 and 1453. In it Biondo writes:

> … Philippus, Mediolanensis dux tertius, Gasparinum a Bergomo subditum hominem invitum Mediolanensibus edocendis Padua et Venetia evocavit, ubi id maxime adiumenti studiis eloquentiae attulit quod, repertus Laudae a summo viro Gerardo Landriano, tunc ibi episcopo, multis maximisque in ruderibus codex Ciceronis pervetustus et cuius litteras vetustiores paucissimi scirent legere, ad eius perveniens manus interitum evasit. Continebat is codex, praeter *Rhetoricorum novos* et *veteres* qui habebantur, tres quoque *De oratore* integerrimos, *Brutum de oratoribus claris* et *Oratorem ad Brutum* M. Tullii

[11] Given their absence from the Sorbonne catalogue, Richard may not even have owned a copy of *De or.* and *Orat.*, and he may have included them on his 'shelf' of 12 books on rhetoric after having judged all three to be canonical texts of classical rhetorical theory.

[12] On the basis of Haenel's catalogue (1830: 919) of the Biblioteca de los Carmelitos Delcalzos, Scarcia Piacentini (1983: 124 n. 1) suggested that the text might also have existed in Spain before the fifteenth century. However, Haenel dated one of the two MSS in the library of the Carmelites (A) incorrectly, and it is much more likely that he also erred in dating the other MS of *Brut.* than that he discovered a copy of the text from before 1421.

> Ciceronis. … et cum nullus Mediolani esset repertus qui eius vetusti codicis litteram sciret legere, Cosmus quidam egregii ingenii Cremonensis tres *De oratore* libros primus transcripsit multiplicataque inde exempla omnem Italiam desideratissimo codice repleverunt. Nos vero, cum publicis patriae tractandis negotiis, adolescentes Mediolanum adiissemus, *Brutum de claris oratoribus* primi omnium mirabili ardore ac celeritate transcripsimus, ex quo, primum Veronam Guarino, post Leonardo Iustiniano Venetias misso, omnis Italia exemplis pariter est repleta.[13]

This passage of *Italia Illustrata* supplies the basic facts of the discovery of L. A very old codex was discovered in Lodi by the bishop Gerardo Landriani 'amid a mass of ruins'.[14] This manuscript, which contained *Rhet. Her.*, *Inv. rhet.*, *De or.*, *Brut.*, and *Orat.*, subsequently ended up in the hands of Gasparino Barzizza, then in Milan. Biondo claims that Cosimo of Cremona, identified by Sabbadini as Cosimo Raimondi,[15] was the first to transcribe *De or.*, and that he himself executed the first transcription of *Brut.* from L. Biondo's account can be supplemented from several other sources.

The rediscovery of L must have taken place in 1421, and probably in the second half of the year. In a letter dated 9 January 1422, Guarino Veronese reveals that he knew by this point both that L had been discovered and that it was in the possession of Gasparino Barzizza in Milan.[16] Hence, when one allows time for the manuscript to be brought to Barzizza and for news to reach Guarino, the final months of 1421 provide a *terminus post quem non* for the discovery of L. Barzizza was in Padua between 1407 and 1421, and was still there on 19 June 1421, but he had returned to Milan by 27 October

[13] Biondo, *Italia Illustrata* (2011-2017: iii.150-152).
[14] Tr. White (Biondo (2005)).
[15] Sabbadini (1971: 86-91).
[16] Sabbadini (1915-1919: i.332-333), (1971: 99-101).

1421.[17] Since Biondo's narrative makes clear that L was brought to Barzizza while he was in Milan, we can conclude that Barzizza obtained the codex after 19 June 1421, and before the end of the year. We do not know how much time passed between Landriani's discovery of the codex and its arrival in Milan, but, given the magnitude of the discovery and the degree of scholarly excitement that it occasioned, it is unlikely that Landriani, on finding no-one in Lodi who could read the manuscript, would have delayed long before sending it on to someone with the requisite skills to be able to read it. For these reasons, the codex was probably discovered in the second half of 1421.[18]

As regards the location of the discovery, Vespasiano da Bisticci contradicts Biondo's claim that L was found in Lodi. Vespasiano, in his life of Niccolò Niccoli, writes that the ancient codex was found 'a Pavia in una chiesa antichissima, in uno cassone, ch'era stato infinito tempo non s'era mai aperto'.[19] Francesco degli Ardizzi, in his subscription to O, corroborates Vespasiano's claim that L was found in a church (*quem Gerardus Landrianus Episcopus Laudensis et Comes in archivio ecclesie sue repperit*), and the additional detail that the manuscript was found in a chest which had not been opened for a very long time is credible. However, Vespasiano must have been mistaken when he suggested that L was found in Pavia. Gerardo Landriani was Bishop of Lodi, not Pavia, and Francesco degli Ardizzi and Flavio Biondo, two men who saw the codex and who must have had contact with Barzizza, both assert that it was discovered in Lodi.[20] L was almost certainly found in the archives of Lodi Cathedral.

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[17] Mercer (1979: 128), with the bibliography he cites at 128 n. 39. See also Martellotti (1983: 468-478).

[18] As Scarcia Piacentini argues (1983: 138-139), the subscription to *Orat.* in Vat. lat. 3237 indicates that it was copied on 25 December 1422, not 25 December 1421. But even if Vat. lat. 3237 was copied in December 1421, the date of the discovery of L would not need to be moved to earlier than the likely period of June-December 1421.

[19] Vespasiano, *Le Vite*, p. 229.

[20] Biondo states this not only in *Italia Illustrata*, but also in his subscription to B (*scripsi hunc* Brutum … *ad exemplar uetustissimum repertum nuper Laude* …). The same conclusion can be

I turn now to consider what we know of the contents and condition of L at its rediscovery. Flavio Biondo is the only eyewitness of L who lists the works it contained in full. In his subscription to B, which he wrote with L in front of him on 15 October 1422, Biondo gives the contents as follows: *Rhetoricarum: ad herennium rhetorica: De oratore: Orator ad brutum: et brutus de oratoribus claris*.[21] In *Italia Illustrata*, as we have already seen, he describes the contents thus: *Rhetoricorum novos et veteres … tres quoque De oratore integerrimos, Brutum de oratoribus claris et Oratorem ad Brutum*. On the basis of Biondo's later account, the confusing opening words of the description in B (*Rhetoricarum: ad herennium rhetorica*) probably indicate the presence of both *Rhet. Her.* (known in many manuscripts as *Rhetorica nova*) and *Inv. rhet.* (also known as *Rhetorica vetus*).[22] Biondo's two lists differ as to the order of the three later works in L. Biondo's subscription, however, is surely correct, not only because it was written with L immediately in front of him, while *Italia Illustrata* was composed around thirty years later, but also because *Orat.* precedes *Brut.* in all the extant manuscripts which derive independently from L and which contain both works (DFJMOSTUX).[23] Hence, L seems,

inferred from Gasparino Barzizza's letter to Landriani, part of which is quoted below; and cf. Poggio, *Epistulae* (1984: 56).

[21] A facsimile of the subscription can be seen in Chatelain (1884-1892: pl. XXa).

[22] Because no humanist except Biondo mentions the presence of *Rhet. Her.* and *Inv. rhet.* in L, while several refer to *De or*., *Orat*., and *Brut*. (in particular, Gasparino Barzizza in *De orthographia* (Sabbadini (1971: 92)) and Giovanni Lamola in a letter to Guarino Veronese (Sabbadini (1915-1919: i.636-643))), and because no copy of *Rhet*. *Her*. or *Inv. rhet.* ever seems to have been made from L, some scholars have doubted whether L ever contained these works (Stroux (1921: 10 n. 2); Malcovati (1958: 33 n. 13)). However, as Taylor (1993: 132 n. 63) points out, Biondo would have had little reason to lie about L's contents, and since he apparently composed the subscription to B immediately after copying directly from L, he could hardly have been mistaken about its contents. Additionally, *Rhet. Her*. and *Inv. rhet*. were so widely available in the fifteenth century that another MS, even a very old one, would not have been considered valuable. (Biondo's lack of interest is evident from the way he phrases his account in *Italia Illustrata*: *Continebat is codex, praeter* Rhetoricorum novos *et* veteres *qui habebantur* ….) *Rhet*. *Her*. and *Inv*. *rhet.* may, however, have been removed and disposed of after October 1422, because Barzizza (in *De orthographia*, cited by Sabbadini (1971: 92) and quoted below), in describing the MS, mentions only *De or.*, *Orat.*, and *Brut*. See further Taylor-Briggs (2006: 105-107).

[23] See also Barzizza in *De orthographia*, quoted below.

on its rediscovery, to have contained *Rhet*. *Her*. and *Inv*. (perhaps in that order), followed by *De or*., *Orat*., and *Brut*.

L included complete copies of *De or.* and *Orat.*, but the ending of *Brut.* was lost before 1421. This is clear from a reconstruction of L's text, because the final sentence of *Brut.*, as transmitted in L's descendants, is obviously incomplete. The humanists' testimony suggests that L originally contained a complete text of *Brut.*, but that the final two pages of the manuscript were lost before it was rediscovered in Lodi. In the subscription to B, Flavio Biondo wrote: *Non erat amplius in exemplari: a quo abscisse sunt charte due: quamquam ut mihi videtur nedum charte sed pauca admodum verba deficiunt*. Biondo's words agree with the testimony of Francesco degli Ardizzi, who wrote in the colophon of O: *Non inveni plura in perveteri codice. fortunę quidem iniquitas id totum, si tamen quiddam erat, recidit.* Finally, the copyist of Bk's *Brut.* ascribes the following quotation to Gasparino Barzizza: *Deficiunt pauca, non ultra folia duo ad plus et ut ego coniecturam facio non ultra columnam. Plura enim in codice vetustissimo non comperi, ex quo in fine carte recise iniquitate fortune erant*.

I have already discussed the testimony of the humanists concerning the condition of L in Chapter 2. I will therefore merely summarise here what we know. L was several centuries old, and its script apparently rendered it difficult to read (although the humanists may have exaggerated its illegibility). It was written in columns, and it was not divided into chapters. The final two pages had apparently been cut off.

6.3 THE *LAUDENSIS* AFTER ITS REDISCOVERY

After discovering L, Gerardo Landriani found that he was unable to read it, and so he sent the codex to Gasparino Barzizza, then living in Milan, to be transcribed.[24] The actual work of transcribing the manuscript was carried out by Cosimo Raimondi of Cremona. This can be seen from the excerpt from *Italia Illustrata* quoted above, and it coheres with the details given by Barzizza in a letter written to Landriani. I cite part of the letter here:[25]

> Gasparinus Barzizius Gerardo Landriano Laudensi episcopo s. p. d.
>
> Etsi voluptate maxima affectus sim, Pater Reverendissime, quod ad me *Oratorem* a te compertum misisses; multo tamen maiore gaudio cumulari me sensi, cum a Iohanne Homodeo, homine, ut nosti, tuae dignitatis observantissimo, me amari a te plurimum intellexi. … summasque tibi gratias habeo, quod huiusce inventionis tuae socium me, ac participem primum omnium esse voluisti. feci autem, ut pro illo vetustissimo, ac pene ad nullum usum apto, novum manu hominis doctissimi scriptum, ad illud exemplar correctum alium codicem haberes; quem ad te pro tuo is defert, qui primus munus hoc a tua in eum singulari benevolentia pro me impetravit. nunc ad te librum nudum ac inornatum mitto. neque mihi enim aliter per occupationes meas licuit; nec prius exemplari [Biblioteca Ambrosiana, P 4 sup.: expediri Furiettus] a librario meo, qui hoc exemplo usus fuit, tametsi

[24] Malcovati (1958: 31) refers to 'laboriose trattative' which took place before the MS was sent to Milan. I am not sure on what basis she postulates these laborious negotiations, unless it is an undated letter, probably written by Barzizza to Landriani, in which Barzizza informs Landriani that Giovanni Omodei, an associate of Landriani's, has explained to him *mandata tua super libro* De oratore. The letter is cited by Sabbadini (1971: 85). Gasparino Barzizza was an obvious person to whom to entrust the transcription of the precious codex. Barzizza's expertise on Cicero, and on the rhetorical works in particular, was well known (Sabbadini (1971: 79-84); Mercer (1979: 72-75); Pigman III (1981)), and the proximity of Lodi to Milan, where Barzizza had just arrived, would, of course, have helped Landriani's decision.

[25] The text is taken primarily from Sabbadini (1971: 84-85), who cites only part of the letter. Where Sabbadini's text is absent, I follow Furiettus (1723). Sabbadini improved upon Furiettus's edition by comparing it to Biblioteca Ambrosiana, P 4 sup.

> instarem, potuit. ignosces itaque, Pater praestantissime; et quod a me omissum est, tu illud pro tuo arbitrio expolies, atque exornabis … Vale Mediolani.

Barzizza's letter reveals that Giovanni Omodei was responsible for bringing L from Lodi to Milan. It also corroborates Biondo's claim that Barzizza did not copy *Brut.* himself, but rather delegated the work to another (*novum manu hominis doctissimi scriptum*). Scarcia Piacentini outlines two possible interpretations of Barzizza's rather unclear account of the copies made from L. The *homo doctissimus* may be different from *librarius meus*, and *illud exemplar* and *hoc exemplum* may refer to different manuscripts. Alternatively, *homo doctissimus* and *librarius meus* are one and the same, and *exemplum* is used as a synonym for *exemplar*, with the ablative *exemplo* preferred to avoid confusion with the verb *exemplari* which precedes it. In the first scenario, the *homo doctissimus* would denote Cosimo Raimondi, who produced a direct transcription of L, and the *librarius meus* could then be a different scribe who copied Raimondi's transcription. In the second, Barzizza is describing one single transcription of L, and the reason he seeks pardon for the delay is not that he took a copy of the transcription before sending it on to Landriani, but simply that the transcription took a long time to complete. Scarcia Piacentini prefers the first interpretation, and this does seem the more natural reading of the letter. *Illud exemplar* looks back to *illo vetustissimo* (i.e. L), and *hoc exemplo*, by contrast, indicates the manuscript sent with the letter (i.e. Raimondi's transcription).[26]

In any case, on the strength of Biondo's testimony, the *homo doctissimus* who, according to Barzizza, executed the initial transcription of L, should be identified as Cosimo Raimondi. Whether Raimondi transcribed the whole of L, or only a part, remains

[26] Later, I will suggest that Raimondi's transcription is probably ρ, and that the transcription made from it for Barzizza is probably β.

unclear. Biondo claimed that he himself was the first to transcribe L's *Brut.* (Brutum de claris oratoribus *primi omnium mirabili ardore ac celeritate transcripsimus*), but this is patently false. The first part of B, the manuscript written by Biondo, was undoubtedly copied from a descendant of L, not from L itself, and so the text must already have been transcribed by the time that Biondo began his copy in October 1422. Biondo's memory may have been to blame for this error, but equally he might have believed, three decades after the events, and with both Cosimo Raimondi and Gasparino Barzizza long dead, that he could get away with exaggerating the importance of his role in the recovery of the text of *Brut*.

In view of this inaccuracy, Biondo's suggestion that Raimondi transcribed only *De or.* becomes suspicious. It would have been strange for Raimondi to have left *Orat.* and *Brut.* uncopied, given the great excitement their discovery had provoked. Additionally, Barzizza must surely have returned at least a copy of *De or.*, *Orat.*, and *Brut.* to Gerardo Landriani, and since it seems that Raimondi's transcription was the manuscript sent to the bishop, we can deduce that Raimondi transcribed all three works. (He may not have bothered to copy *Rhet. Her.* and *Inv. rhet*.) Raimondi must have finished his transcription before the copying of B in October 1422, perhaps several months before.[27]

After Raimondi's transcription was finished, Barzizza kept hold of L.[28] In his second edition of *De orthographia*, produced at some point between 1421 and 1430, Barzizza discusses the archaic use of *u* for *i* in old manuscripts:[29]

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[27] Sabbadini (1888: 109-114) argued that Raimondi's sojourn in Milan lasted from the beginning of 1422 until the middle of 1423, but he subsequently admitted (1971: 89-91) that some of the evidence he had cited related instead to Raimondi's second stay in Milan, between 1427 and 1428. Raimondi's first stay lasted nine months, and must have included some portion of the time between June 1421 and October 1422, but to locate it more precisely is not possible at present.
[28] Cf. Malcovati (1958: 32-35).
[29] Cited by Sabbadini (1971: 92) from Pavia, Biblioteca Universitaria, Aldini 253.

> Similiter *u* pro *i* in plerisque scribi non solum codices antiqui sed quorundam etiam modernorum usus testatur … Et pene omnia superlativa, velut in antiquissimo codice meo legi, ubi tres expleti *De oratore* libri ad Q. f., item *Orator ad Brutum* et alius qui *Brutus* dicitur continetur.

By the time of his revision of *De orthographia*, Barzizza evidently considered that L belonged to him. Barzizza seems to have been willing to allow others to study his ancient codex, since it was seen by Flavio Biondo in 1422, by the correctors of O in 1425, and by Giovanni Lamola in 1428.

After Raimondi finished his transcription, the next known use made of L's *Brut.* was by Flavio Biondo in his copy of the text (B), executed between 7 and 15 October 1422.[30] Biondo was only given access to L after he had started copying *Brut.*, perhaps because L was being used by another scholar. Biondo then used L as his exemplar for the remainder of *Brut.*, and he corrected the first part of his text from it.

The lost codex φ, the exemplar of F, may have been copied directly from L. Because F does not share errors with the descendants of ρ against λ, a later direct transcription of L, F must derive from L independently of Raimondi's transcription. F is not itself a direct copy of L, because it is written by the hand of Niccolò Niccoli, and because Vespasiano da Bisticci informs us that Niccoli's manuscript derives from a copy of L brought from Milan to Florence.[31] This intermediate manuscript, φ, which contained *Orat.* and *Brut.*, was probably brought to Niccoli by Giovanni Corvini, secretary of

[30] Because I have not studied the MSS of *De or.* and *Orat.*, I discuss here only the history of the descendants of L which contain *Brut.* Of the early descendants of L in which *Brut.* is absent, Giovanni Arzignano's lost MS of *Orat.*, written in the second half of 1422 for Guarino Veronese, may have been copied directly from L. Vat. lat. 3237 (probably 25 Dec 1422) and Vat. lat. 2901 may also derive from L independently of other transcriptions, either directly or via lost intermediaries. See further Scarcia Piacentini (1983), and below, p. 250 n. 88.

[31] Vespasiano, *Le Vite*, pp. 228-229: '*Orator* et *Bruto* fu mandato a Nicolaio di Lombardia, et arrecorollo gli oratori del duca Filippo, quando vennono a domandare la pace, nel tempo di papa Martino'.

Filippo Maria Visconti, the Duke of Milan.[32] The arrival of φ in Florence can be dated to April 1423, the month when Corvini travelled from Milan to Florence as part of an embassy from Filippo Maria Visconti.[33] As a result, φ must have been copied between the second half of 1421 and April 1423. The codex can perhaps be dated a little more precisely. In a letter written on 9 December 1422, Guarino Veronese reports that Corvini has a manuscript of Macrobius and asks Ugo Mazzolato to send him a copy of it:[34]

> hunc transcribendum esse cuperem ita ut eius copiam haberemus, sicut intercessione domini Marchionis [i.e. Niccolò III, Marquis of Ferrara] habuimus Ciceronem *De oratore*.

Hence, Giovanni Corvini appears to have owned a copy of *De or.* before the end of 1422, and since Corvini's manuscript of *Orat.* and *Brut.* was probably copied at around the same time as his *De or.*, it is likely that φ was copied before December 1422. Giovanni Corvini's friendships with Gasparino Barzizza and Cosimo Raimondi doubtless explain how he managed to gain access to L.[35]

By the end of 1422, then, at least two full transcriptions of L's *Brut.* had been completed, as well as Biondo's partial copy.[36] Between 1422 and 1425, nothing is known either of L or of its owner, Gasparino Barzizza. In February 1425, a letter of Barzizza reveals that he was then in Pavia.[37] He must have brought L with him to Pavia, because O was corrected from L in Pavia on 26 April 1425. The work of correcting the manuscript

[32] Giovanni Corvini had an impressive library, and several of his MSS were requested by some of the most influential humanists of the period (Sabbadini (1971: 102-104, 313-329)).
[33] Malcovati (1960: 328); cf. Sabbadini (1971: 102), Scarcia Piacentini (1983: 132).
[34] Sabbadini (1915-1919: i.356-358). Sabbadini (1971: 102) mistakenly believed that F was a twin of Corvini's *De or.*
[35] Sabbadini (1971: 316-320).
[36] See Chapter 3 for discussion of Francesco degli Ardizzi's false claim that O was copied directly from L.
[37] Sabbadini (1971: 96).

was carried out by Antonio and Simone Bossi, as well as by the author of O's subscription, Francesco degli Ardizzi.

Between 1426 and 1428, Gasparino Barzizza seems to have been lecturing in Bologna, although he was back in Milan in September 1427.[38] We do not know whether Barzizza took L with him on these journeys, but the codex was certainly in Milan in May 1428, because Giovanni Lamola, in a lengthy letter to Guarino Veronese written on 31 May 1428, makes clear that he has produced a new transcription of L in Milan. I quote the relevant parts here:[39]

> … nunc porro ad Latinum textum [i.e. of Macrob. *Sat.*] corrigendum accedam. Sed prius tamen ultimam manum et septimam addam correctionem tribus Ciceronis *De oratore* libris, *Oratori* quoque ipsi et *Bruto*, quos ex vetusto illo, fautore Cambio [i.e. Cambio Zambeccari], traduximus; velimque hos ipsos non tibi minus caros fore Macrobio ipso, quos quippe nondum vidisti proprios; et si te vidisse putas, falleris. Nec credas inconstantiam illam et volubilitatem Arzignariam [i.e. of Giovanni Arzignano] illos proprios ad nos detulisse, quoniam ille nos egregie fraudavit. Hic autem ipse codex, summae quidem venerationis et antiquitatis non vulgaris effigies, ab istis in quorum manibus <fuit> quique ex eo accurato exemplari exemplum, quod vulgatum ubique est, traduxerunt, summis ignominiis adfectus est, quippe qui multa non intellexerunt, multa abraserunt, multa mutarunt, multa addiderunt … Ego tamen quantum diligentiae ac ingenii peritiaeque in me fuit et in nonnullo antiquitatis callentissimo viro mecum idem sentiente adhibui, ut omnia secundum priorem textum restituerem, notarem etiam marginibus ubique <al>legationes istorum logodaedalorum et sane barbaricarum

[38] Mercer (1979: 135).
[39] Sabbadini (1915-1919: i.636-643).

> belluarum. Curavi etiam ut usque ad punctum minimum omnia ad veteris speciem exprimerem, etiam ubi essent nonnullae vetustatis delirationes; nam velim potius cum veteri illo delirare quam cum istis diligentibus sapere … Ex Mediolano pridie kal. iunias[40] …

Lamola's letter not only proves that L was still in existence in 1428 and that it was then located in Milan, but also reveals that Lamola had taken it upon himself, with the support of Cambio Zambeccari, to make a fresh transcription of the manuscript. That Lamola completed his transcription of L is confirmed both by a letter written in response by Guarino Veronese,[41] acknowledging receipt of the manuscript and praising Lamola's diligence in copying L, and by the subscription to U, in which the scribe writes that he has copied his text *ex emendatissimo codice Iohannis Lamole*. As I demonstrated in Chapter 3, U and its brother J are free from the errors introduced by φ, ρ, and B, and they derive from another transcription of L, λ. In view of the subscription to U, there is no difficulty in identifying λ as Giovanni Lamola's copy of L.[42] λ, when reconstructed from JU, seems to have been a very accurate transcription, containing markedly fewer errors than either ρ or B: this is certainly coherent with the level of care Lamola claimed to have taken.[43]

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[40] Lamola gives only the day and the month; the dating of the letter to 1428 was secured beyond doubt by Sabbadini (1915-1919: iii.235-237; 1971: 107) on the grounds of the mention of a plague in Verona, a reference to a speech delivered by Guarino, and the arrival of Lamola in Milan 18 months earlier.

[41] Sabbadini (1915-1919: i.643-644).

[42] Malcovati did not accept that U derived from Lamola's codex, instead suggesting that 'l'unica supposizione lecita è che U sia la copia pulita di un esemplare corretto secondo la collazione del Lamola' (1959: 180). But although Guarino, in the letter to Lamola cited above, says only that he has begun to emend his MSS from those which he has just received from Lamola (*Meos igitur emendare horum adiumento coepi, ut eos meliores faciam*), there is no reason why Guarino, or an associate such as Martino Rizzoni, should not subsequently have wanted a complete copy of Lamola's codex (Scarcia Piacentini (1983: 129)). Brightbill (1932), followed by Kumaniecki (1969: xv-xvi), believed that U's *De or.* had been contaminated from the *mutili*. This may well be the case, but U's *Brut.* is a pure copy of λ and shows no signs of contamination from elsewhere.

[43] λ has considerably fewer errors than F as well, but this does not prove that λ was a better transcription than φ.

The quality of Giovanni Lamola's transcription can be verified through the comparison of its descendants' texts, but the accuracy of his description of the state of L in 1428 cannot be tested so easily. Lamola complains of the ignominious treatment L had suffered at the hands of its previous owners: *multa abraserunt, multa mutarunt, multa addiderunt*. This phrase, frequently quoted in the scholarship on L,[44] is probably an exaggeration. Even if one leaves aside the possibility that Lamola might have erroneously attributed to his fellow humanists the emendations carried out by the ninth-century corrector of L, the alterations he claims were made to L between 1421 and 1428 do not seem to have made his reconstruction of the earlier text difficult. In fact, if one were to reconstruct L from BFρ and λ from JU, their texts of *Brut.* would differ in only a handful of places. Therefore, if Barzizza, Raimondi, Biondo, or any other fifteenth-century reader did alter L's text in any way, the changes did not obscure completely what was originally written. For this reason, and also because C shows no sign of the shameful treatment to which Lamola claims L had been subjected (*summis ignominiis adfectus est*), I suspect that if the humanists did meddle with L in any way, it was only by the addition of a few marginal annotations, interlinear glosses, emendations, and the like, and that Lamola has exaggerated the extent of their interventions. The tone of the letter, with its lengthy invective against the *depravatores* of the *Laudensis*, only part of which I cite, lends itself to this conclusion. Even in his criticism of Giovanni Arzignano, who copied *Orat.* for Guarino in 1422, Lamola is excessive. Arzignano's only crime seems to have been that he produced a rather inaccurate copy of L,[45] but Lamola accuses him of inconstancy (*inconstantiam*) and fraud (*ille nos egregie fraudavit*).[46]

[44] e.g. Stroux (1921: 14-19), Malcovati (1958: 36).
[45] Sabbadini (1915-1919: iii.236).
[46] Thomson (1969: 133-134) takes rather more seriously the accusation of fraud and suggests that Arzignano might have bought a copy of inferior quality in the hope of making profit for himself from the fee which Guarino would pay to him. It is more likely that Arzignano's copy of *Orat*. simply proved less accurate than Lamola had believed it to be.

After 1428, the history of L becomes very obscure. Since Lamola refers nowhere in his letter to Gasparino Barzizza, we do not know whether the codex was still in his possession at this time. Barzizza visited Padua and Pavia before his death in Milan in 1430,[47] but there is no evidence that he took L with him on those occasions. Barzizza apparently did not leave the codex to his son Guiniforte in his will. Pettenazzi (1955-1957: 86) speculates that he might have given the manuscript to Cosimo Raimondi, who was in Milan from 1427 to 1428,[48] but there is no proof. After being transcribed three times in 1421-1422 and once in 1428, the *Laudensis* was again lost to history.

It is only with the rediscovery of the Cremona fragment that anything further can be said of L. If I am right to identify C with L, then two folios from L were used in the sixteenth century as a cover for documents relating to a census taken of two villages near Cremona, Scandolara Ravara and Castelponzone.[49] The rest of the manuscript may have been dismembered and used for similar purposes at this time; in any case, only those two leaves of *Brut.* survive. They found their way to the Archivio di Stato in Cremona, where they were eventually identified by Isabella Pettenazzi in 1954.

6.4 Raimondi's Transcription and Barzizza's Manuscript

As has already been established, Cosimo Raimondi transcribed L in late 1421 or in 1422. If Scarcia Piacentini's interpretation of Gasparino Barzizza's letter to Gerardo Landriani is correct,[50] a copy of Raimondi's manuscript was made for Barzizza before it was sent to Landriani. Apart from this, the only detail concerning Raimondi's manuscript that can be known with confidence is that it was *nudus ac inornatus* (i.e. that it lacked

[47] Mercer (1979: 135-136).
[48] Sabbadini (1971: 89-91).
[49] Giazzi (2005: 495).
[50] See above, p. 229.

illuminations) when Barzizza sent it to the bishop.[51] Barzizza suggested that Landriani might arrange for the manuscript to be decorated (*quod a me omissum est, tu illud pro tuo arbitrio expolies, atque exornabis*), but we do not know whether Landriani acted on this suggestion.

How then do Raimondi's transcription of *Brut.* and Barzizza's copy of it fit into my stemma of the manuscripts of *Brut.*? Neither can be identified with any extant manuscript of the text.[52] I suspect that Raimondi's manuscript may be ρ, the lost exemplar of O and β, and that Barzizza's manuscript may be β. I cannot prove that this reconstruction is correct, but certain details point in this direction. Firstly, the presence of multiple copies deriving independently from β coheres well with what we know of Barzizza's manuscript. In a letter perhaps written in 1428 to Bartolomeo della Capra, the Archbishop of Milan, Barzizza says that he wanted to send his copy of *Brut.* to Bartolomeo after it had been returned to him by someone else, but that he has been unable to do so.[53] The letter implies that, by 1428, Barzizza's *Brut.* had been separated from the other texts copied from Raimondi's transcription, and it also reveals that Barzizza was willing to lend his manuscript to those who wished to obtain a copy of *Brut*. Hence, we can deduce that Barzizza's manuscript, just like β, was copied several times. Because

[51] Since Raimondi's transcription was apparently plain and unadorned, O might have been the first decorated parchment codex to derive from L. There might therefore be at least a modicum of truth in Francesco degli Ardizzi's claim that Francesco Bossi *primum veterem et superiorem codicem … in latinas et explicatas bene litteras, studioseque interpunctas, summa diligentia renovavit*.

[52] The same may not be true of Barzizza's copy of *De or.* and *Orat.*: although doubt remains, the colophon and some marginalia in Pal. lat. 1469 seem to be in Gasparino Barzizza's hand (Scarcia Piacentini (1983: 126-127), Barbero (2016: 156-158)), and this MS may therefore be a companion of Barzizza's *Brut*. Pal. lat. 1469 and O apparently derive from a common exemplar in *De or.* and *Orat.* (Stroux (1921: 123), Kumaniecki (1969: x)), just as β and O do in *Brut.*: this fact fits well with the theory that Pal. lat. 1469 and β constituted the two parts of Barzizza's MS of *De or.*, *Orat.*, and *Brut.*

[53] *Postquam* Brutus *noster ad me rediit, pater reverendissime, sepe illum, ut pollicitus eram, mittere ad te volui* (Sabbadini (1971: 93-94)). Sabbadini believed that Barzizza was referring to G, but G, although owned by Barzizza's son, does not seem to have been the MS copied from Raimondi's transcription (see above, pp. 107-109).

several of β's independent descendants are known to be of Milanese origin (BGMTX, and probably also D), β was almost certainly located in Milan, and the presence of G, owned by Guiniforte Barzizza, among β's offspring is especially suggestive.

Further evidence that ρ and β should be identified respectively as Raimondi's transcription and Barzizza's copy can be found in the chapter divisions present in ρ's progeny.[54] Gasparino Barzizza introduced chapter divisions into the *mutili* of *De or.* and *Orat.* before the discovery of L,[55] and scholars have assumed,[56] quite reasonably although without explicit proof, that Barzizza was also responsible for the transfer of these chapter divisions to the early apographs of L and for the addition of chapter divisions to *Brut*. One might expect the chapter divisions to have originated in Barzizza's manuscript, but their presence in O, which derives from ρ rather than from β, is not necessarily a problem: Barzizza, or his student Cosimo Raimondi, could have added the chapter divisions directly to Raimondi's initial transcription.[57]

The final indication is the disappearance of ρ after the copying of O in 1422. If, on the basis of its chapter divisions, one were to prefer to assign ρ to Barzizza (or, more precisely, to his *librarius*) rather than to Raimondi, one would need to explain why β, rather than ρ, was used as the exemplar of BDEMSTγ (or their ancestors). If ρ was the manuscript sent to Gerardo Landriani in Lodi, this would provide a ready explanation for the absence of extant direct copies of it from after 1422.[58]

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[54] Not all the descendants of ρ contain every chapter division (although only Cv lacks them entirely), but there is sufficient similarity between the various MSS for one to be sure that the divisions have a common origin.

[55] Sabbadini (1971: 81-82).

[56] e.g. Scarcia Piacentini (1983: 127).

[57] The supposition that chapter divisions were present in Raimondi's transcription in no way conflicts with Barzizza's description of the MS as *nudus ac inornatus*: the divisions could have been marked and space left for the decorated initials to be added subsequently.

[58] The copying of O from ρ in November 1422 would necessitate a gap of perhaps a year or more between Barzizza's receipt of L and his sending of Raimondi's transcription to Landriani. This lengthy delay would explain why Barzizza felt the need to apologise to Landriani, but was by no

If, as I have argued, Raimondi's transcription is ρ, then the transcription was copied not only by Barzizza's *librarius* but also by the scribe of O, and it was only in late 1422, at the earliest, that Raimondi's manuscript was dispatched to Lodi. Barzizza's manuscript, probably β, remained in Milan and was loaned out several times to be copied. Flavio Biondo copied the first part of B's *Brut.* from β in early October 1422. γ, the exemplar of GX, was copied at some point between 1421 and 1428, and probably between 1421 and 1423. In *c.*1428 β seems to have been sent to Bartolomeo della Capra, then based in Genoa, and, perhaps around the year 1430, β acted as the exemplar for most of T's *Brut*.[59] M was copied in Milan in the 1430s, perhaps directly from β, and from M derives Y, copied in northern Italy in the middle or third quarter of the century. Other descendants of β of less certain date are D (and its apographs QW) and S.

6.5 The Descendants of ρ

O was written in Milan in November 1422. At, a contaminated descendant of O, was in the possession of Lorenzo Benvenuti in Florence by October 1423. Since At shares errors with δ, it may derive from O via an intermediate manuscript, onto which corrections from δ had been imposed. Further work is needed to establish whether At was copied in Milan or Florence. In either case, it may be the earliest surviving copy of *Brut*. to have been in Florence.

O was corrected from L in Pavia in 1425, but it seems to have been brought back to Milan after 1425, where the final part of T's *Brut.* was copied from it *c.*1430 (if Cipriani's date (1968: 18) is to be believed). O was also used by the scribe of θ, from

means unheard of. Guarino, for example, received B from Biondo in late 1422 and only returned the codex in April 1425. Cf. also Niccoli's delays in sending copies of Cicero's rhetorical works to Aurispa and Poggio (Ullman (1960: 35-36, 61-62)).

[59] It is evident from Barzizza's letter to Bartolomeo della Capra that β was in high demand, and this fact may explain T's change of exemplar.

which three further manuscripts derive: I, copied in Emilia-Romagna between 1430 and 1450, Aj, and Ay.

More significant in the dispersion of *Brut.* was the role played by G. G, which derives from β via the lost exemplar γ, was copied by 1428, and probably between 1421 and 1423. It was owned at one time by Guiniforte Barzizza (1406-1463) and therefore may have been in the library of Guiniforte's father Gasparino. G was copied several times, since at least four independent manuscript families derive from it. The largest of these, whose parent is δ, may also be the earliest: Cy, copied in Parma, is dated to February 1428, and At, which shares errors with δ, was copied by October 1423. Another descendant of δ, Br, was probably copied in Milan before 1430, and another, Be, was copied in Parma in 1438. The location of origin of its other offspring, A and Dd, has not been established. ζ, another descendant of G, was the source of Cn, copied in northern Italy, and Bc, owned by Nicolò Arcimboldi (1404-1459), a jurist and friend of Cosimo Raimondi.[60] The third family, α, is made up of AiBqCv, with Bq copied in Milan in 1461. The fourth, deriving from ε, includes Bk and BfBa, two manuscripts of Lombard origin. Hence, the descendants of G seem to have spread throughout at least Lombardy and Emilia-Romagna.

In the second half of the fifteenth century, a contaminated family of manuscripts provides evidence that ρ had a wider impact on the transmission of *Brut*. ψ, which appears to derive in part from γ, was the source not only of Cg (in sections I-II of my collations), but also of two Florentine manuscripts: Cr, copied between 1450 and 1473, and Au, copied partially from ψ in the 1470s. However, ρ's text was dispersed even further from Milan, since the *editio princeps* (Rom), printed in Rome in 1469, shows influence from

[60] Meyenberg (1990: 77-78). On Arcimboldi, see Raponi in *Dizionario biografico degli italiani,* iii.79-81, and the bibliography cited there.

At, a descendant of O contaminated from δ. Therefore, although the descendants of ρ seem to have been limited largely to northern Italy, copies deriving from Raimondi's transcription must have travelled at least as far as Florence and Rome. Rome and Florence were such dominant centres of manuscript production in this period that they drew in strands of the tradition from all over Italy.

6.6 The Descendants of B

Flavio Biondo copied *Brut.* in Milan between 7 and 15 October 1422, partly from β and partly from L. In *Italia Illustrata*, Biondo wrote the following concerning the subsequent history of B, his copy of *Brut.*: *ex quo* [sc. *codice*] *primum Veronam Guarino, post Leonardo Iustiniano Venetias misso omnis Italia exemplis pariter est repleta*. A letter written by Guarino Veronese to Ugo Mazzolato,[61] dated to 9 December 1422, reveals that Guarino had received Biondo's copy by this point (*deinde accepi libellum quem Biondus meus … dedit*), and so Biondo must have sent the manuscript to Guarino in Verona quite soon after he finished copying it. In the letter to Mazzolato, Guarino initially writes that he is sending B with the letter, and asks Mazzolato to arrange for a copy of *Brut.* to be made for him (*sed unum oro ut, si quis apud vos non imperitus sit qui eum transcribat, et mihi exarari librum ipsum facias*). In a postscript, however, Guarino, worried about possible damage to the manuscript from the rain, changes his mind and promises to send it later with Giovanni Coado.[62] Guarino sent B to Mazzolato soon afterwards, as is evident from his next letter, written on 22 December 1422 (*aliquot iam dies misi ad te libellum illum Ciceronis, quem a Biondo susceperam*).[63] In this letter,

[61] Sabbadini (1915-1919: i.356-357).
[62] Guarino adds that he is writing a letter of thanks to Biondo: the autograph of this letter survives, for it is written in B, directly after Biondo's subscription (Sabbadini (1915-1919: i.355)).
[63] Sabbadini (1915-1919: i.361).

Guarino again asks Mazzolato to make a copy of *Brut.*, and, since he has already received two requests from Biondo for B to be returned (*hunc autem Biondus ipse geminatis ad me litteris repetit*), Guarino gives permission for Mazzolato to send it back to Biondo when he has finished copying it. Mazzolato's copy of *Brut.* survives as Bm; it derives, as one would expect, entirely from B.

Guarino, however, delayed for a long time before sending B back to Biondo. Probably in 1423, Guarino wrote to Biondo that he would send the manuscript when he had finished with it,[64] and two further letters to Biondo show that Guarino finally returned it between 13 and 18 April 1425.[65] Bi's *Brut.* may have been copied in the period between the production of Bm and the eventual return of B to Biondo in April 1425, and may help to explain why Guarino delayed for so long before sending B back to Biondo. Bi was written by Francesco Calcagnini in Mantua, and it could be a direct copy of B. Although Bi's *Orat.* is dated to September 1425, the text of *Brut.* may have been copied some months earlier, with Guarino perhaps having supplied the manuscript to Calcagnini.[66]

After B was returned to him, Biondo lent the manuscript to Leonardo Giustiniani in Venice; Giustiniani's codex is now lost. Whether B was copied again after this is unclear: the only other independent descendant to survive is Da, and its early provenance is unknown. Da is now located in Verona, though, and it may have been copied there, perhaps also in the period when B was in the possession of Guarino Veronese. It is clear from *Italia Illustrata* that Biondo believed that his manuscript contributed significantly to the diffusion of *Brut.* throughout Italy (*ex quo … omnis Italia exemplis pariter est repleta*). However, if one can judge from the extant manuscripts, B was dwarfed by both

[64] Sabbadini (1915-1919: i.373-375).
[65] Ibid., i.467-469.
[66] In *Italia Illustrata*, Biondo records only that he sent his copy of *Brut.* to Guarino and to Leonardo Giustiniani, and so it may have been Guarino, rather than Biondo, who sent B to Calcagnini in Mantua.

ρ and F in the number of offspring produced and in their geographical spread. When Biondo wrote *Italia Illustrata* in the middle of the fifteenth century, the copies of B may have been limited to Verona, Mantua, and Venice.[67] After Biondo's death in 1463, however, his claim gained more credibility, as the second printed edition of *Brut.*, VenA, was based largely on the text of Bi. Each of the next four printed editions, VenB, VenC, Nur, and Mil, derives ultimately from VenA, and hence they all include many of the distinctive readings of B and Bi. Therefore, although Biondo exaggerated the significance of the role of B in the dispersion of the manuscripts of *Brut.*, his transcription of L did have an important part to play in shaping the text of the early printed editions.

6.7 The Descendants of F

φ, containing *Orat.* and *Brut.*, was brought from Milan to Florence by Giovanni Corvini in April 1423. φ acted as the exemplar for Niccolò Niccoli's copy of *Brut.*, F, copied between April and September 1423. Corvini may have taken φ back to Milan with him after this, since F seems to have been the only manuscript copied from it. F remained in Niccoli's possession, and it was lent out as an exemplar several times in the following years. In his life of Niccoli, Vespasiano da Bisticci records that Niccoli was generous with his books, lending them out to anyone who asked,[68] and the arrival of *Brut.* and the complete text of *Orat.* in Florence would certainly have led to demand for copies.

Perhaps the first copy of F to be made was Z, completed on 1 October 1423 by the scribe Giacomo Curlo for Cosimo de' Medici. In 1424, Niccoli arranged for a copy of *Orat.* and *Brut.* to be made for Giovanni Aurispa; Aurispa, then based in Bologna,

[67] Admittedly, we do not know the place of origin of Da or of KBp, the descendants of Bi.
[68] 'Era Nicolaio liberalissimo et prestava libri a chi gliene domandava, in modo che alla sua morte n'aveva prestati a più persone volumi dugento …' (Vespasiano, *Le Vite*, p. 231); cf. Ullman (1960: 62).

acknowledged receipt of the copy in a letter to Ambrogio Traversari, written on 1 December 1424 (*accepi* Oratorem *et* Brutum*, librum tanta diligentia, tanta cura ornatum*).[69] Aurispa's manuscript has since been lost, but it must have been copied from F. On the basis of the dates of their offspring, several more independent copies of F can be dated to the period 1423-1428: π was copied by 1425, κ by *c.*1425, and Cp by 1428. ξ had probably also been copied by *c.*1425. From these four manuscripts, copies of *Brut.* were multiplied not just in Florence, but throughout Italy and even in France. On his death in 1437, Niccolò Niccoli bequeathed F, along with the rest of his library, to the Biblioteca di San Marco.[70] F was still used as an exemplar after this point, though: Al, copied in Florence in 1464, is probably a direct copy, and Ab may also have been copied directly from F in 1461.[71]

Of the descendants of F, π produced the most offspring. The first of these may have been Ad, copied by the prominent humanist Poggio Bracciolini.[72] Poggio's letters to Niccoli allowed Ullman (1960: 35-36) to date the copying of Ad to the second half of 1425.[73] In one of these letters, Poggio asked Niccoli to send him either his copy or that of Nicola de' Medici (*Itaque quam primum mitte mihi vel volumen tuum, si habes, vel dicas Nicole nostro, ut mittat ad me eundemmet librum, quem alias habui*).[74] Since Ad does not appear to derive directly from F, it may have been the manuscript of Nicola de' Medici that was eventually sent to Poggio. However, Poggio never acknowledges receipt of an exemplar of *Orat.* and *Brut.* in his letters, and so he may have obtained the

[69] Sabbadini (1931: 8, 15-20). See also Ullman (1960: 61).
[70] Ullman and Stadter (1972: 226).
[71] Bl, an undated MS, may also be a direct copy.
[72] Poggio was absent from Italy when L was discovered, but he had heard of the discovery by June 1422 (*Epistulae* (1984: 56)), and his letters to Niccoli reveal his eagerness to obtain a copy of L: *Libros Tullii* De oratore *perfectos itemque* Oratorem *et* Brutum *integros esse repertos summe gaudeo neque mihi quicquam est molestius quam quod nequeo fieri quamprimum huius particeps voluptatis* (*Epistulae* (1984: 59)).
[73] See also Malcovati (1960: 330-331).
[74] Poggio, *Epistulae* (1984: 142-143).

manuscript from an entirely different source. Poggio's letters do not provide any certain information on the provenance of π.

Ad, which Poggio copied while he was in Rome, was the source of another Roman manuscript, H, written by Johannes Swabenheym in 1429. Cm, the other independent copy of Ad, also has a Roman provenance and it too may have been copied there.[75] H is the ancestor of three manuscripts, AhBtCx, and it is also one of two sources of the text of Rom. For this latter reason, H may well have remained in Rome until at least 1469.

Another early copy of π was σ, produced between 1423 and *c.*1425. σ was the ancestor of various Florentine manuscripts in the first half of the fifteenth century. These include Ag, copied by the 'Puccini' scribe, and its offspring Ci (*c.*1442-1450),[76] as well as the lost manuscript τ. From τ derived Co, copied in Florence between 1425 and 1430 and later owned by Federico da Montefeltro, and its offspring Bn, copied by Antonio di Mario for William Gray in 1445, as well as Ax, copied in Florence in the same period as Co. Two Florentine manuscripts, Aq (copied *c.*1425) and Bs (*s.* XV$^{2/4}$), which derive partially from τ (via Ce and μ), may both have been written by Giovanni Aretino.[77] Another Florentine codex, Dc, derives from τ via Ca. Other manuscripts which derive wholly or in part from τ, but whose places of origin are unknown, include AcArCc.

Perhaps the most interesting of the sub-families deriving from π is the group of six Florentine manuscripts which descend from the lost ancestor υ: the five independent copies of υ, AaAeAfAoAs, were all copied between 1450 and 1470, and the hand of the

[75] Cm derives purely from Ad only in the first part of *Brut.* In the remainder of the text, it is more closely related to χ and its descendants (PRBh). These MSS, of uncertain date and localisation, may be contaminated descendants of Ad.

[76] Cd, of unknown provenance, also derives from Ag. It is unsurprising that Ag produced multiple copies: the 'Puccini' scribe's MSS seem often to have been used by Vespasiano da Bisticci as exemplars to be lent to his scribes (Oakley (2016: 346)).

[77] The derivation of AqBs from the same MS supports de la Mare's hypothesis (1985: 425) that the scribe of the Barcelona Eusebius (who copied Bs) was Giovanni Aretino.

scribe Leonardo di Giovanni Tolosani da Colle is found in three of them (AaAfAs). Leonardo was closely associated with the book-seller Vespasiano da Bisticci, as were several others who worked on these manuscripts (Hubertus W, Gherardo del Ciriagio, the Master of the Trivulziana Pharsalia, the 'Master of the Pear-Shaped Putti');[78] the buyers of two of these manuscripts were known clients of Vespasiano (Giovanni and Piero de' Medici).[79] Since Vespasiano da Bisticci's bookshop was in its prime in the 1450s and 1460s,[80] it seems very likely that υ was a stock exemplar owned by Vespasiano and kept ready to be lent to his scribes when a copy of Cicero's rhetorical works was ordered.

The subscription to *Orat.* in As, written by Leonardo di Giovanni Tolosani, indicates that the manuscript was copied *ex emendatissimo codice Leonardo Arretini*. Apparently, then, the exemplar for As' *Orat.* was a codex previously owned by Leonardo Bruni. Bruni died in 1444, before the copying of any of the descendants of υ, but his manuscript might subsequently have come into the possession of Vespasiano da Bisticci, and, in my view, it should be identified with υ. One might object to this identification in two ways. Firstly, Bruni's manuscript could have been a copy of υ, and secondly, As might derive from Bruni's manuscript in *Orat.* but not in *Brut.* I have already addressed the first of these objections in Chapter 5. The second could only be dealt with fully by a demonstration that the offspring of υ form a family in *Orat.* as well as in *Brut*. However, all six of υ's descendants contain both *Orat.* and *Brut.*, and it is not far-fetched to infer that υ contained *Orat.* and that As probably derives from υ in both texts.

With the exception of the Roman family deriving from Ad, the dispersion of π's descendants was limited largely to Florence. Cp's descendants, by contrast, spread

[78] De la Mare (1985: 428, 435, 459).
[79] Ibid., 428.
[80] Ibid., 401-406.

considerably further. The earliest copy of Cp may have been Bw, produced for the cardinal Guillaume Fillastre, who died in Rome in 1428. The relatives of this manuscript are Bz, copied in Friuli in 1439, and Bd, perhaps copied in Bologna. Cp also produced copies in Florence, with Cl copied for the Florentine humanist Giannozzo Manetti sometime before his death in 1459. From Cl derived another codex owned by Manetti, Ck, as well as Au, copied in Florence between 1470 and 1480, and Bj. Most striking among the descendants of Cp is the family of manuscripts deriving from ι. ApCfChCj were all copied in France in the second half of the fifteenth century. This French family provides the only certain evidence for the copying of manuscripts of *Brut.* beyond the borders of Italy in the fifteenth century. ι must have been brought from Italy to France, perhaps because of a request from a French bibliophile for a copy of Cicero's rhetorical works.

Like Cp, ξ was the source of manuscripts copied both inside and outside Florence. Az is probably Florentine, and V, copied *c.*1425, is also of Tuscan origin; N (*s.* XV$^{2/4}$), however, is Milanese, and the illuminations in Bb (1430-1460) also suggest production in Lombardy.

The last of F's independent descendants to be discussed is κ. Notable among κ's offspring is the manuscript owned by Leon Battista Alberti, Cz, which was copied between 1423 and *c.*1425.[81] κ must have been copied at least five times, since Bo, copied in Florence in the middle of the fifteenth century, Bg, Ce, and ν also derive from κ independently of other extant manuscripts. Ce was the source, via a lost manuscript μ, of two Florentine copies, Aq and Bs. From ν, however, arose many more descendants. In addition to Av, copied in Florence between 1430 and 1440, there are Cs, another Florentine manuscript copied only partially from ν, and Cw. Cs produced a further five

[81] For Alberti's interaction with *Brut.*, see McLaughlin (2009).

offspring: Cu (copied in Florence and owned at one time by Giulio Pomponio Leto)[82] and its apograph Am (perhaps copied in Venice by Giovanni Aretino), as well as Ak, copied in Bologna in 1437, Ak's parent Bx, and Cb. Cw was the source of AwBuCgCqCtDb and was also one of the major influences upon A, copied between 1450 and 1470. Of these manuscripts, Aw may have been copied in Rome, and Cq perhaps in Naples.

This survey of the descendants of F reveals a few interesting details. Firstly, there are several instances of the pattern of multiple copies deriving from the same exemplar, which is a feature of the transmission of texts in fifteenth-century Italy, and which is particularly noticeable with newly discovered texts.[83] Demand for new texts like *Brut.* was very high, especially in Florence, and this seems to have resulted in some manuscripts, like that of Niccolò Niccoli, being requested for use as exemplars again and again. Secondly, the transmission of *Brut.* bears witness to the primacy of Florence in the dispersion of classical texts in the first half of the fifteenth century. Even though *Brut.* was rediscovered in Lodi, the number of copies of the text produced in Lombardy and northern Italy seems soon to have been swamped by those produced in Florence. Because Niccolò Niccoli succeeded in obtaining early access to the text of *Brut.*, and because of his position of eminence among the humanists of fifteenth-century Florence, his manuscript played a central role in the dispersion of the work, with descendants of it being copied in Florence, Rome, Bologna, and Friuli. F's progeny spread back to Lombardy, where L was discovered, and even, in the second half of the century, to France. Thirdly, and finally, υ, which may have been the codex owned by Leonardo Bruni, was probably the manuscript lent out by Vespasiano da Bisticci to his scribes;

[82] Cs and Cu were both illuminated by Bartolomeo Varnucci.
[83] Rizzo (1995: 395-398), Oakley (2016: 345).

further investigation of this lost manuscript and its descendants may enable scholars to develop further our knowledge of the workings of Vespasiano's bookshop, which exercised great influence on the later transmission of many classical texts.

6.8 The Descendants of λ

λ, containing *De or.*, *Orat.*, and *Brut.*, was copied by Giovanni Lamola in Milan directly from L in 1428. Lamola sent λ to Guarino Veronese, together with a letter written on 31 May 1428.[84] Guarino wrote back to notify Lamola that he had received the codex, to praise Lamola for his diligence in transcribing it, and to inform him that he had begun to correct his own manuscripts of Cicero's rhetorical works from Lamola's copy:[85]

> Accepi postremo Macrobium et *Oratorem* Ciceronis,[86] quos illis probe litteris depingebas … quantum abs te servatum diligentiae; ut cum sis mirifice antiquitatis amator, illam in transcribendo effingeres et exprimeres, ut vel minima omnia ab exemplari excerpseris. Meos igitur emendare horum adiumento coepi, ut eos meliores faciam.

Afterwards, perhaps around 1433, U was copied from λ by Alessio Tedesco, an associate of Guarino. Somewhat later, a second copy, J, was made from λ. The resemblance between J's watermarks and Briquet 8441, found in documents from Bologna dated to 1455, suggests that J might have been copied in Bologna. Giovanni Lamola, who probably died in Bologna *c.*1449-1450,[87] might have taken λ back to Bologna at some point after 1433. Because of the existence of these two independent

[84] Sabbadini (1915-1919: i.636-643).
[85] Ibid., i.643-644.
[86] *Orator* is used here as a general title for the three rhetorical works (Sabbadini (1971: 107 n. 2), and cf. Barzizza's letter to Landriani, quoted above (p. 228-229)).
[87] Arbizzoni in *Dizionario biografico degli italiani*, lxiii.236; cf. Sabbadini (1890: 435).

copies, the text of λ can be reconstructed with some confidence, even though λ's *Brut*. is now lost.[88]

[88] Lamola's transcription of *De or*. is less shrouded in mystery than some scholars have believed: de la Mare (unpublished) has attributed Vat. lat. 2901 (known as V to editors of *De or*.) to the hand of Lamola. V is a direct copy of L's *De or*. (Stroux (1921: 116-118)); it contains no other works. As noted long ago by Pasquali (1932: 71), 'le "note vetus" di … Vat. 2901, V, corrispondono al metodo del Lamola così esattamente da far pensare che esse risalgano alla sua cerchia'. Additionally, according to Pellegrin et al. (1975-2010: iii/2.17), the watermarks of V resemble Briquet 2185 (Milan, 1429-1432), which fits well with V's having been copied by Lamola in Milan in 1428. A brief examination of Kumaniecki's apparatus leads me to suspect that U's *De or*. derives from V. Not only do UV share various corrections (many of these readings taken from the *mutili*), but they also share the following errors (not all significant): *De or*. 1.16 *erunt*] *erint* $U^{ac}V$; 1.161 *ea*] om. UV^{ac}: *tanta* V^{2}; 1.210 *propriae*] *propria*; 2.43 *minus est tamen* M] *tamen minus est* UV: *tamen est minus* OPR; 2.77 *ita*] *tam*; 2.262 *Corinthiis*] *Corinthis*. The matter awaits further investigation.

PART TWO
TEXT

M. TULLI CICERONIS
BRUTUS

(1) Cum e Cilicia decedens Rhodum venissem et eo mihi de Q. Hortensi morte esset allatum, opinione omnium maiorem animo cepi dolorem. Nam et amico amisso cum consuetudine iucunda tum multorum officiorum coniunctione me privatum videbam et interitu talis auguris dignitatem nostri collegi deminutam dolebam; qua in cogitatione et cooptatum me ab eo in collegium recordabar, in quo iuratus iudicium dignitatis meae fecerat, et inauguratum ab eodem, ex quo augurum institutis in parentis eum loco colere debebam. **(2)** Augebat etiam molestiam quod magna sapientium civium bonorumque penuria vir egregius coniunctissimusque mecum consiliorum omnium societate alienissimo rei publicae tempore exstinctus et auctoritatis et prudentiae suae triste nobis desiderium reliquerat; dolebamque quod non, ut plerique putabant, adversarium aut obtrectatorem laudum mearum sed socium potius et consortem gloriosi laboris amiseram. **(3)** Etenim si in leviorum artium studio memoriae proditum est poetas nobilis poetarum aequalium morte doluisse, quo tandem animo eius interitum ferre debui, cum quo certare erat gloriosius quam omnino adversarium non habere? cum praesertim non modo numquam sit aut illius a me cursus impeditus aut ab illo meus, sed contra semper alter ab altero adiutus et communicando et monendo et favendo.

(4) Sed quoniam perpetua quadam felicitate usus ille cessit e vita suo magis quam suorum civium tempore et tum occidit cum lugere facilius rem publicam posset, si viveret, quam iuvare, vixitque tam diu quam licuit in civitate bene beateque vivere, nostro incommodo detrimentoque, si est ita necesse, doleamus, illius vero mortis opportunitatem benevolentia potius quam misericordia prosequamur, ut, quotienscumque de clarissimo et beatissimo viro cogitemus, illum potius quam nosmet ipsos diligere videamur. **(5)** Nam si id dolemus, quod eo iam frui nobis non licet, nostrum est id malum; quod modice feramus, ne id non ad amicitiam sed ad domesticam utilitatem referre videamur. Sin tamquam illi ipsi acerbitatis aliquid acciderit angimur, summam eius felicitatem non satis grato animo interpretamur. **(6)** Etenim si viveret Q. Hortensius, cetera fortasse

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M. TULLI. CICERONIS. BRUTUS. INCIPIT. LEGE. FELICITER *inscr. F*: INCIPIT BRUTUS. LEGE FELICITER. *U*: incipit brutus *J*: BRUTUS SIVE DE CLARIS ORATORIBUS *D*: M. Tullii Ciceronis Brutus *in primo folio G*: Cicero de claris oratoribus *in primo folio E* **5** dolebam O^{v}] videbam *O* **8** augebat G^{c}] augebam *L* **9** <in> magna *Fuchs* **15** poetas $F^{1}J^{2}\rho$] poetae *F* (-ę *U*, -e *J*) **31** angimur *BDEGJ*^{2}*MO*] angitur $B^{v}E^{vl}FO^{v}$: augitur TX^{vl}: augimur *SX*: an igitur *λ*

desideraret una cum reliquis bonis et fortibus civibus, hunc autem aut praeter ceteros aut cum paucis sustineret dolorem, cum forum populi Romani, quod fuisset quasi theatrum illius ingeni, voce erudita et Romanis Graecisque auribus digna spoliatum atque orbatum videret.

(7) Equidem angor animo non consili, non ingeni, non auctoritatis armis egere rem publicam, quae didiceram tractare quibusque me adsuefeceram quaeque erant propria cum praestantis in re publica viri tum bene moratae et bene constitutae civitatis. Quod si fuit in re publica tempus ullum cum extorquere arma posset e manibus iratorum civium boni civis auctoritas et oratio, tum profecto fuit cum patrocinium pacis exclusum est aut errore hominum aut timore. **(8)** Ita nobismet ipsis accidit ut, quamquam essent multo magis alia lugenda, tamen hoc doleremus quod, quo tempore aetas nostra perfuncta rebus amplissimis tamquam in portum confugere deberet non inertiae neque desidiae, sed oti moderati atque honesti, cumque ipsa oratio iam nostra canesceret haberetque suam quandam maturitatem et quasi senectutem, tum arma sunt ea sumpta, quibus illi ipsi, qui didicerant iis uti gloriose, quem ad modum salutariter uterentur non reperiebant. **(9)** Itaque ii mihi videntur fortunate beateque vixisse cum in ceteris civitatibus tum maxime in nostra, quibus cum auctoritate rerumque gestarum gloria tum etiam sapientiae laude perfrui licuit. Quorum memoria et recordatio in maximis nostris gravissimisque curis iucunda sane fuit, cum in eam nuper ex sermone quodam incidissemus.

(10) Nam cum inambularem in xysto et essem otiosus domi, M. ad me Brutus, ut consueverat, cum T. Pomponio venit, homines cum inter se coniuncti tum mihi ita cari itaque iucundi ut eorum aspectu omnis quae me angebat de re publica cura consederit. Quos postquam salutavi:

Quid vos, inquam, Brute et Attice? Numquid tandem novi?

Nihil sane, inquit Brutus, quod quidem aut tu audire velis aut ego pro certo dicere audeam.

(11) Tum Atticus: Eo, inquit, ad te animo venimus, ut de re publica esset silentium et aliquid audiremus potius ex te quam te afficeremus ulla molestia.

Vos vero, inquam, Attice, et praesentem me cura levatis et absenti magna solacia dedistis. Nam vestris primum litteris recreatus me ad pristina studia revocavi.

Tum ille: Legi, inquit, perlibenter epistulam quam ad te Brutus misit ex Asia, qua mihi visus est et monere te prudenter et consolari amicissime.

(12) Recte, inquam, est visus; nam me istis scito litteris ex diuturna perturbatione totius valetudinis tamquam ad aspiciendam lucem esse revocatum. Atque ut post Cannensem illam calamitatem primum Marcelli

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1 autem aut *Ad*] autem et *L*: autem *Ernesti*: aut *Lambinus* **11** errore As^2] terrore *L* **24** venit *ζ*] venerat *L* **25** itaque] atque *O* **27** numquid *π*] nunc quid *L* **33** praesentem *DEFMλ*] praesente *BOSTγ*

ad Nolam proelio populus se Romanus erexit posteaque prosperae res deinceps multae consecutae sunt, sic post rerum nostrarum et communium gravissimos casus nihil ante epistulam Bruti mihi accidit quod vellem aut quod aliqua ex parte sollicitudines allevaret meas.

(13) Tum Brutus: Volui id quidem efficere certe et capio magnum fructum, si quidem quod volui tanta in re consecutus sum. Sed scire cupio quae te Attici litterae delectaverint.

Istae vero, inquam, Brute, non modo delectationem mihi, sed etiam, ut spero, salutem attulerunt.

Salutem? inquit ille. Quodnam tandem genus istuc tam praeclarum litterarum fuit?

An mihi potuit, inquam, esse aut gratior ulla salutatio aut ad hoc tempus aptior quam illius libri quo me hic affatus quasi iacentem excitavit?

(14) Tum ille: Nempe eum dicis, inquit, quo iste omnem rerum memoriam breviter et, ut mihi quidem visum est, perdiligenter complexus est?

Istum ipsum, inquam, Brute, dico librum mihi saluti fuisse.

Tum Atticus: Optatissimum mihi quidem est quod dicis; sed quid tandem habuit liber iste quod tibi aut novum aut tanto usui posset esse?

(15) Ille vero et nova, inquam, mihi quidem multa et eam utilitatem quam requirebam, ut explicatis ordinibus temporum uno in conspectu omnia viderem. Quae cum studiose tractare coepissem, ipsa mihi tractatio litterarum salutaris fuit admonuitque, Pomponi, ut a te ipso sumerem aliquid ad me reficiendum teque remunerandum si non pari, at grato tamen munere; quamquam illud Hesiodium laudatur a doctis, quod eadem mensura reddere iubet quae acceperis aut etiam cumulatiore, si possis. **(16)** Ego autem voluntatem tibi profecto emetiar, sed rem ipsam nondum posse videor; idque ut ignoscas a te peto. Nec enim ex novis, ut agricolae solent, fructibus est unde tibi reddam quod accepi — sic omnis fetus repressus exustusque flos siti [veteris ubertatis] exaruit — nec ex conditis, qui iacent in tenebris et ad quos omnis nobis aditus, qui paene solis patuit, obstructus est. Seremus igitur aliquid tamquam in inculto et derelicto solo; quod ita diligenter colemus ut impendiis etiam augere possimus largitatem tui muneris, modo idem noster animus efficere possit quod ager, qui cum multos annos quievit, uberiores efferre fruges solet.

(17) Tum ille: Ego vero et exspectabo ea quae polliceris, nec exigam nisi tuo commodo et erunt mihi pergrata, si solveris.

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7 attice *λ, corr. J*^{c} **14** dicis *Ad*] dices *L* | omnium *V*^{ac} | rerum <gestarum> *vel* <veterum> *Douglas*: rerum <nostrarum> *Jahn*: rerum <Romanarum> *Bake* **19** esse posset *E*^{ac}*O* **26** quae *CgDa*] quo *B*$^{\nu}$*Fλ*: qua *F*^{1}*ρ*: quod *J*^{2} **27** remetiar *Rivius* **29** repressus <est> *Bake* **30** flos siti] siti flos *Lambinus*: flos *Orelli*: flos, sic vis *Ammon* | veteris ubertatis *del. A. Eberhard* **34** cum *Mil*] quam *B*$^{\nu}$*FOλ*: sępe *EGMT* (sepe *BS*)

Mihi quoque, inquit Brutus, [et] exspectanda sunt ea quae Attico polliceris, etsi fortasse ego a te huius voluntarius procurator petam quod ipse, cui debes, incommodo <tuo> exacturum negat.

(18) At vero, inquam, tibi ego, Brute, non solvam, nisi prius a te cavero amplius eo nomine neminem, cuius petitio sit, petiturum.

Non mehercule, inquit, tibi repromittere istuc quidem ausim. Nam hunc, qui negat, video flagitatorem non illum quidem tibi molestum, sed adsiduum tamen et acrem fore.

Tum Pomponius: Ego vero, inquit, Brutum nihil mentiri puto. Videor enim iam te ausurus esse appellare, quoniam longo intervallo modo primum animadverti paulo te hilariorem. **(19)** Itaque quoniam hic quod mihi deberetur se exacturum professus est, quod huic debes ego a te peto.

Quidnam id? inquam.

Ut scribas, inquit, aliquid; iam pridem enim conticuerunt tuae litterae. Nam ut illos de re publica libros edidisti, nihil a te sane postea accepimus, iisque nosmet ipsi ad rerum nostrarum memoriam comprehendendam impulsi atque incensi sumus. Sed illa, cum poteris; atque ut possis, rogo. **(20)** Nunc vero, inquit, si es animo vacuo, expone nobis quod quaerimus.

Quidnam est id? inquam.

Quod mihi nuper in Tusculano inchoavisti de oratoribus: quando esse coepissent, qui etiam et quales fuissent. Quem ego sermonem cum ad Brutum tuum, vel nostrum potius, detulissem, magnopere hic audire se velle dixit. Itaque hunc elegimus diem, cum te sciremus esse vacuum. Quare, si tibi est commodum, ede illa quae coeperas et Bruto et mihi.

(21) Ego vero, inquam, si potuero, faciam vobis satis.

Poteris, inquit: relaxa modo paulum animum aut sane, si potes, libera.

Nempe igitur hinc tum, Pomponi, ductus est sermo, quod erat a me mentio facta causam Deiotari fidelissimi atque optimi regis ornatissime et copiosissime a Bruto me audisse defensam.

Scio, inquit, ab isto initio tractum esse sermonem teque Bruti dolentem vicem quasi deflevisse iudiciorum vastitatem et fori.

Feci, inquam, istuc quidem et saepe facio. **(22)** Nam mihi, Brute, in te intuenti crebro in mentem venit vereri ecquodnam curriculum aliquando sit habitura tua et natura admirabilis et exquisita doctrina et singularis industria. Cum enim in maximis causis versatus esses et cum tibi aetas nostra iam cederet fascisque submitteret, subito in civitate cum alia ceciderunt tum etiam ea ipsa, de qua disputare ordimur, eloquentia obmutuit.

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1 exspectanda *Bp*] et exspectanda *L*: pergrata et exspectanda *Reis* **3** tuo *add. Cv*] se tuo *add. A. Eberhard* **6** ausim G^c] ausus sim *BDEFMOSTλ*: ausum *G* **16** rerum nostrarum *Lambinus*] rerum naturalium *L*: veterum annalium *Pisanus*: rerum et magistratuum *Reis coll. Nep. Att. 18.2* **25** potero *S* **26** plane *Wetzel* **30** tractum *BFO^{v}λ*] tractatum *EMOSTγ* **33** ecquodnam *Oλ*] et quodnam *F*: quodnam *BDE^{c}O^{c}STγ* (quoddnam *EM*)

(23) Tum ille: Ceterarum rerum causa, inquit, istuc et doleo et dolendum puto; dicendi autem me non tam fructus et gloria quam studium ipsum exercitatioque delectat: quod mihi nulla res eripiet te praesertim tam studiosum et * * *. Dicere enim bene nemo potest nisi qui prudenter intellegit; quare qui eloquentiae verae dat operam, dat prudentiae, qua ne maximis quidem in bellis aequo animo carere quisquam potest.

(24) Praeclare, inquam, Brute, dicis eoque magis ista dicendi laude delector, quod cetera, quae sunt quondam habita in civitate pulcherrima, nemo est tam humilis qui se non aut posse adipisci aut adeptum putet; eloquentem neminem video factum esse victoria. Sed quo facilius sermo explicetur, sedentes, si videtur, agamus.

Cum idem placuisset illis, tum in pratulo propter Platonis statuam consedimus.

(25) Hic ego: Laudare igitur eloquentiam et quanta vis sit eius expromere quantamque iis qui sint eam consecuti dignitatem afferat, neque propositum nobis est hoc loco neque necessarium. Hoc vero sine ulla dubitatione confirmaverim, sive illa arte pariatur aliqua sive exercitatione quadam sive natura, rem unam esse omnium difficillimam. Quibus enim ex quinque rebus constare dicitur, earum una quaeque est ars ipsa magna per sese. Quare quinque artium concursus maximarum quantam vim quantamque difficultatem habeat existimari potest.

(26) Testis est Graecia, quae cum eloquentiae studio sit incensa iamdiuque excellat in ea praestetque ceteris, tamen omnis artis vetustiores habet et multo ante non inventas solum sed etiam perfectas, quam haec est a Graecis elaborata dicendi vis atque copia. In quam cum intueor, maxime mihi occurrunt, Attice, et quasi lucent Athenae tuae, qua in urbe primum se orator extulit primumque etiam monumentis et litteris oratio est coepta mandari. **(27)** Tamen ante Periclem, cuius scripta quaedam feruntur, et Thucydidem, qui non nascentibus Athenis sed iam adultis fuerunt, littera nulla est, quae quidem ornatum aliquem habeat et oratoris esse videatur. Quamquam opinio est et eum, qui multis annis ante hos fuerit, Pisistratum et paulo seniorem etiam Solonem posteaque Clisthenem multum, ut temporibus illis, valuisse dicendo. **(28)** Post hanc aetatem aliquot annis, ut

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3 res] vis *Müller* **4** studiosum. Et *L*: studioso. Et O^{2vl}: studioso mei *Orelli*: studioso et <dicendi et intellegendi magistro> *Hoffmann*: studiosum et <optumarum artium cupidum intuenti> *Kroll*: studiosum et <exercitatum audienti> *Friedrich*: studiosum et <doctum et exercitatum intuenti> *vel* <prudentem intuenti> *Amundsen*: studiosum et <dicendi et intellegendi intuenti> *ego* **5** verae *T*] verę *BGM*: vere *DEFOSλ* **8** pulcherrima $BE^1G^cJ^1M$] pulcherrime *DEFOSTγλ* **10** quod *F* **14** laudare *Ad*] laudari *L* **15** exprimere *D* | iis *Ad*] his *L* | sunt *B* **17** confirmaverim $J^1\rho$] conferam veri *Fλ* (comf- v. O^v) | illa $G^cO\lambda$] ulla $FO^{vl}\beta$ **21** habeat G^cM] habeant *BEFGM*^{c}*OSTλ* | existimare *F* **23** excellat ... praestetque BGJ^2] -et ... -atque *FOSλ*: -at ... -atque DE^1M: -et ... -etque *ETX* **24–25** a Graecis] *del. Meyer*: ab eis *Piderit*

ex Attici monumentis potest perspici, Themistocles fuit, quem constat cum prudentia tum etiam eloquentia praestitisse; post Pericles, qui cum floreret omni genere virtutis, hac tamen fuit laude clarissimus. Cleonem etiam temporibus illis turbulentum illum quidem civem, sed tamen eloquentem constat fuisse. **(29)** Huic aetati suppares Alcibiades Critias Theramenes; quibus temporibus quod dicendi genus viguerit ex Thucydidi scriptis, qui ipse tum fuit, intellegi maxime potest. Grandes erant verbis, crebri sententiis, compressione rerum breves et ob eam ipsam causam interdum subobscuri.

(30) Sed ut intellectum est quantam vim haberet accurata et facta quodam modo oratio, tum etiam magistri dicendi multi subito exstiterunt. Tum Leontinus Gorgias, Thrasymachus Calchedonius, Protagoras Abderites, Prodicus Cius, Hippias Elius in honore magno fuit; aliique multi temporibus isdem docere se profitebantur, arrogantibus sane verbis, quem ad modum causa inferior — ita enim loquebantur — dicendo fieri superior posset. **(31)** His opposuit sese Socrates, qui subtilitate quadam disputandi refellere eorum instituta solebat †verbis†. Huius ex uberrimis sermonibus exstiterunt doctissimi viri; primumque tum philosophia non illa de natura, quae fuerat antiquior, sed haec, in qua de bonis rebus et malis deque hominum vita et moribus disputatur, inventa dicitur. Quod quoniam genus ab hoc quod proposuimus abhorret, philosophos aliud in tempus reiciamus; ad oratores, a quibus digressi sumus, revertamur.

(32) Exstitit igitur iam senibus illis quos paulo ante diximus Isocrates, cuius domus cunctae Graeciae quasi ludus quidam patuit atque officina dicendi, magnus orator et perfectus magister, quamquam forensi luce caruit intraque parietes aluit eam gloriam quam nemo meo quidem iudicio est postea consecutus. Is et ipse scripsit multa praeclare et docuit alios; et cum cetera melius quam superiores, tum primus intellexit etiam in soluta oratione, dum versum effugeres, modum tamen et numerum quendam oportere servari. **(33)** Ante hunc enim verborum quasi structura et quaedam ad numerum conclusio nulla erat, aut, si quando erat, non apparebat eam dedita opera esse quaesitam — quae forsitan laus sit — verum tamen natura

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1 Atticis *θ* **5** Critias *J*^{c}] Critas *BDEFGMOSλ*: Caritas *T* **7** crebri *B*^{c}*F*^{c}] crebris *L* **13** Abderites *E*^{c}*F*^{1}] Abderitas *Fβλ*: Abderita *O* | Prodicus *EFMT*] Prodigus *BGOλ*: Prodicgus *S* | Cius *Fleckeisen*] Ceius *L* | Elius *B*] Eleius *B*^{c}*EFGMOSTλ* **17** verbis] urbanius *Vitelli*: urbanissime *Orelli*: verbis inversis *Ronconi*: acerbius *Marggraff*: versute *Sydow*: usitatis verbis *Simchen*: verbis suis *Ammon*: verba *Pinkster, qui etiam* instituta *ante* refellere *transp.*: *del. Wetzel* **26** quidem meo *BU* | quidem *om. Rufin. (D'Alessandro 30.6-19)* **27** postea] poeta *Rufin. codd. pler.* **28** melius] melius est *Rufin.* | superiores] superior *Rufin.* **29** effugeret *G*^{c} *Rufin.*

magis tum casuque non numquam, <quam> aut ratione aliqua aut ulla observatione fiebat. **(34)** Ipsa enim natura circumscriptione quadam verborum comprehendit concluditque sententiam, quae cum aptis constricta verbis est, cadit etiam plerumque numerose. Nam et aures ipsae quid plenum, quid inane sit iudicant et spiritu quasi necessitate aliqua verborum comprehensio terminatur, in quo non modo defici, sed etiam laborare turpe est.

(35) Tum fuit Lysias, ipse quidem in causis forensibus non versatus, sed egregie subtilis scriptor atque elegans, quem iam prope audeas oratorem perfectum dicere. Nam plane quidem perfectum et cui nihil admodum desit Demosthenem facile dixeris. Nihil acute inveniri potuit in iis causis quas scripsit, nihil, ut ita dicam, subdole, nihil versute, quod ille non viderit; nihil subtiliter dici, nihil presse, nihil enucleate, quo fieri possit aliquid limatius; nihil contra grande, nihil incitatum, nihil ornatum vel verborum gravitate vel sententiarum, quo quicquam esset elatius. **(36)** Huic Hyperides proximus et Aeschines fuit et Lycurgus et Dinarchus et is, cuius nulla exstant scripta, Demades aliique plures. Haec enim aetas effudit hanc copiam; et, ut opinio mea fert, sucus ille et sanguis incorruptus usque ad hanc aetatem oratorum fuit, in qua naturalis inesset, non fucatus nitor. **(37)** Phalereus enim successit iis senibus adulescens eruditissimus ille quidem horum omnium, sed non tam armis institutus quam palaestra. Itaque delectabat magis Atheniensis quam inflammabat. Processerat enim in solem et pulverem non ut e militari tabernaculo, sed ut e Theophrasti doctissimi hominis umbraculis. **(38)** Hic primus inflexit orationem et eam mollem teneramque reddidit et suavis, sicut fuit, videri maluit quam gravis, sed suavitate ea qua perfunderet animos, non qua perfringeret, et tantum ut memoriam concinnitatis suae, non, quem ad modum de Pericle scripsit Eupolis, cum delectatione aculeos etiam relinqueret in animis eorum a quibus esset auditus.

(39) Videsne igitur ut in ea ipsa urbe, in qua et nata et alta sit eloquentia, quam ea sero prodierit in lucem? si quidem ante Solonis aetatem et Pisistrati de nullo ut diserto memoriae proditum est. At hi quidem, ut populi Romani aetas est, senes, ut Atheniensium saecula numerantur, adulescentes debent videri. Nam etsi Servio Tullio regnante viguerunt, tamen multo diutius Athenae iam erant quam est Roma ad hodiernum diem. Nec tamen dubito quin habuerit vim magnam semper oratio. **(40)** Neque

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1 casu que *GS*: casu quę *MU*: casu quae *EFJOT*: casu *B* | non nunquam quam aut *Ad*^{c}] non numquam aut *L*, *Rufin. codd. quidam*: non nunquam haud *Rufin. codd. pler.*: non unquam aut *τ*: nonne quam aut *et tum* fiebat? *Reis* | ulla *Rufin.*] *om. L* **3** verborum *del. Schütz* | constricta *FJO*] constructa *U*: conscripta *DEMST*: circumscripta *Bγ* **5** et *om. β* **8** versatus *FJ*^{2}*ρ*] versatur *O*^{v}*λ* **10** cui *J*^{2}*X*^{vl}] quo *EFOλ*: in quo *BE*^{c}*G*^{vl}*MSTX*: cui quo *G* **15** esset *L Char. (Gramm. 259.3 Barwick)*] exstet *Stangl*: sit *Ellendt* **19** quo *Reiz* **21** palaestrae *Lambinus* **24** reddidit *BFG*^{c}*Oλ*] reddit *B*^{vl}*DEMSTγ* **26** et *del. Manutius* **29** ut] *del. 'alii' (teste Corrado)*: vel *Heusinger*: Brute *Martha*

enim iam Troicis temporibus tantum laudis in dicendo Ulixi tribuisset Homerus et Nestori, quorum alterum vim habere voluit, alterum suavitatem, nisi iam tum esset honos eloquentiae; neque ipse poeta hic tam [idem] ornatus in dicendo ac plane orator fuisset. Cuius etsi incerta sunt tempora, tamen annis multis fuit ante Romulum, si quidem non infra superiorem Lycurgum fuit, a quo est disciplina Lacedaemoniorum astricta legibus. **(41)** Sed studium eius generis maiorque vis agnoscitur in Pisistrato. Denique hunc proximo saeculo Themistocles insecutus est, ut apud nos, perantiquus, ut apud Atheniensis, non ita sane vetus. Fuit enim regnante iam Graeca, nostra autem civitate non ita pridem dominatu regio liberata. Nam bellum Volscorum illud gravissimum, cui Coriolanus exsul interfuit, eodem fere tempore quo Persarum bellum fuit, similisque fortuna clarorum virorum; **(42)** si quidem uterque, cum civis egregius fuisset, populi ingrati pulsus iniuria se ad hostis contulit conatumque iracundiae suae morte sedavit. Nam etsi aliter apud te est, Attice, de Coriolano, concede tamen ut huic generi mortis potius adsentiar.

At ille ridens: Tuo vero, inquit, arbitratu, quoniam quidem concessum est rhetoribus ementiri in historiis ut aliquid dicere possint argutius. Ut enim tu nunc de Coriolano, sic Clitarchus, sic Stratocles de Themistocle finxit. **(43)** Nam quem Thucydides, qui et Atheniensis erat et summo loco natus summusque vir et paulo aetate posterior, tantum <morbo> mortuum scripsit et in Attica clam humatum, addidit fuisse suspicionem veneno sibi conscivisse mortem, hunc isti aiunt, cum taurum immolavisset, excepisse sanguinem patera et eo poto mortuum concidisse. Hanc enim mortem rhetorice et tragice ornare potuerunt; illa mors vulgaris nullam praebebat materiem ad ornatum. Quare quoniam tibi ita quadrat omnia fuisse Themistocli paria et Coriolano, pateram quoque a me sumas licet, praebebo etiam hostiam, ut Coriolanus sit plane alter Themistocles.

(44) Sit sane, inquam, ut libet, de isto; et ego cautius posthac historiam attingam te audiente, quem rerum Romanarum auctorem laudare possum religiosissimum. Sed tum fere Pericles Xanthippi filius, de quo ante dixi, primus adhibuit doctrinam; quae quamquam tum nulla erat dicendi, tamen ab Anaxagora physico eruditus exercitationem mentis a reconditis abstrusisque rebus ad causas forensis popularisque facile traduxerat. Huius suavitate maxime hilaratae Athenae sunt, huius ubertatem et copiam admiratae, eiusdem vim dicendi terroremque timuerunt.

(45) Haec igitur aetas prima Athenis oratorem prope perfectum tulit. Nec enim in constituentibus rem publicam nec in bella gerentibus nec in

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3 eloquentiae *J*^{2} (-ę *EM*, -e *G*^{c}*S*)] eloquentia *BFGOTλ* | idem *del. Koch*] valde *Koch*: gravis aut idem *Friedrich* **9** Graeca *Jahn*] Graecia *L* **21** tantum morbo *Teuffel e Thuc. 1.138.4 (Νοσήσας δὲ τελευτᾷ τὸν βίον)*] tantum *L*: aegrotantem *Simon* **22** tradidit *B*: addidit<que> *Kayser* **26** ornandum *Lambinus* **27** Themistocli *M* (Tem- *E*^{c})] Themistocle *FGOSTλ* (Tem- *BE*): in Themistocle *Ad* **38** in^{2} *FO*^{2}] *om. λρ* | in^{3} *DEFGMOST*] *om. Bλ*

impeditis ac regum dominatione devinctis nasci cupiditas dicendi solet. Pacis est comes otique socia et iam bene constitutae civitatis quasi alumna quaedam eloquentia. **(46)** Itaque ait Aristoteles, cum sublatis in Sicilia tyrannis res privatae longo intervallo iudiciis repeterentur, tum primum, quod esset acuta illa gens et controversiae nata, artem et praecepta Siculos Coracem et Tisiam conscripsisse — nam antea neminem solitum via nec arte, sed accurate tamen et de scripto plerosque dicere —; scriptasque fuisse et paratas a Protagora rerum illustrium disputationes, quae nunc communes appellantur loci. **(47)** Quod idem fecisse Gorgiam, cum singularum rerum laudes vituperationesque conscripsisset, quod iudicaret hoc oratoris esse maxime proprium, rem augere posse laudando vituperandoque rursus affligere. Huic Antiphontem Rhamnusium similia quaedam habuisse conscripta; quo neminem umquam melius ullam oravisse capitis causam, cum se ipse defenderet se audiente, locuples auctor scripsit Thucydides. **(48)** Nam Lysiam primo profiteri solitum artem esse dicendi; deinde, quod Theodorus esset in arte subtilior, in orationibus autem ieiunior, orationes eum scribere aliis coepisse, artem removisse. Similiter Isocratem primo artem dicendi esse negavisse, scribere autem aliis solitum orationes, quibus in iudiciis uterentur; sed cum ex eo, quia quasi committeret contra legem ‘quo quis iudicio circumveniretur’, saepe ipse in iudicium vocaretur, orationes aliis destitisse scribere totumque se ad artis componendas transtulisse.

(49) Et Graeciae quidem oratorum partus atque fontis vides, ad nostrorum annalium rationem veteres, ad ipsorum sane recentis. Nam ante quam delectata est Atheniensium civitas hac laude dicendi, multa iam memorabilia et in domesticis et in bellicis rebus effecerat. Hoc autem studium non erat commune Graeciae, sed proprium Athenarum. **(50)** Quis enim aut Argivum oratorem aut Corinthium aut Thebanum scit fuisse temporibus illis? nisi quid de Epaminonda docto homine suspicari libet. Lacedaemonium vero usque ad hoc tempus audivi fuisse neminem. Menelaum ipsum dulcem illum quidem tradit Homerus, sed pauca dicentem. Brevitas autem laus est interdum in aliqua parte dicendi, in universa eloquentia laudem non habet. **(51)** At vero extra Graeciam magna dicendi studia fuerunt maximique huic laudi habiti honores illustre oratorum nomen

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2 et iam F^{c}] etiam *L* **3** Sicillia G^{c}: Siciliam $B^{c}DFMOS\lambda$ (Sicilliam BGT^{2}, Sicilam *E*, Scicilliam *T*) **5** controversiae nata *Marggraff*] controversia natura *L*: controversia nata G^{c}: controversiae nara *vel* controversiae nara natura *Parker*: controversa natura *Ascensius*: controversiae cupida natura *Harnecker* **7** de scripto $DE^{c}GJMT$ (descripto *BEFOSU*)] descripte *Ar*: discripte *A. Eberhard* **8** quae] qui *Marggraff (sed cf. K-S i.38)* **12** Antiphontem *BO*] Antiphoontem $DEFGMO^{v}ST\lambda$ **14** se audiente *del. Campe* **15** primum *O* **17** Isocratem *BJOS* (-en $EF^{1mg}MT$)] Socratem *FGU* (-en F^{1}) **18** aliis *om.* β **20** quo] ne *Reis coll. Clu. 151*: a quo *Jahn* **23** partus atque fetus *Ernesti*: ortus atque fontes *Jahn* **29** licet F^{ac}

reddiderunt. Nam ut semel e Piraeo eloquentia evecta est, omnis peragravit insulas atque ita peregrinata tota Asia est ut se externis oblineret moribus omnemque illam salubritatem Atticae dictionis et quasi sanitatem perderet ac loqui paene dedisceret. Hinc Asiatici oratores non contemnendi <illi> quidem nec celeritate nec copia, sed parum pressi et nimis redundantes; Rhodii saniores et Atticorum similiores. **(52)** Sed de Graecis hactenus; etenim haec ipsa forsitan fuerint non necessaria.

Tum Brutus: Ista vero, inquit, quam necessaria fuerint non facile dixerim; iucunda certe mihi fuerunt neque solum non longa, sed etiam breviora quam vellem.

Optime, inquam; sed veniamus ad nostros, de quibus difficile est plus intellegere quam quantum ex monumentis suspicari licet. **(53)** Quis enim putet aut celeritatem ingeni L. Bruto illi nobilitatis vestrae principi defuisse? qui de matre savianda ex oraculo Apollinis tam acute arguteque coniecerit; qui summam prudentiam simulatione stultitiae texerit; qui potentissimum regem clarissimi regis filium expulerit civitatemque perpetuo dominatu liberatam magistratibus annuis legibus iudiciisque devinxerit; qui collegae suo imperium abrogaverit ut e civitate regalis nominis memoriam tolleret; quod certe effici non potuisset, nisi esset oratione persuasum. **(54)** Videmus item paucis annis post reges exactos, cum plebes prope ripam Anionis ad tertium miliarium consedisset eumque montem qui Sacer appellatus est occupavisset, M’. Valerium dictatorem dicendo sedavisse discordias, eique ob eam rem honores amplissimos habitos et eum primum ob eam ipsam causam Maximum esse appellatum. Ne L. Valerium quidem Potitum arbitror non aliquid potuisse dicendo, qui post decemviralem invidiam plebem in patres incitatam legibus et contionibus suis mitigaverit. **(55)** Possumus Appium Claudium suspicari disertum, quia senatum iamiam inclinatum a Pyrrhi pace revocaverit; possumus C. Fabricium, quia sit ad Pyrrhum de captivis recuperandis missus orator; Ti. Coruncanium, quod ex pontificum commentariis longe plurimum ingenio valuisse videatur; M’. Curium, quod is tribunus plebis interrege Appio Caeco diserto homine comitia contra leges habente, cum de plebe consulem non accipiebat, patres ante auctores fieri coegerit; quod fuit permagnum nondum lege Maenia lata. **(56)** Licet aliquid etiam de M. Popilli ingenio suspicari, qui cum consul esset eodemque tempore sacrificium publicum cum laena faceret, quod erat flamen Carmentalis, plebei contra patres concitatione et seditione nuntiata, ut erat laena amictus, ita venit in contionem seditionemque cum auctoritate

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2 oblineret *vulg.*] obtineret *DOS* (opt- *BEFGMTλ*) **4** *add. Lambinus* **7** fuerunt *BD^{ac}G* **13** aut *del. Piderit* | ingeni <aut eloquentiam> *Lambinus* **14** qui *DE^{c}G^{c}MS*] quae *FJ* (quę *U*, que *F^{c}O^{v}*): quem *BEOTγ* **20** Anionis *G^{c}*] Aneonis *L*: Anienis *E^{2}O^{c}* **22** M’. *scripsi (cf. RE s.v. ‘Valerius 243’, MRR i.14)*] M. *BFOλ*: Ṁ. *DEGMT* **30** M’. *Lambinus*] M. *BDEFMOTλ*: Ṁ. *G* **31** appio *E^{2}* (ap. *BJ*)] a. P. *DEFGMO (et O^{v}, ut vid.) TU* (a. pu *S*); inter regea P. *O^{2vl}* **33** fuit *vulg.*] fuerit *L*

tum oratione sedavit. Sed eos oratores habitos esse aut omnino tum ullum eloquentiae praemium fuisse nihil sane mihi legisse videor; tantummodo coniectura ducor ad suspicandum. **(57)** Dicitur etiam C. Flaminius, is qui tribunus plebis legem de agro Gallico et Piceno viritim dividendo tulerit, qui consul apud Tarsumennum sit interfectus, ad populum valuisse dicendo. Q. etiam Maximus Verrucosus orator habitus est temporibus illis et Q. Metellus, is qui bello Punico secundo cum L. Veturio Philone consul fuit.

Quem vero exstet et de quo sit memoriae proditum eloquentem fuisse et ita esse habitum, primus est M. Cornelius Cethegus; cuius eloquentiae est auctor et idoneus quidem mea sententia Q. Ennius, praesertim cum et ipse eum audiverit et scribat de mortuo, ex quo nulla suspicio est amicitiae causa esse mentitum. **(58)** Est igitur sic apud illum in nono, ut opinor, annali:

‘Additur orator Cornelius suaviloquenti
ore Cethegus Marcus Tuditano collega
Marci filius.’

Et oratorem appellat et suaviloquentiam tribuit, quae nunc quidem non tam est in plerisque (latrant enim iam quidam oratores, non loquuntur); sed est ea laus eloquentiae certe maxima:

‘Is dictus popularibus ollis,
qui tum vivebant homines atque aevum agitabant,
flos delibatus populi’ —

(59) probe vero; ut enim hominis decus ingenium, sic ingeni ipsius lumen est eloquentia, qua virum excellentem praeclare tum illi homines florem populi esse dixerunt —

‘Suadai<que> medulla’.

Πειθὼ quam vocant Graeci, cuius effector est orator, hanc Suadam appellavit Ennius. Eius autem Cethegum medullam fuisse vult, ut, quam deam in Pericli labris scripsit Eupolis sessitavisse, huius hic medullam nostrum oratorem fuisse dixerit.

(60) At hic Cethegus consul cum P. Tuditano fuit bello Punico secundo quaestorque his consulibus M. Cato, modo plane annis CXL ante me consulem; et id ipsum nisi unius esset Enni testimonio cognitum, hunc vetustas, ut alios fortasse multos, oblivione obruisset. Illius autem aetatis qui sermo fuerit ex Naevianis scriptis intellegi potest. His enim consulibus, ut in

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3 etiam] enim *J* | Flaminius $E^{c}J^{2}O$] Flamininus $B^{vl}DEGMST$: Flamminius $E^{mg}F^{c}U$: Flamininius *J*: Flamineus *B*: Flamminium *F* **8** et *om. β* **14–15** Tuditano collega Marci *Lambinus*] studio collegam $E^{2}GO$ (s. conl- $B^{c}FT\lambda$, s. col- *BDEMS*) **19** dictus popularibus ollis *Merula*] dictus ollis popularibus olim *L*: dictus tollis popularibus olim *Gell. 12.2.3*: dictust ollis popularibus olim *Gronovius* **20** agitabant *Gell.*] agebant *L* **23** est] etiam *F*: et *S* **25** Suadaique *Mariotti*] suadat *BEFST*λ (sua dat *O*): suadai F^{1}: suadae $E^{2}F^{c}J^{c}$ (-de *M*): suadeat *DG*: suada *Gell.* **26** Πειθὼ *vulg.*] pitho *BDEFGMOS*λ: pitheo *T* **28** labris F^{c}] libris *L* | sessitavisse *vulg.*] se sitavisse *U*ρ: sesitavisse *F*: se scitavisse *J* **31** is *L*, *corr. vulg.*

veteribus commentariis scriptum est, Naevius est mortuus; quamquam Varro noster diligentissimus investigator antiquitatis putat in hoc erratum vitamque Naevi producit longius. Nam Plautus P. Claudio L. Porcio viginti annis post illos quos ante dixi consulibus mortuus est, Catone censore.

(61) Hunc igitur Cethegum consecutus est aetate Cato, qui annis IX post eum fuit consul. Eum nos ut perveterem habemus, qui L. Marcio M'. Manilio consulibus mortuus est, annis LXXXVI ipsis ante me consulem. Nec vero habeo quemquam antiquiorem, cuius quidem scripta proferenda putem, nisi quem Appi Caeci oratio haec ipsa de Pyrrho et nonnullae mortuorum laudationes forte delectant. **(62)** Et hercules hae quidem exstant; ipsae enim familiae sua quasi ornamenta ac monumenta servabant et ad usum, si quis eiusdem generis occidisset, et ad memoriam laudum domesticarum et ad illustrandam nobilitatem suam. Quamquam his laudationibus historia rerum nostrarum est facta mendosior. Multa enim scripta sunt in iis quae facta non sunt: falsi triumphi, plures consulatus, genera etiam falsa et ad plebem transitiones, cum homines humiliores in alienum eiusdem nominis infunderentur genus; ut si ego me a M'. Tullio esse dicerem, qui patricius cum Ser. Sulpicio consul anno X post exactos reges fuit.

(63) Catonis autem orationes non minus multae fere sunt quam Attici Lysiae, cuius arbitror plurimas esse — est enim Atticus, quoniam certe Athenis est et natus et mortuus et functus omni civium munere, quamquam Timaeus eum quasi Licinia et Mucia lege repetit Syracusas — et quodam modo est nonnulla in iis etiam inter ipsos similitudo: acuti sunt, elegantes faceti breves; sed ille Graecus ab omni laude felicior. **(64)** Habet enim certos sui studiosos, qui non tam habitus corporis opimos quam gracilitates consectentur; quos, valetudo modo bona sit, tenuitas ipsa delectat — quamquam in Lysia sunt saepe etiam lacerti, sic ut eo fieri nihil possit valentius; verum est certe genere toto strigosior — sed habet tamen suos laudatores, qui hac ipsa eius subtilitate admodum gaudeant.

(65) Catonem vero quis nostrorum oratorum, qui quidem nunc sunt, legit? Aut quis novit omnino? At quem virum, di boni! Mitto civem aut senatorem aut imperatorem; oratorem enim hoc loco quaerimus. Quis illo gravior in laudando, acerbior in vituperando, in sententiis argutior, in docendo edisserendoque subtilior? Refertae sunt orationes amplius centum quinquaginta, quas quidem adhuc invenerim et legerim, et verbis et rebus illustribus. Licet ex his eligant ea quae notatione et laude digna sint: omnes

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4 cos. *B*: consules *DEFGMOTλ* **5** VIIII *FG*^{c}: IIIIII *BEGMOTU* (VI *JU*^{c}, sex *D*) **6** M'. *vulg.*] M. *BDE*^{c}*FMOλ*: Ṁ. *GT*: *om. E* **7** LXXXVI *F*^{1}] LXXXIII *BDEFGMOT*^{c}*λ*: LXXXXIII *T* **9** nisi <si> *Manutius* | nonnullorum *O*: non ulle *O*^{v} **10** hae quidem *Lambinus*] aequidem *JU*^{c} (ęqu- *F*, equ- *β*): eae quidem *F*^{1} (eaequidem *U*, ee quidem *O*) **17** M'. *vulg.*] M. *BDEFOλ*: Ṁ. *GMT* **23** his *U* **25** certos sui *F*^{1}*J*^{2}*ρ*] certo sui *O*^{v}*λ* (certosui *F*) **26** delectet *Ernesti, fort. recte* **27** ut eo *Manutius*] ut et *L*: ut *Lambinus*: uti *Stangl* **30** nostrorum *Fλ*] nostrum *BDEMOγ*: nostram *T* **31** at *ρ*] ad *Fλ* **34** disserendoque *λ* **36** omnes *Rom*] omnis *L*

oratoriae virtutes in iis reperientur. **(66)** Iam vero Origines eius quem florem aut quod lumen eloquentiae non habent? Amatores huic desunt, sicuti multis iam ante saeculis et Philisto Syracusio et ipsi Thucydidi. Nam ut horum concisis sententiis, interdum etiam non satis apertis [autem] cum brevitate tum nimio acumine, offecit Theopompus elatione atque altitudine orationis suae (quod idem Lysiae Demosthenes), sic Catonis luminibus obstruxit haec posteriorum quasi exaggerata altius oratio. **(67)** Sed ea in nostris inscitia est, quod hi ipsi, qui in Graecis antiquitate delectantur eaque subtilitate quam Atticam appellant, hanc in Catone ne noverunt quidem. Hyperidae volunt esse et Lysiae. Laudo; sed cur nolunt Catones? **(68)** Attico genere dicendi se gaudere dicunt: sapienter id quidem, atque utinam imitarentur nec ossa solum sed etiam sanguinem! Gratum est tamen quod volunt. Cur igitur Lysias et Hyperides amatur, cum penitus ignoretur Cato? Antiquior est huius sermo et quaedam horridiora verba. Ita enim tum loquebantur. Id muta, quod tum ille non potuit, et adde numeros et, <ut> aptior sit oratio, ipsa verba compone et quasi coagmenta, quod ne Graeci quidem veteres factitaverunt: iam neminem antepones Catoni. **(69)** Ornari orationem Graeci putant si verborum immutationibus utantur, quos appellant τρόπους, et sententiarum orationisque formis, quae vocant σχήματα; non veri simile est quam sit in utroque genere et creber et distinctus Cato. Nec vero ignoro nondum esse satis politum hunc oratorem et quaerendum esse aliquid perfectius, quippe cum ita sit ad nostrorum temporum rationem vetus ut nullius scriptum exstet dignum quidem lectione quod sit antiquius. Sed maiore honore in omnibus artibus quam in hac una arte dicendi versatur antiquitas.

(70) Quis enim eorum qui haec minora animadvertunt non intellegit Canachi signa rigidiora esse quam ut imitentur veritatem? Calamidis dura illa quidem, sed tamen molliora quam Canachi; nondum Myronis satis ad veritatem adducta, iam tamen quae non dubites pulchra dicere; pulchriora etiam Polycliti et iam plane perfecta, ut mihi quidem videri solent. Similis in pictura ratio est, in qua Zeuxim et Polygnotum et Timanthem et eorum qui non sunt usi plus quam quattuor coloribus formas et liniamenta laudamus; at in Aetione Nicomacho Protogene Apelle iam perfecta sunt omnia. **(71)** Et nescio an reliquis in rebus omnibus idem eveniat; nihil est enim simul et inventum et perfectum; nec dubitari debet quin fuerint ante Homerum poetae, quod ex iis carminibus intellegi potest, quae apud illum et in

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4 etiam] autem *Martha* | autem *del. vulg.* **5** offecit *Wetzel*] officit *L* **6** quod ... Demosthenes *del. Schütz* **7** posteriorum *vulg.*] posterorum *FJU*^{c}*ρ*: posterum *U* | ex aggregata *U* | ea *Bake*] et *L*: etiam *Simon*: id *Heusinger* **9** ne *Camerarius*] non *L* **10** Catones *vulg.*] Catonis *L* **15** ut *Cx*] *om. L* **18** tropos *L* **19** schemata *EFλ* (schę- *GM*, schae- *DT*, scę- *B*, sce- *O*) **20** creber et *F*^{1}*J*^{2}] crebere *BDEFGJT*: crebre *E*^{c}*MOU* **24** arte *del. vulg.* **30** etiam *FOλ*] *om. β*: autem *Simon* | et iam *FO*^{2vl}] etiam *λρ* **31** Zeuxim *FU*] Zeusim *EG*^{c}*JMO*: Zeusum *BTγ* **33** Apelle *E*] Appelle *BDFGMOTλ*

Phaeacum et in procorum epulis canuntur. Quid, nostri veteres versus ubi sunt,

‘quos olim Fauni vatesque canebant,’
cum ‘neque Musarum scopulos * * *
nec dicti studiosus’ quisquam erat ‘ante hunc’?

Ait ipse de se nec mentitur in gloriando; sic enim sese res habet. Nam et Odyssia Latina est [sic in] tamquam opus aliquod Daedali et Livianae fabulae non satis dignae quae iterum legantur. **(72)** Atqui hic Livius [qui] primus fabulam C. Claudio Caeci filio et M. Tuditano consulibus docuit, anno ipso ante quam natus est Ennius, post Romam conditam autem quarto decimo et quingentesimo, ut hic ait, quem nos sequimur. Est enim inter scriptores de numero annorum controversia. Accius autem a Q. Maximo quintum consule captum Tarento scripsit Livium, annis XXX post quam eum fabulam docuisse et Atticus scribit et nos in antiquis commentariis invenimus; **(73)** docuisse autem fabulam annis post XI C. Cornelio Q. Minucio consulibus ludis Iuventatis, quos Salinator Senensi proelio voverat. In quo tantus error Acci fuit ut his consulibus XL annos natus Ennius fuerit; cui aequalis fuerit Livius: minor fuit aliquanto is qui primus fabulam dedit quam ii qui multas docuerant ante hos consules, et Plautus et Naevius. **(74)** Haec si minus apta videntur huic sermoni, Brute, Attico adsigna, qui me inflammavit studio illustrium hominum aetates et tempora persequendi.

Ego vero, inquit Brutus, et delector ista quasi notatione temporum et ad id quod instituisti, oratorum genera distinguere aetatibus, istam diligentiam esse accommodatam puto.

(75) Recte, inquam, Brute, intellegis. Atque utinam exstarent illa carmina, quae multis saeculis ante suam aetatem in epulis esse cantitata a singulis convivis de clarorum virorum laudibus in Originibus scriptum reliquit Cato. Tamen illius, quem in vatibus et Faunis adnumerat Ennius, bellum Punicum quasi Myronis opus delectat. **(76)** Sit Ennius sane, ut est certe, perfectior; qui si illum, ut simulat, contemneret, non omnia bella persequens primum illud Punicum acerrimum bellum reliquisset. Sed ipse dicit cur id faciat. ‘Scripsere’, inquit, ‘alii rem vorsibus’ — et luculente

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4–5 cum *et* quisquam erat *Ciceroni attrib. Skutsch* **4** scopulos <quisquam superarat> *Victorius* **5** <docti> dicti *Baehrens* **6** <Ennius> ipse *Schütz* **7** sic in *del. Ellendt*] sic [in] *vulg.* **8** atqui *Br*] atque *L* | qui *del. Schütz*] <est> qui *Orelli* **9** Claudio *Rom*] Clodio *L* **10** autem conditam *β* **12** Accius B^cFO^c] Actius *DEGMOU*: Attius *JT*: Atticus *B* **13** consule B^cDEG^c] consulem *BMOγ*: cos. *FU* (cons. *J*) | captum] capto *β*: et capto J^2 | Tarenti *Ernesti* **14** docuisse et] docuisset *F* **15** XII *Wetzel* **16** iuventatis *Ar*] luentatis *FGMOTλ*: luctantis *BE* | senensi $J^2U\rho$] senesi FJO^vU^c | voverat $B^cE^cFJ^2$] noverat *λρ* **17** Acci FJU^c (Accii O^c)] Actii *ρ*: Actici *U* | XXXX *FOλ*: XXX *β* **18** cui *vulg.*] quod *L*: cui si *Rom*: quoi ut *Castiglioni*: quoius si *Baehrens* | fuerit] fuit *Madvig* **19** ii *vulg.*] hi *L* **28** tamen] nam *Kroll*: ita me *Weidner* | enumerat B^c **29** bellum Punicum *Ad*] bello Punicum *Fλ*: bello Punico U^c: bello Punico eum $J^2\rho$

quidem scripserunt, etiam si minus quam tu polite. Nec vero tibi aliter videri debet, qui a Naevio vel sumpsisti multa, si fateris, vel, si negas, surripuisti.

(77) Cum hoc Catone grandiores natu fuerunt C. Flaminius C. Varro Q. Maximus Q. Metellus P. Lentulus P. Crassus, qui cum superiore Africano consul fuit. Ipsum Scipionem accepimus non infantem fuisse. Filius quidem eius, is qui hunc minorem Scipionem a Paullo adoptavit, si corpore valuisset, in primis habitus esset disertus; indicant cum oratiunculae tum historia quaedam Graeca scripta dulcissime. **(78)** Numeroque eodem fuit Sex. Aelius, iuris quidem civilis omnium peritissimus, sed etiam ad dicendum paratus.

De minoribus autem C. Sulpicius Galus, qui maxime omnium nobilium Graecis litteris studuit; isque et oratorum in numero est habitus et fuit reliquis rebus ornatus atque elegans. Iam enim erat unctior quaedam splendidior<que> consuetudo loquendi. Nam hoc praetore ludos Apollini faciente cum Thyesten fabulam docuisset, Q. Marcio Cn. Servilio consulibus mortem obit Ennius. **(79)** Erat isdem temporibus Ti. Gracchus P. f., qui bis consul et censor fuit, cuius est oratio Graeca apud Rhodios; quem civem cum gravem tum etiam eloquentem constat fuisse. P. etiam Scipionem Nasicam, qui est Corculum appellatus, qui item bis consul et censor fuit, habitum eloquentem aiunt, illius qui sacra acceperit filium; dicunt etiam L. Lentulum, qui cum C. Figulo consul fuit. Q. Nobiliorem M. f. iam patrio instituto deditum studio litterarum — qui etiam Q. Ennium, qui cum patre eius in Aetolia militaverat, civitate donavit, cum triumvirum coloniam deduxisset — et T. Annium Luscum huius Q. Fulvi collegam non indisertum dicunt fuisse; **(80)** atque etiam L. Paullus Africani pater personam principis civis facile dicendo tuebatur.

Et vero etiam tum Catone vivo, qui annos quinque et octoginta natus excessit e vita, cum quidem eo ipso anno contra Ser. Galbam ad populum summa contentione dixisset, quam etiam orationem scriptam reliquit — sed vivo Catone minores natu multi uno tempore oratores floruerunt. **(81)** Nam et A. Albinus, is qui Graece scripsit historiam, qui consul cum L. Lucullo fuit, et litteratus et disertus fuit; et tenuit cum hoc locum quendam etiam Ser. Fulvius et Numerius Fabius Pictor et iuris et litterarum et antiquitatis bene peritus; Quintusque Fabius Labeo fuit ornatus isdem fere laudibus.

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6 Paulo *L* **7** <quod> indicant *Fuchs* **11** Gallus *L* | qui *del. Ernesti* **12** in *om. O* **13** enim *om. U* | unctior] vinctior *Peter*: lautior *Orelli* **14** splendidiorque *B*] splendidior *DEFGMOTλ*: et splendidior *Rom* **16** mortem $O^2\beta$] morte *FOλ* | obit *Fλ*] obiit *ρ* **17** qui bis $F^cO^v\beta\lambda$] quibus *FO* **20** eloquentem *vulg.*] eloquentem. M. *L* | aiunt M^cO^{mg}] aliunt $FO^v\beta\lambda$ *(cf. Quint. Inst. 1.4.11)*: aūt J^c: al [*spat. vac. VI litt.*] O^{ac} | <Idaea> sacra *Stangl* **22** patrio *vulg.*] patre *L* **23** triumvirum *FJMO* (trium virum *BGTU*)] triumvir *Ad* **25** Paulus *L* **27** et[1] *Lambinus*] at *L* **33** Numerius *Martha*] Nuaserius $FO^v\lambda$: Miaserius *O*: una serius $EJ^2MT\gamma$: una ser. *B* **34** Quintusque *ρ*] Quinctusque $FO^v\lambda$: Quinctiusque F^1 | Fabius *Ar*] Fabio *L* | laudibus $F^1J\rho$] laudidus *FU*

Nam Q. Metellus, is cuius quattuor filii consulares fuerunt, in primis est habitus eloquens, qui pro L. Cotta dixit accusante Africano; cuius et aliae sunt orationes et contra Ti. Gracchum exposita est in C. Fanni annalibus. **(82)** Tum ipse L. Cotta est veterator habitus; sed C. Laelius et P. Africanus in primis eloquentes, quorum exstant orationes, ex quibus existimari de ingeniis oratorum potest. Sed inter hos aetate paulum his antecedens sine controversia Ser. Galba eloquentia praestitit; et nimirum is princeps ex Latinis illa oratorum propria et quasi legitima opera tractavit, ut egrederetur a proposito ornandi causa, ut delectaret animos, ut permoveret, ut augeret rem, ut miserationibus, ut communibus locis uteretur. Sed nescio quo modo huius, quem constat eloquentia praestitisse, exiliores orationes sunt et redolentes magis antiquitatem quam aut Laeli <aut> Scipionis aut etiam ipsius Catonis, itaque exaruerunt vix iam ut appareant.

(83) De ipsius Laeli et Scipionis ingenio quamquam ea est fama, ut plurimum tribuatur ambobus, dicendi tamen laus est in Laelio illustrior. At oratio Laeli de collegiis non melior quam de multis quam voles Scipionis; non quo illa Laeli quicquam sit dulcius aut quo de religione dici possit augustius, sed multo tamen vetustior et horridior ille quam Scipio; et cum sint in dicendo variae voluntates, delectari mihi magis antiquitate videtur et libenter verbis etiam uti paulo magis priscis Laelius. **(84)** Sed est mos hominum ut nolint eundem pluribus rebus excellere. Nam ut ex bellica laude aspirare ad Africanum nemo potest, in qua ipsa egregium Viriathi bello reperimus fuisse Laelium, sic ingeni litterarum eloquentiae sapientiae denique, etsi utrique primas, priores tamen libenter deferunt Laelio. Nec mihi ceterorum iudicio solum videtur, sed etiam ipsorum inter ipsos concessu ita tributum fuisse. **(85)** Erat omnino tum mos, ut in reliquis rebus melior, sic in hoc ipso humanior, ut faciles essent in suum cuique tribuendo.

Memoria teneo Smyrnae me ex P. Rutilio Rufo audisse, cum diceret adulescentulo se accidisse ut ex senatus consulto P. Scipio et D. Brutus, ut opinor, consules de re atroci magnaque quaererent. Nam cum in silva Sila facta caedes esset notique homines interfecti insimulareturque familia, partim etiam liberi societatis eius quae picarias de P. Cornelio L. Mummio censoribus redemisset, decrevisse senatum ut de ea re cognoscerent et statuerent consules. **(86)** Causam pro publicanis accurate, ut semper solitus

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3 <quae> contra *Kayser* **4** Cotta est *Aa*] Cottae *F* (Cottę *JMT*, Cotte *BEGOU*) **5** existimari $J^2\rho$] existimare λ (existumare *F*) **6** his] iis *Jahn* **9** ut^2 G^c] aut *L* | ut^3 $BFG^c\lambda$] aut *DEGMT* **12** *add. vulg.* **13** Catonis $FJ^c\rho$] Caπonis O^v: Cationis *J*: cat–onis *U* **14** fama *Baiter*] iam *L*: iam opinio *Rom* **16** collegis *L, corr. vulg.* **17** quo de $G^c\lambda$] quode *F*: quod e *O*: quo e β **18** vetustior O^2] venustior *L* **22** viriathi bello *Ar* (viriaci bello O^{mg})] viri athibet to *FGU* (viri athibetto *J*): viri ahibet to *MT*: viri adhibet [*spat. vac.* VI *litt.*] *O, add.* to O^v: virum athibet J^2: viri habet te *E*: a hibet to *B* **24** priores *Ad*] prioris *L* **28** smyrnae F^1] myrnae *FU* (-nę *JO*): mirnę *BGMT* (-ne *E*) **30** in silva Sila *Turnebus*] in stivas ita *FO*λ: istivas ita β: intra stivas ita J^2: estivas ita E^c **31** insimularenturque *F*

esset, eleganterque dixisse Laelium. Cum consules re audita ‘amplius’ de consili sententia pronuntiavissent, paucis interpositis diebus iterum Laelium multo diligentius meliusque dixisse iterumque eodem modo a consulibus rem esse prolatam. Tum Laelium, cum eum socii domum reduxissent egissentque gratias et ne defatigaretur oravissent, locutum esse ita: se quae fecisset honoris eorum causa studiose accurateque fecisse, sed se arbitrari causam illam a Ser. Galba, quod is in dicendo adornatior acriorque esset, gravius et vehementius posse defendi. Itaque auctoritate C. Laeli publicanos causam detulisse ad Galbam; **(87)** illum autem, quod ei viro succedendum esset, verecunde et dubitanter recepisse. Unum quasi comperendinatus medium diem fuisse, quem totum Galbam in consideranda causa componendaque posuisse; et cum cognitionis dies esset et ipse Rutilius rogatu sociorum domum ad Galbam mane venisset ut eum admoneret et ad dicendi tempus adduceret, usque illum, quoad ei nuntiatum esset consules descendisse, omnibus exclusis commentatum in quadam testudine cum servis litteratis fuisse, quorum <alii> aliud dictare eodem [a] tempore solitus esset. Interim cum esset ei nuntiatum tempus esse, exisse in aedis eo colore et iis oculis ut egisse causam, non commentatum putares. **(88)** Addebat etiam, idque ad rem pertinere putabat, scriptores illos male mulcatos exisse cum Galba; ex quo significabat illum non in agendo solum, sed etiam in meditando vehementem atque incensum fuisse. Quid multa? Magna exspectatione, plurimis audientibus, coram ipso Laelio sic illam causam tanta vi tantaque gravitate dixisse Galbam ut nulla fere pars orationis silentio praeteriretur. Itaque multis querelis multaque miseratione adhibita socios omnibus approbantibus illa disquisitione liberatos esse.

(89) Ex hac Rutilia<na> narratione suspicari licet, cum duae summae sint in oratore laudes, una subtiliter disputandi ad docendum, altera graviter agendi ad animos audientium permovendos, multoque plus proficiat is qui inflammet iudicem quam ille qui doceat, elegantiam in Laelio, vim in Galba fuisse. Quae quidem vis tum maxime cognita est, cum Lusitanis a Ser. Galba praetore contra interpositam, ut existimabatur, fidem interfectis L. Libone tribuno plebis populum incitante et rogationem in Galbam privilegi similem ferente, summa senectute, ut ante dixi, M. Cato legem suadens in

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7 adornatior *Cz^{c}, ut vid.*] adortor *EFλ*: adhortor *BE^{2}GMOT*: adhortator *O^{2}*: ornatior *J^{2}*: ardentior *Corradus*: uberior *Marggraff*: atrocior *Triller*: asperior *Moser*: acerbior *Orelli*: incitatior *Busche* **16** <alii> aliud *Manutius, qui etiam coni.* aliud <alii> | a *del. vulg.*] alii *Reis* **17** esset[1]] fuisset *B^{ac}* | colore *J^{2}ρ*] color *Fλ* **18** his *L, corr. vulg.* **19** mulcatos *Fλ*] mulctatos *β*: multatos *B^{c}J^{c}* | exisse *om. β* **25** illa disquisitione *scripsi*] illa dis quaestione *Fβλ*: illa die quaestione *O^{c}*: *O^{ac} incert., fort.* illa dies quaestione: illo die quaestione *Lambinus*: illa quaestione *vel* illa de caede quaestione *Orelli*: illa tandem quaestione *Weidner* **26** Rutiliana *An*] Rutilia *FJ^{2}ρ*: Rutila *λ*: Rutili *Orelli* **27** sint *om. β, add. G^{c}* **30** vis tum *J^{2}*] ut istum *L* | cognita est *F*] cognita st *O^{v}U*: cognita sit *J^{2}β*: cognita sunt *J*: cognita [*spat. vac.* IV *litt.*] *O^{ac}* **31** L. *Corradus*] T. *L* **32** rogationem *ρ*] rogatione *Fλ*

Galbam multa dixit; quam orationem in Origines suas rettulit, paucis ante quam mortuus est an diebus an mensibus. **(90)** Tum igitur <nihil> recusans Galba pro sese et populi Romani fidem implorans cum suos pueros tum C. Gali etiam filium flens commendabat, cuius orbitas et fletus mire miserabilis fuit propter recentem memoriam clarissimi patris; isque se tum eripuit flamma, propter pueros misericordia populi commota, sicut idem scriptum reliquit Cato. Atque etiam ipsum Libonem non infantem video fuisse, ut ex orationibus eius intellegi potest.

(91) Cum haec dixissem et paulum interquievissem: Quid igitur, inquit, est causae, Brutus, si tanta virtus in oratore Galba fuit, cur ea nulla in orationibus eius appareat? Quod mirari non possum in iis qui nihil omnino scripti reliquerunt.

Nec enim est eadem, inquam, Brute, causa non scribendi et non tam bene scribendi quam dixerint. Nam videmus alios oratores inertia nihil scripsisse, ne domesticus etiam labor accederet ad forensem — pleraeque enim scribuntur orationes habitae iam, non ut habeantur —; **(92)** alios non laborare ut meliores fiant — nulla enim res tantum ad dicendum proficit quantum scriptio; memoriam autem in posterum ingeni sui non desiderant, cum se putant satis magnam adeptos esse dicendi gloriam eamque etiam maiorem visum iri, si in existimantium arbitrium sua scripta non venerint —; alios, quod melius putent dicere se posse quam scribere, quod peringeniosis hominibus neque satis doctis plerumque contingit, ut ipsi Galbae. **(93)** Quem fortasse vis non ingeni solum sed etiam animi et naturalis quidam dolor dicentem incendebat efficiebatque ut et incitata et gravis et vehemens esset oratio; dein cum otiosus stilum prehenderat motusque omnis animi tamquam ventus hominem defecerat, flaccescebat oratio. Quod iis qui limatius dicendi consectantur genus accidere non solet, propterea quod prudentia numquam deficit oratorem, qua ille utens eodem modo possit et dicere et scribere; ardor animi non semper adest, isque cum consedit, omnis illa vis et quasi flamma oratoris exstinguitur. **(94)** Hanc igitur ob causam videtur Laeli mens spirare etiam in scriptis, Galbae autem vis occidisse.

Fuerunt etiam in oratorum numero mediocrium L. et Sp. Mummii fratres, quorum exstant amborum orationes; simplex quidem Lucius et antiquus, Spurius autem nihilo ille quidem ornatior, sed tamen astrictior; fuit enim doctus ex disciplina Stoicorum. Multae sunt Sp. Albini orationes. Sunt etiam L. et C. Aureliorum Orestarum, quos aliquo video in numero

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2 an[1] *del. Pareus, fort. recte* | nihil *add. Corradus ex Val. Max. 8.1.absol.2* (reus pro se iam nihil recusans) **4** Galli *L* **6–7** reliquit scriptum *O* **10** cause est *U* **11** apparet *L, corr. Lambinus* **21** *lac. post* scribere *fort. statuenda est* **21–22** quod peringeniosis] peringeniosis quidem *Cavarzere* **22** ut] quod *Cavarzere* **26** flaccescebat G^c] flaccesciebat *L* **27** iis *BDEMOTX*] his *Fλ*: is *G* **28** illa *J* **33** Mummii G^cO^c] Mummi *L* **35** illo *λ* **36** ex *vulg.*] et *L*: e G^c **37** c. aureliorum *F*] caureliorum *BDOλ*: cauteliorum *EGMT*

oratorum fuisse. **(95)** P. etiam Popillius cum civis egregius tum non indisertus fuit; Gaius vero filius eius disertus. Gaiusque Tuditanus cum omni vita atque victu excultus atque expolitus, tum eius elegans est habitum etiam orationis genus. Eodemque in genere est habitus is qui iniuria accepta fregit Ti. Gracchum patientia, civis in rebus optimis constantissimus M. Octavius.

At vero M. Aemilius Lepidus, qui est Porcina dictus, isdem temporibus fere quibus Galba sed paulo minor natu, et summus orator est habitus et fuit, ut apparet ex orationibus, scriptor sane bonus. **(96)** Hoc in oratore Latino primum mihi videtur et levitas apparuisse illa Graecorum et verborum comprehensio et iam artifex, ut ita dicam, stilus. Hunc studiose duo adulescentes ingeniosissimi et prope aequales C. Carbo et Ti. Gracchus audire soliti sunt; de quibus iam dicendi locus erit, cum de senioribus pauca dixero. Q. enim Pompeius non contemptus orator temporibus illis fuit, qui summos honores homo per se cognitus sine ulla commendatione maiorum est adeptus. **(97)** Tum L. Cassius multum potuit non eloquentia, sed dicendo tamen; homo non liberalitate, ut alii, sed ipsa tristitia et severitate popularis, cuius quidem legi tabellariae M. Antius Briso tribunus plebis diu restitit M. Lepido consule adiuvante; eaque res P. Africano vituperationi fuit, quod eius auctoritate de sententia deductus Briso putabatur. Tum duo Caepiones multum clientis consilio et lingua, plus auctoritate tamen et gratia sublevabant. Sex. Pompei sunt scripta nec nimis extenuata, quamquam veterum est similis, et plena prudentiae. **(98)** P. Crassum valde probatum oratorem isdem fere temporibus accepimus, qui et ingenio valuit et studio et habuit quasdam etiam domesticas disciplinas. Nam et cum summo illo oratore Ser. Galba, cuius Gaio filio filiam suam collocaverat, affinitate sese devinxerat et, cum esset P. Muci filius fratremque haberet P. Scaevolam, domi ius civile cognoverat. In eo industriam constat summam fuisse maximamque gratiam, cum et consuleretur plurimum et diceret. **(99)** Horum aetatibus adiuncti duo C. Fannii C. M. filii fuerunt; quorum Gai filius, qui consul cum Domitio fuit, unam orationem de sociis et nomine Latino contra Gracchum reliquit sane et bonam et nobilem.

Tum Atticus: Quid ergo? Estne ista Fanni? Nam varia opinio pueris nobis erat: alii a C. Persio litterato homine scriptam esse aiebant, illo quem significat valde doctum esse Lucilius; alii multos nobilis quod quisque potuisset in illam orationem contulisse.

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1 Popilius *BEFMOTλ*: Pupillius *G* **2** Gaiusque *FO*^{v}*λ* (Caiusque *E*^{c}, C.que *B*)] gravisque *DEGJ*^{2}*MO*: griusque *T* **5** civis *E*^{2vl}*FG*^{c}*M*] cuius *BDEGOTλ* **8** minor *E*^{2vl}*J*^{2}*M*] minus *BDEFGOTλ* **10** levitas *Fβλ*] lenitas *J*^{2}*O* **11** etiam *L, corr. Faber* **17** liberalitate] hilaritate *Ad*^{1} | tristitia *F*^{1}*ρ*] tristia *Fλ* **18** legit abellariae *F* **21** clientes *FOλ*: dicentes *β* **22** Sex. *Madvig*] sed *L* **23** est] sit *O* **28** constat industriam summam *B*: industriam summam constat *U* **30** Fannii *G*^{c}] Fanni *L* **32** <C.> Gracchum *Jahn*

(100) Tum ego: Audivi equidem ista, inquam, de maioribus natu, sed numquam sum adductus ut crederem; eamque suspicionem propter hanc causam credo fuisse, quod Fannius in mediocribus oratoribus habitus esset, oratio autem vel optima esset illo quidem tempore orationum omnium. Sed nec eiusmodi est ut a pluribus confusa videatur — unus enim sonus est totius orationis et idem stilus — nec de Persio reticuisset Gracchus, cum ei Fannius de Menelao Maratheno et de ceteris obiecisset; praesertim cum Fannius numquam sit habitus elinguis. Nam et causas defensitavit et tribunatus eius arbitrio et auctoritate P. Africani gestus non obscurus fuit. **(101)** Alter autem C. Fannius, M. filius, C. Laeli gener, et moribus et ipso genere dicendi durior. Is soceri instituto, quem, quia cooptatus in augurum collegium non erat, non admodum diligebat, praesertim cum ille Q. Scaevolam sibi minorem natu generum praetulisset — cui tamen Laelius se excusans non genero minori dixit se illud, sed maiori filiae detulisse — is tamen instituto Laeli Panaetium audiverat. Eius omnis in dicendo facultas historia ipsius non ineleganter scripta perspici potest, quae neque nimis est infans neque perfecte diserta. **(102)** Mucius autem augur quod pro se opus erat ipse dicebat, ut de pecuniis repetundis contra T. Albucium. Is oratorum in numero non fuit, iuris civilis intellegentia atque omni prudentiae genere praestitit. L. Coelius Antipater scriptor, quem ad modum videtis, fuit ut temporibus illis luculentus, iuris valde peritus, multorum etiam, ut L. Crassi, magister.

(103) Utinam in Ti. Graccho Gaioque Carbone talis mens ad rem publicam bene gerendam fuisset, quale ingenium ad bene dicendum fuit; profecto nemo his viris gloria praestitisset. Sed eorum alter propter turbulentissimum tribunatum, ad quem ex invidia foederis Numantini bonis iratus accesserat, ab ipsa re publica est interfectus; alter propter perpetuam in populari ratione levitatem morte voluntaria se a severitate iudicum vindicavit. Sed fuit uterque summus orator. **(104)** Atque hoc memoria patrum teste dicimus; nam et Carbonis et Gracchi habemus orationes nondum satis splendidas verbis, sed acutas prudentiaeque plenissimas. Fuit Gracchus diligentia Corneliae matris a puero doctus et Graecis litteris eruditus. Nam semper habuit exquisitos e Graecia magistros, in iis iam adulescens Diophanem Mytilenaeum Graeciae temporibus illis disertissimum. Sed ei breve tempus ingeni augendi et declarandi fuit. **(105)** Carbo, cui vita suppeditavit, est in multis iudiciis causisque cognitus. Hunc qui audierant prudentes homines, in quibus familiaris noster L. Gellius, qui

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6 ei *Gruter*] et *L* **7** Menelao *vulg.*] Menelauo $E^{c}FMO\lambda$: Menelano *BET*: Nicolao J^{2} **11** durior is G^{c}] durioris *L* | coaptatus OU^{ac} **16** historia *L (cf. Fam. 2.19.1)*] ex historia *Ar* **18** Ti. λ | Albucium *FO*] Albutium $\beta\lambda$ **30** dicimus *BDEFMO*$\gamma\lambda$] didicimus $B^{c}E^{vl}G^{vl}O^{vl}TX^{vl}$ **34** Diophanem F^{c}] Diaphanem *BEFGMO*λ (Dya- *T*) | Mytilenaeum J^{2}] Mut- *BDEFO*λ: Mit- $E^{c}G$: Mult- *M* **35** ei *Lambinus*] et *L* **36** cui *Frotscher*] quo *FU*ρ: quo ad *J*: quod *Manutius*

se illi contubernalem in consulatu fuisse narrabat, canorum oratorem et volubilem et satis acrem atque eundem et vehementem et valde dulcem et perfacetum fuisse dicebat; addebat industrium etiam et diligentem et in exercitationibus commentationibusque multum operae solitum esse ponere. **(106)** Hic optimus illis temporibus est patronus habitus eoque forum tenente plura fieri iudicia coeperunt. Nam et quaestiones perpetuae hoc adulescente constitutae sunt, quae antea nullae fuerunt; L. enim Piso tribunus plebis legem primus de pecuniis repetundis Censorino et Manilio consulibus tulit — ipse etiam Piso et causas egit et multarum legum aut auctor aut dissuasor fuit, isque et orationes reliquit, quae iam evanuerunt, et annalis sane exiliter scriptos —; et iudicia populi, quibus aderat Carbo, iam magis patronum desiderabant tabella data; quam legem L. Cassius Lepido et Mancino consulibus tulit.

(107) Vester etiam D. Brutus M. filius, ut ex familiari eius L. Accio poeta sum audire solitus, et dicere non inculte solebat et erat cum litteris Latinis tum etiam Graecis, ut temporibus illis, eruditus. Quae tribuebat idem Accius etiam Q. Maximo L. Paulli nepoti; et vero ante Maximum illum Scipionem, quo duce privato Ti. Gracchus occisus esset, cum omnibus in rebus vehementem tum acrem aiebat in dicendo fuisse. **(108)** Tum etiam P. Lentulus ille princeps ad rem publicam dumtaxat quod opus esset satis habuisse eloquentiae dicitur; isdemque temporibus L. Furius Philus perbene Latine loqui putabatur litteratiusque quam ceteri; P. Scaevola valde prudenter et acute; paulo etiam copiosius nec multo minus prudenter M'. Manilius. Appi Claudi volubilis sed paulo fervidior oratio. Erat in aliquo numero etiam M. Fulvius Flaccus et C. Cato Africani sororis filius, mediocres oratores; etsi Flacci scripta sunt, sed ut studiosi litterarum. Flacci autem aemulus P. Decius fuit non infans ille quidem, sed ut vita sic oratione etiam turbulentus. **(109)** M. Drusus C. f., qui in tribunatu C. Gracchum collegam iterum tribunum fregit, vir et oratione gravis et auctoritate; eique proxime adiunctus C. Drusus frater fuit. Tuus etiam gentilis, Brute, M. Pennus facete agitavit in tribunatu C. Gracchum, paulum aetate antecedens. Fuit enim M. Lepido et L. Oreste consulibus quaestor Gracchus, tribunus Pennus, illius Marci filius qui cum Q. Aelio consul fuit; sed is omnia summa sperans aedilicius est mortuus. Nam de T. Flaminino, quem ipse vidi, nihil accepi nisi Latine diligenter locutum.

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3 esse *GX*^{ac} | dicebant addebant *Lambinus* **4** commentationibusque *Aa*] commendationibusque *FJρ* (come- *U*^{c}): comendationibus *U* **16** tribuebat *Lallemand*] tribuerat *L* **17** Pauli *L* **18** esset] est *Ar* **21** isdem *U* | Pilus *L* **22** litteratiusque *FO*] litteratusque *DEMTγλ* (lite- *B*) **23** M'. *Baiter*] M. *BEFGOTλ*: Μ. *M* **26** sunt <gratiora> *Fuchs* **29** fregit *Pisanus*] fecit *B*^{c}*DEFGJMOTU*^{c}: febcit *B*: fecerat *U* | vir *FO*^{γ}*λ*] iure *ρ* **30** frater *om. β* | etiam *FO*^{γ}*λ*] et *ρ* **31** facete *Lambinus*] facile *L*: faecem *Carcopino*: facete peregrinos *Martha* | C. Gracchum paulum *vulg.*] paulum C. Gracchum *L* | <ei> aetate *Stangl* **32** M.] L. *β*

(110) His adiuncti sunt C. Curio M. Scaurus P. Rutilius C. Gracchus. De Scauro et Rutilio breviter licet dicere, quorum neuter summi oratoris habuit laudem et uterque in multis causis versatus. Erat in quibusdam laudandis viris, etiam si maximi ingeni non essent, probabilis tamen industria; quamquam his quidem non omnino ingenium, sed oratorium ingenium defuit. Neque enim refert videre quid dicendum sit, nisi id queas solute et suaviter dicere; ne id quidem satis est, nisi id quod dicitur fit voce vultu motuque conditius. **(111)** Quid dicam opus esse doctrina? Sine qua etiam si quid bene dicitur adiuvante natura, tamen id, quia fortuito fit, semper paratum esse non potest. In Scauri oratione, sapientis hominis et tecti, gravitas summa et naturalis quaedam inerat auctoritas, non ut causam, sed ut testimonium dicere putares, cum pro reo diceret. **(112)** Hoc dicendi genus ad patrocinia mediocriter aptum videbatur, ad senatoriam vero sententiam, cuius erat ille princeps, vel maxime; significabat enim non prudentiam solum, sed, quod maxime rem continebat, fidem. Habebat hoc a natura ipsa, quod a doctrina non facile posset; quamquam huius quoque ipsius rei, quem ad modum scis, praecepta sunt. Huius et orationes sunt et tres ad L. Fufidium libri scripti de vita ipsius acta sane utiles, quos nemo legit; at Cyri vitam et disciplinam legunt, praeclaram illam quidem, sed neque tam nostris rebus aptam nec [tamen] Scauri laudibus anteponendam. **(113)** Ipse etiam Fufidius in aliquo patronorum numero fuit.

Rutilius autem in quodam tristi et severo genere dicendi versatus est. Erat uterque natura vehemens et acer; itaque cum una consulatum petivissent, non ille solum, qui repulsam tulerat, accusavit ambitus designatum competitorem, sed Scaurus etiam absolutus Rutilium in iudicium vocavit. Multaque opera multaque industria Rutilius fuit, quae erat propterea gratior, quod idem magnum munus de iure respondendi sustinebat. **(114)** Sunt eius orationes ieiunae; multa praeclara de iure; doctus vir et Graecis litteris eruditus, Panaeti auditor, prope perfectus in Stoicis; quorum peracutum et artis plenum orationis genus scis tamen esse exile nec satis populari adsensioni accommodatum. Itaque illa, quae propria est huius disciplinae, philosophorum de se ipsorum opinio firma in hoc viro et stabilis inventa est. **(115)** Qui cum innocentissimus in iudicium vocatus esset, quo iudicio convulsam penitus scimus esse rem publicam, cum essent eo tempore eloquentissimi viri L. Crassus et M. Antonius consulares, eorum adhibere neutrum voluit. Dixit ipse pro sese et pauca C. Cotta, quod sororis

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3 et *L (cf. §204)*] at *Ernesti*: etsi *Schneider* | versatus <est> *Madvig* **4** probabilis *vulg.*] probabiles *BDEFGMOλ*: probabille *T* **5** oratorium *FXλ*] oratorum *BDEGMOT* **6** videre G^{c}] videri *L* **11** tecti *DEFGMOTλ*] recti BF^{c}, *pler. edd.* **12** cum ... diceret *om. β* **15** continet *Campe* | hoc habebat *O* **17** huius ... sunt *om. β* | et[1]] etiam *U* **18** acta] lectu *Geel* **20** tamen *om. D* **23** erat *Jahn*] et *L* | consolatum $E^{ac}F^{ac}U^{ac}$ **28** praeclare *Ernesti*: <et> praeclara *Orelli* **29** eruditus J^{c}] eruditi *L* **33** qui cum *vulg.*] qui quam *FJρ*: quamquam *U* **35** consulares *om. O*

erat filius — et is quidem tamen ut orator, quamquam erat admodum adulescens — sed Q. Mucius enucleate ille quidem et polite, ut solebat, nequaquam autem ea vi atque copia quam genus illud iudici et magnitudo causae postulabat.

(116) Habemus igitur in Stoicis oratoribus Rutilium, Scaurum in antiquis; utrumque tamen laudemus, quoniam per illos ne haec quidem in civitate genera hac oratoria laude caruerunt. Volo enim ut in scaena sic etiam in foro non eos modo laudari, qui celeri motu et difficili utantur, sed eos etiam quos statarios appellant, quorum sit illa simplex in agendo veritas, non molesta. **(117)** Et quoniam Stoicorum est facta mentio, Q. Aelius Tubero fuit illo tempore, L. Paulli nepos; nullo in oratorum numero, sed vita severus et congruens cum ea disciplina quam colebat, paulo etiam durior; qui quidem in triumviratu iudicaverit contra P. Africani avunculi sui testimonium vacationem augures, quo minus iudiciis operam darent, non habere; sed ut vita sic oratione durus incultus horridus; itaque honoribus maiorum respondere non potuit. Fuit autem constans civis et fortis et in primis Graccho molestus, quod indicat Gracchi in eum oratio; sunt etiam in Gracchum Tuberonis. Is fuit mediocris in dicendo, doctissimus in disputando.

(118) Tum Brutus: Quam hoc idem in nostris contingere intellego quod in Graecis, ut omnes fere Stoici prudentissimi in disserendo sint et id arte faciant sintque architecti paene verborum, idem traducti a disputando ad dicendum inopes reperiantur. Unum excipio Catonem, in quo perfectissimo Stoico summam eloquentiam non desiderem; quam exiguam in Fannio, ne in Rutilio quidem magnam, in Tuberone nullam video fuisse.

(119) Et ego: Non, inquam, Brute, sine causa, propterea quod istorum in dialecticis omnis cura consumitur; vagum illud orationis et fusum et multiplex non adhibetur genus. Tuus autem avunculus, quem ad modum scis, habet a Stoicis id quod ab illis petendum fuit, sed dicere didicit a dicendi magistris eorumque more se exercuit. Quod si omnia a philosophis essent petenda, Peripateticorum institutis commodius fingeretur oratio. **(120)** Quo magis tuum, Brute, iudicium probo, qui eorum [id est ex vetere Academia] philosophorum sectam secutus es, quorum in doctrina atque praeceptis disserendi ratio coniungitur cum suavitate dicendi et copia; quamquam ea ipsa Peripateticorum Academicorumque consuetudo in ratione dicendi talis est ut nec perficere oratorem possit ipsa per sese nec sine ea orator esse perfectus. Nam ut Stoicorum astrictior est oratio aliquantoque contractior quam aures populi requirunt, sic illorum liberior et latior quam patitur consuetudo iudiciorum et fori. **(121)** Quis enim uberior

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2 sed *L*] et *Bake* **5** habeamus *Madvig, fort. recte*: locemus *Friedrich* **8** etiam *om. B* **11** Pauli *L* **13** iudicaverit *FOU*] iudicaverat *Jβ* **17** <C.> Graccho *Jahn* **30** more se] mores *F* **31** Peripateticorum <atque Academicorum> *Martha* **32–33** *del. Lambinus* **36** docendi *Martha*

in dicendo Platone? Iovem sic [ut] aiunt philosophi, si Graece loquatur, loqui. Quis Aristotele nervosior, Theophrasto dulcior? Lectitavisse Platonem studiose, audivisse etiam Demosthenes dicitur — idque apparet ex genere et granditate verborum; dicit etiam in quadam epistula hoc ipse de sese — sed et huius oratio in philosophiam translata pugnacior, ut ita dicam, videatur et illorum in iudicia pacatior.

(122) Nunc reliquorum oratorum aetates, si placet, et gradus persequamur.

Nobis vero, <inquit> Atticus, et vehementer quidem, ut pro Bruto etiam respondeam.

Curio fuit igitur eiusdem aetatis fere sane illustris orator, cuius de ingenio ex orationibus eius existimari potest; sunt enim et aliae et pro Ser. Fulvio de incestu nobilis oratio. Nobis quidem pueris haec omnium optima putabatur, quae vix iam comparet in hac turba novorum voluminum.

(123) Praeclare, inquit Brutus, teneo qui istam turbam voluminum effecerit.

Et ego, inquam, intellego, Brute, quem dicas; certe enim et boni aliquid attulimus iuventuti, magnificentius quam fuerat genus dicendi et ornatius; et nocuimus fortasse, quod veteres orationes post nostras non a me quidem — meis enim illas antepono — sed a plerisque legi sunt desitae.

Me numera, inquit, in plerisque; quamquam video mihi multa legenda iam te auctore quae antea contemnebam.

(124) Atqui haec, inquam, de incestu laudata oratio puerilis est locis multis: de amore, de tormentis, de rumore loci sane inanes, verum tamen nondum tritis nostrorum hominum auribus nec erudita civitate tolerabiles. Scripsit etiam alia nonnulla et multa dixit et illustria et in numero patronorum fuit, ut eum mirer, cum et vita suppeditavisset et splendor ei non defuisset, consulem non fuisse.

(125) Sed ecce in manibus vir et praestantissimo ingenio et flagranti studio et doctus a puero C. Gracchus. Noli enim putare quemquam, Brute, pleniorem aut uberiorem ad dicendum fuisse.

Et ille: Sic prorsus, inquit, existimo atque istum de superioribus paene solum lego.

Immo plane, inquam, Brute, legas censeo. Damnum enim illius immaturo interitu res Romanae Latinaeque litterae fecerunt. **(126)** Utinam non tam fratri pietatem quam patriae praestare voluisset! Quam ille facile tali ingenio, diutius si vixisset, vel paternam esset vel avitam gloriam consecutus! Eloquentia quidem nescio an habuisset parem neminem. Grandis est verbis, sapiens sententiis, genere toto gravis. Manus extrema

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1 sic J^c] sicut $FJ^{ac}J^2$ *(ut vid.)* $U\rho$: sic ut illum *Reis* **3** ex] et *FT* **6** videatur *Ernesti*] videtur *L* **9** *add. vulg.* **14** putabatur $FO^c\lambda$] putabantur ρ **17** intellego inquam *Schütz*: [inquam] intellego *Friedrich* **21** me numera inquit *Weidner*] enumera inquit *L*: numera inquit me *Ernesti* **26** illustria *Ar*] illustri ρ (inl- $F\lambda$) **34** immo] imo *O*: *del. Weidner*

non accessit operibus eius: praeclare inchoata multa, perfecta non plane. Legendus, inquam, est hic orator, Brute, si quisquam alius, iuventuti; non enim solum acuere, sed etiam alere ingenium potest.

(127) Huic successit aetati C. Galba, Servi illius eloquentissimi viri filius, P. Crassi eloquentis et iuris periti gener. Laudabant hunc patres nostri, favebant etiam propter patris memoriam, sed cecidit in cursu. Nam rogatione Mamilia Iugurthinae coniurationis invidia, cum pro sese ipse dixisset, oppressus est. Exstat eius peroratio, qui epilogus dicitur; qui tanto in honore pueris nobis erat ut eum etiam ediscremus. Hic, qui in collegio sacerdotum esset, primus post Romam conditam iudicio publico est condemnatus. **(128)** P. Scipio, qui est in consulatu mortuus, non multum ille quidem nec saepe dicebat, sed et Latine loquendo cuivis erat par et omnis sale facetiisque superabat. Eius collega L. Bestia <a> bonis initiis orsus tribunatus — nam P. Popillium vi C. Gracchi expulsum sua rogatione restituit — vir et acer et non indisertus, tristis exitus habuit consulatus. Nam invidiosa lege [Manilia quaestio] C. Galbam sacerdotem et quattuor consularis, L. Bestiam C. Catonem Sp. Albinum civemque praestantissimum L. Opimium, Gracchi interfectorem, a populo absolutum, cum is contra populi studium stetisset, Gracchani iudices sustulerunt.

(129) Huius dissimilis in tribunatu reliquaque omni vita civis improbus C. Licinius Nerva non indisertus fuit. C. Fimbria temporibus isdem fere, sed longius aetate provectus, habitus est sane, ut ita dicam, luculentus patronus; asper maledicus, genere toto paulo fervidior atque commotior, diligentia tamen et virtute animi atque vita bonus auctor in senatu; idem tolerabilis patronus nec rudis in iure civili et cum virtute tum etiam ipso orationis genere liber; cuius orationes pueri legebamus, quas iam reperire vix possumus. **(130)** Atque etiam <acri> ingenio et sermone eleganti, valetudine incommoda C. Sextius Calvinus fuit; qui etsi, cum remiserant dolores pedum, non deerat in causis, tamen id non saepe faciebat. Itaque consilio eius cum volebant homines utebantur, patrocinio cum licebat. Isdem temporibus M. Brutus, in quo magnum fuit, Brute, dedecus generi vestro,

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4 C. *vulg.*] P. *L* | Servi illius *vulg.*] Servilius *L* **7** Mamilia *Fλ*] Manilia *BEF²MOT*: Mavilia *G* **9** qui in *FJ*^{c}*ρ*] qu. in *J*: qum *U*: cum *U*^{c} **12** cuivis *BEFGMTU*] cuius *DJO* **13** *add. Müller* **14** Popillium *FU*] Popilium *JO*: Pupillium *BGMT*: pupillum *E* **16** lege *Peter*] lege Manilia quaestio *BDEFMOTλ*: lege Mavilia quaestio *G*: illa quaestione *Piderit*: lege Mamilia *Ernesti*: lege Mamilia quaestorium *Kroll*: lege Mamilia quaestio cum esset *Lichtenfeld* **17** Bestiam] Bestiam et *O* **21** C.^{1}] P. *Martha* **22** luculentus] lutulentus *Jahn*: truculentus *Ernesti*: turbulentus *Ammon* | patronus *del. Ernesti* **23** paulo *BEFMO*] pavilo *G*^{c}*O*^{v}*Tλ*: pavilio *G* **25** virtute] veritate *Martha* **27** atque etiam acri *Hendrickson*] atque etiam *BDEFOλ*: atque etam *MTX* (atque e tam *G*): acuto etiam *Kayser*: atque et acri *Friedrich* **28** fuit *om. GU* **30** patrocinio *F*^{1}*λρ*] patricinio *FO*^{v} | *lac. ante* isdem *stat. Douglas* **31** in quo] *del. Jahn*: isque non *Reis* | dedecus *Bq*^{c}] genus *L*: decus *Bq, Reis*: vulnus *Rom*: caenum *Stangl*

qui, cum tanto nomine esset patremque optimum virum habuisset et iuris peritissimum, accusationem factitaverit, ut Athenis Lycurgus. Is magistratus non petivit, sed fuit accusator vehemens et molestus, ut facile cerneres naturale quoddam stirpis bonum degeneravisse vitio depravatae voluntatis. **(131)** Atque eodem tempore accusator de plebe L. Caesulenus fuit, quem ego audivi iam senem, cum ab L. Salevio multam lege Aquilia de <damno> iniuria petivisset. Non fecissem hominis paene infimi mentionem, nisi iudicarem qui suspiciosius aut criminosius diceret audivisse me neminem. Doctus etiam Graecis T. Albucius vel potius paene Graecus. Loquor ut opinor; sed licet ex orationibus iudicare. Fuit autem Athenis adulescens, perfectus Epicureus evaserat, minime aptum ad dicendum genus.

(132) Iam Q. Catulus non antiquo illo more, sed hoc nostro, nisi quid fieri potest perfectius, eruditus: multae litterae, summa non vitae solum atque naturae sed orationis etiam comitas, incorrupta quaedam Latini sermonis integritas. Quae perspici cum ex orationibus eius potest tum facillime ex eo libro quem de consulatu et de rebus gestis suis conscriptum molli et Xenophonteo genere sermonis misit ad A. Furium poetam, familiarem suum; qui liber nihilo notior est quam illi tres, de quibus ante dixi, Scauri libri.

(133) Tum Brutus: Mihi quidem, inquit, nec iste notus est nec illi; sed haec mea culpa est, numquam enim in manus inciderunt. Nunc autem et a te sumam et conquiram ista posthac curiosius.

Fuit igitur in Catulo sermo Latinus, quae laus dicendi non mediocris ab oratoribus plerisque neglecta est. Nam de sono vocis et suavitate appellandarum litterarum, quoniam filium cognovisti, noli exspectare quid dicam. Quamquam filius quidem non fuit in oratorum numero, sed non deerat ei tamen in sententia dicenda cum prudentia tum elegans quoddam et eruditum orationis genus. **(134)** Nec habitus est tamen pater ipse Catulus princeps in numero patronorum; sed erat talis ut, cum quosdam audires qui tum erant praestantes, videretur esse inferior, cum autem ipsum audires sine comparatione, non modo contentus esses, sed melius non quaereres.

(135) Q. Metellus Numidicus et eius collega M. Silanus dicebant de re publica quod esset illis viris et consulari dignitati satis. M. Aurelius Scaurus non saepe dicebat, sed polite; Latine vero in primis est eleganter locutus.

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5 de plebe *om. F* **6** ab Lucio *FGO*] ab lutio *BEJ*^{c}*MU*^{c} (ablutio *Tλ*) | Salevio *Badian*] Savelio *L*: Sabellio *vulg.*: Saufeio *Martha* **6–7** de damno iniuria *Peter*] de iustitia *L*: de iniuria *Pisanus*: damni iniuria *Hotman*: DC sestertia *Martha*: *del. Friedrich* **9** Albucius *vulg.*] Albicius *DEFJO*: Albitius *B*^{c}*D*^{c}*GMTU*: Albutius *B* | paene *BJ* (pe- *EF*^{c}*GMOTU*, poe- *F*)] plane *Vogel coll. Fin. 1.8, fort. recte* | loquor *vulg.*] loquar *L* **11** Epicureus *E*] -eius *BFGMOTλ* **12** nisi] vel si *A. Eberhard* | <quod> quid *Piderit* **13** eruditus *ET*] eruditius *BFGMOT*^{c}*λ* | summa *B*^{c}] summae *FJ* (-ę *BGMTU*, -e *DEO*) **17** Xenophonteo *ρ*] -eio *BFO*^{c}*λ* **21** <non> mea *Fuchs* **22** ista] ita *B* **23** mediocriter *ρ* **33** esset *Bρ*] essent *Fλ*

Quae laus eadem in A. Albino bene loquendi fuit; nam flamen Albinus etiam in numero est habitus disertorum; Q. etiam Caepio, vir acer et fortis, cui fortuna belli crimini, invidia populi calamitati fuit. **(136)** Tum etiam C. L. Memmii fuerunt oratores mediocres, accusatores acres atque acerbi; itaque in iudicium capitis multos vocaverunt, pro reis non saepe dixerunt. Sp. Thorius satis valuit in populari genere dicendi, is qui agrum publicum vitiosa et inutili lege vectigali levavit. M. Marcellus Aesernini pater non ille quidem in patronis, sed et in promptis tamen et non inexercitatis ad dicendum fuit, ut filius eius P. Lentulus. **(137)** L. etiam Cotta praetorius in mediocrium oratorum numero; dicendi non ita multum laude processerat, sed de industria cum verbis tum etiam ipso sono quasi subrustico persequebatur atque imitabatur antiquitatem.

Atque ego et in hoc ipso Cotta et in aliis pluribus intellego me non ita disertos homines et rettulisse in oratorum numerum et relaturum. Est enim propositum colligere eos qui hoc munere in civitate functi sint, ut tenerent oratorum locum; quorum quidem quae fuerit ascensio et quam in omnibus rebus difficilis optimi perfectio atque absolutio ex eo quod dicam existimari potest. **(138)** Quam multi enim iam oratores commemorati sunt et quam diu in eorum enumeratione versamur, cum tamen spisse atque vix, ut dudum ad Demosthenem et Hyperidem, sic nunc ad Antonium Crassumque pervenimus! Nam ego sic existimo, hos oratores fuisse maximos et in his primum cum Graecorum gloria Latine dicendi copiam aequatam.

(139) Omnia veniebant Antonio in mentem eaque suo quaeque loco, ubi plurimum proficere et valere possent, ut ab imperatore equites pedites levis armatura, sic ab illo in maxime opportunis orationis partibus collocabantur. Erat memoria summa, nulla meditationis suspicio: imparatus semper aggredi ad dicendum videbatur, sed ita erat paratus ut iudices illo dicente non numquam viderentur non satis parati ad cavendum fuisse. **(140)** Verba ipsa non illa quidem elegantissimo sermone; itaque diligenter loquendi laude caruit — neque tamen est admodum inquinate locutus — sed illa, quae propria laus oratoris est in verbis. Nam ipsum Latine loqui est illud quidem [est], ut paulo ante dixi, in magna laude ponendum, sed non tam sua sponte quam quod est a plerisque neglectum; non enim tam praeclarum est scire Latine quam turpe nescire, neque tam id mihi oratoris boni quam civis Romani proprium videtur. Sed tamen Antonius in verbis et eligendis, neque id ipsum tam leporis causa quam ponderis, et collocandis et

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1 bene loquendi *del. Kayser* **3** cui $B^{c}MO^{vl}$] qui *BDEFGOTλ* **6** Torius *L* **7** vectigali levavit *J*] vectigale levavit $BFJ^{c}U\rho$: vectigali locavit *Willcock*: vectigali vexavit *Seager*: vectigalem levavit *Douglas*: vectigalem liberavit *Lintott* | Aesernini *BF*] Aefernini *λ* (Ęf- *M*, Ef- *EO*, Ęff- *GT*) **8** et[1] *om. VenC* | inexercitatus *O*: exercitatis *B* **12** prosequebatur *B* **19** tamen] tandem *Scheving* **22** Gracchorum *F* **31** <non> illa *Kayser* | propria *Lambinus*] proprie *BDEFJO* (-ę *GMTU*) | est[2] *om.* M^{c} **32** *del. vulg.*

comprehensione devinciendis nihil non ad rationem et tamquam ad artem dirigebat; verum multo magis hoc idem in sententiarum ornamentis et conformationibus. **(141)** Quo genere quia praestat omnibus Demosthenes, idcirco a doctis oratorum est princeps iudicatus. Σχήματα enim quae vocant Graeci, ea maxime ornant oratorem eaque non tam in verbis pingendis habent pondus quam in illuminandis sententiis. Sed cum haec magna in Antonio tum actio singularis; quae si partienda est in gestum atque vocem, gestus erat non verba exprimens, sed cum sententiis congruens: manus umeri latera supplosio pedis status incessus omnisque motus cum rebus sententiisque consentiens; vox permanens, verum subrauca natura. Sed hoc vitium huic uni in bonum convertebat. **(142)** Habebat enim flebile quiddam in questionibus aptumque cum ad fidem faciendam tum ad misericordiam commovendam; ut verum videretur in hoc illud quod Demosthenem ferunt ei qui quaesivisset quid primum esset in dicendo, actionem, quid secundum, idem, et idem tertium respondisse. Nulla res magis penetrat in animos eosque fingit format flectit talisque oratores videri facit, qualis ipsi se videri volunt.

(143) Huic alii parem esse dicebant, alii anteponebant L. Crassum. Illud quidem certe omnes ita iudicabant, neminem esse qui horum altero utro patrono cuiusquam ingenium requireret. Equidem quamquam Antonio tantum tribuo quantum supra dixi, tamen Crasso nihil statuo fieri potuisse perfectius. Erat summa gravitas, erat cum gravitate iunctus facetiarum et urbanitatis oratorius, non scurrilis lepos; Latine loquendi accurata et sine molestia diligens elegantia; in disserendo mira explicatio; cum de iure civili, cum de aequo et bono disputaretur, argumentorum et similitudinum copia. **(144)** Nam ut Antonius coniectura movenda aut sedanda suspicione aut excitanda incredibilem vim habebat, sic in interpretando in definiendo in explicanda aequitate nihil erat Crasso copiosius; idque cum saepe alias tum apud centumviros in M’. Curi causa cognitum est. **(145)** Ita enim multa tum contra scriptum pro aequo et bono dixit, ut hominem acutissimum Q. Scaevolam et in iure, in quo illa causa vertebatur, paratissimum obrueret argumentorum exemplorumque copia; atque ita tum ab his patronis aequalibus et iam consularibus causa illa dicta est, cum uterque ex contraria parte ius civile defenderet, ut eloquentium iuris peritissimus Crassus, iuris peritorum eloquentissimus Scaevola putaretur.

Qui quidem cum peracutus esset ad excogitandum quid in iure aut in aequo verum aut esset aut non esset, tum verbis erat ad rem cum summa

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1 comprensione *As*: compressione *BFUρ* (conp- *J*) **5** orationem *Lambinus* **9–10** cum ... consentiens *del. Bernhardy* **9** rebus *Schütz*] verbis *L* **11** convertebatur J^2 **12** in questionibus *BEGO*] in quaestionibus *FJ* (in quę- *MTU*): *del. Weidner*: in conquestionibus *Lambinus* **26** aut[1]] et *Ernesti* **27** in[1] *om. F* **29** centum viros in F^1M] c. viros in. O^2 (O^{ac} *incert.*): c. u. in. *ETγ*: c. u. i. n. *Fλ*: c. u. i. ti. *B* | M’. *vulg.*] M. *DEFGT*: Μ. *BMOU* (Μ *J*) **33** etiam *L, corr. vulg.* **33–34** ius civile ex contraria parte *B* **37** cum *om. B*

brevitate mirabiliter aptus. **(146)** Quare sit nobis orator in hoc interpretandi explanandi edisserendi genere mirabilis sic ut simile nihil viderim; in augendo in ornando in refellendo magis existimator metuendus quam admirandus orator. Verum ad Crassum revertamur.

(147) Tum Brutus: Etsi satis, inquit, mihi videbar habere cognitum Scaevolam ex iis rebus quas audiebam saepe ex C. Rutilio, quo utebar propter familiaritatem Scaevolae nostri, tamen ista mihi eius dicendi tanta laus nota non erat; itaque cepi voluptatem tam ornatum virum tamque excellens ingenium fuisse in nostra re publica.

(148) Hic ego: Noli, inquam, Brute, existimare his duobus quicquam fuisse in nostra civitate praestantius. Nam ut paulo ante dixi consultorum alterum disertissimum, disertorum alterum consultissimum fuisse, sic in reliquis rebus ita dissimiles erant inter sese, statuere ut tamen non posses utrius te malles similiorem. Crassus erat elegantium parcissimus, Scaevola parcorum elegantissimus; Crassus in summa comitate habebat etiam severitatis satis, Scaevolae multa in severitate non deerat tamen comitas. **(149)** Licet omnia hoc modo; sed vereor ne fingi videantur haec ut dicantur a me quodam modo; res se tamen sic habet. Cum omnis virtus sit, ut vestra, Brute, vetus Academia dixit, mediocritas, uterque horum medium quiddam volebat sequi; sed ita cadebat ut alter ex alterius laude partem, uterque autem suam totam haberet.

(150) Tum Brutus: Cum ex tua oratione mihi videor, inquit, bene Crassum et Scaevolam cognovisse, tum de te et de Ser. Sulpicio cogitans esse quandam vobis cum illis similitudinem iudico.

Quonam, inquam, istuc modo?

Quia mihi et tu videris, inquit, tantum iuris civilis scire voluisse quantum satis esset oratori, et Servius eloquentiae tantum adsumpsisse ut ius civile facile posset tueri; aetatesque vestrae, ut illorum, nihil aut non fere multum differunt.

(151) Et ego: De me, inquam, dicere nihil est necesse; de Servio autem et tu probe dicis et ego dicam quod sentio. Non enim facile quem dixerim plus studi quam illum et ad dicendum et ad omnis bonarum rerum disciplinas adhibuisse. Nam et in isdem exercitationibus ineunte aetate fuimus et postea una Rhodum ille etiam profectus est, quo melior esset et doctior; at inde ut rediit, videtur mihi in secunda arte primus esse maluisse quam in prima secundus. Atque haud scio an par principibus esse potuisset;

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1 sit] hic *Kroll*: fuit *Schütz* **2** sic ut $\lambda\rho$] sicut *BF* **4** admirandus $F\lambda$ (amm- BO^{v})] ammirabilis $DEMOTX^{c}$ (ami- γ) **5** inquit *om. B* | habere $G^{c}J^{2}$] haberi *L* **6** iis *Ad*] his *L* | utebar Ad^{1}] utebatur *L*: utebamur *Gebhardt* **6–7** utebatur perfamiliariter Scaevola ut nosti *Bezzenberger* **7** eius $F^{c}\lambda\rho$] eiusdem *F*: *om. B* **14** elegantium parcissimus *L*] parcissimus elegantium *Gell. 11.2.4* **18** se tamen sic] sed tamen sic se *F* **23** de^{2} *om. B* **28** facile civile β | posset δ] possit *L* **33** in *om. B* **34** una *del. Jahn* | Rhodum ille] Rhodi; nam illo *Madvig* **35** at *Martha*] et *L*

sed fortasse maluit, id quod est adeptus, longe omnium non eiusdem modo aetatis sed eorum etiam qui fuissent in iure civili esse princeps.

(152) Hic Brutus: Ain tu? inquit. Etiamne Q. Scaevolae Servium nostrum anteponis?

Sic enim, inquam, Brute, existimo, iuris civilis magnum usum et apud Scaevolam et apud multos fuisse, artem in hoc uno; quod numquam effecisset ipsius iuris scientia, nisi eam praeterea didicisset artem quae doceret rem universam tribuere in partis, latentem explicare definiendo, obscuram explanare interpretando, ambigua primum videre, deinde distinguere, postremo habere regulam qua vera et falsa iudicarentur et quae quibus propositis essent quaeque non essent consequentia. **(153)** Hic enim attulit hanc artem omnium artium maximam quasi lucem ad ea quae confuse ab aliis aut respondebantur aut agebantur.

Dialecticam mihi videris dicere, inquit.

Recte, inquam, intellegis; sed adiunxit etiam et litterarum scientiam et loquendi elegantiam, quae ex scriptis eius, quorum similia nulla sunt, facillime perspici potest. **(154)** Cumque discendi causa duobus peritissimis operam dedisset, L. Lucilio Balbo C. Aquilio Gallo, Galli hominis acuti et exercitati promptam et paratam in agendo et in respondendo celeritatem subtilitate diligentiaque superavit; Balbi docti et eruditi hominis in utraque re consideratam tarditatem vicit expediendis conficiendisque rebus. Sic et habet quod uterque eorum habuit, et explevit quod utrique defuit. **(155)** Itaque ut Crassus mihi videtur sapientius fecisse quam Scaevola — hic enim causas studiose recipiebat in quibus a Crasso superabatur; ille se consuli nolebat, ne qua in re inferior esset quam Scaevola — sic Servius sapientissime, cum duae civiles artes ac forenses plurimum et laudis haberent et gratiae, perfecit ut altera praestaret omnibus, ex altera tantum adsumeret quantum esset et ad tuendum ius civile et ad obtinendam consularem dignitatem satis.

(156) Tum Brutus: Ita prorsus, inquit, et antea putabam — audivi enim nuper eum studiose et frequenter Sami, cum ex eo ius nostrum pontificium, qua ex parte cum iure civili coniunctum esset, vellem cognoscere — et nunc meum iudicium multo magis confirmo testimonio et iudicio tuo; simul illud gaudeo, quod et aequalitas vestra et pares honorum gradus et artium studiorumque quasi finitima vicinitas tantum abest ab obtrectatione invidia<que>, quae solet lacerare plerosque, uti ea non modo non exulcerare vestram gratiam, sed etiam conciliare videatur. Quali enim te erga illum

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3 ain] an *B* **9** ambigua *Lambinus*] ambiguam *L* **14** dicere inquit] inquit dicere *EMTX*: dicere *G* **15–16** et eloquendi *O*: eloquendi *DMTγ* (ell- *E*) **17** discendi *BO²βλ*] dicendi *FO* **25** nolebat *vulg.*] solebat *L*: sinebat J^2 **26** sapientissime J^2 (-ume O^2)] apsentissime *DGJMT* (-ume BF^1OU): absentissime *E* (-ume *F*) | <qui> cum *A. Eberhard*: <nam> cum *Weidner* | due *DEM*: duo *BFGOTλ* **33** multo] nullo *F* **35** tantum] tamen *U* **36** invidiaque B^c] invidia $B^1F\lambda\rho$: invidie *B*: et invidia *Manutius* | macerare *Madvig* | uti *Manutius*] ut in *L*

perspicio, tali illum in te voluntate iudicioque cognovi. **(157)** Itaque doleo et illius consilio et tua voce populum Romanum carere tam diu; quod cum per se dolendum est tum multo magis consideranti ad quos ista non translata sint, sed nescio quo pacto devenerint.

Hic Atticus: Dixeram, inquit, a principio, de re publica ut sileremus; itaque faciamus. Nam si isto modo volumus singulas res desiderare, non modo querendi sed ne lugendi quidem finem reperiemus.

(158) Pergamus ergo, inquam, ad reliqua et institutum ordinem persequamur. Paratus igitur veniebat Crassus, exspectabatur, audiebatur; a principio statim, quod erat apud eum semper accuratum, exspectatione dignus videbatur. Non multa iactatio corporis, non inclinatio vocis, nulla inambulatio, non crebra supplosio pedis; vehemens et interdum irata et plena iusti doloris oratio, multae et cum gravitate facetiae; quodque difficile est, idem et perornatus et perbrevis; iam in altercando invenit parem neminem. **(159)** Versatus est in omni fere genere causarum; mature in locum principum oratorum venit. Accusavit C. Carbonem eloquentissimum hominem admodum adulescens; summam ingeni non laudem modo sed etiam admirationem est consecutus. **(160)** Defendit postea Liciniam virginem, cum annos XXVII natus esset. In ea ipsa causa fuit eloquentissimus, orationisque eius scriptas quasdam partis reliquit. Voluit adulescens in colonia Narbonensi causae popularis aliquid attingere eamque coloniam, ut fecit, ipse deducere; exstat in eam legem senior, ut ita dicam, quam aetas illa ferebat oratio. Multae deinde causae; sed ita tacitus tribunatus ut, nisi in eo magistratu cenavisset apud praeconem Granium idque nobis bis narravisset Lucilius, tribunum plebis nesciremus fuisse.

(161) Ita prorsus, inquit Brutus; sed ne de Scaevolae quidem tribunatu quicquam audivisse videor et eum collegam Crassi credo fuisse.

Omnibus quidem aliis, inquam, in magistratibus, sed tribunus anno post fuit eoque in rostris sedente suasit Serviliam legem Crassus; nam censuram sine Scaevola gessit; eum enim magistratum nemo umquam Scaevolarum petivit. Sed haec Crassi cum edita oratio est, quam te saepe legisse certo scio, quattuor et triginta tum habebat annos totidemque annis mihi aetate praestabat. Iis enim consulibus eam legem suasit quibus nati sumus, cum ipse esset Q. Caepione consule natus et C. Laelio, triennio ipso minor quam Antonius. Quod idcirco posui, ut dicendi Latine prima maturitas in qua aetate exstitisset posset notari et intellegeretur iam ad summum paene esse perductam, ut eo nihil ferme quisquam addere posset, nisi qui a philosophia a iure civili ab historia fuisset instructior.

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7 querendi *BEOU*] quaerendi *FJ*: quęrendi *GMT* **12** crebro *F* | et interdum] interdum et *Campe* **15** fere in omni *O* **16** C. *om. B* **19** ipsa *om. B* **22** extat in eam $B^{c}J\rho$: extat ineam *U*: exta tineam *B*: statineam *F*: extatineam F^{1} **25** bis *om. O* **26** quidem *om. F* **28** in *om. B* **32** tum] dum *F* **33** iis *Corradus*] his *BDFGMOTλ*: hiis *E* **34** consule *om. B*

(162) Erit, inquit [M.] Brutus, aut iam est iste quem exspectas?

Nescio, inquam. Sed est etiam L. Crassi in consulatu pro Q. Caepione defensiuncula, non brevis ut laudatio, ut oratio autem brevis; postrema censoris oratio, qua anno duodequinquagesimo usus est. In his omnibus inest quidam sine ullo fuco veritatis color; quin etiam comprehensio et ambitus ille verborum, si sic περίοδον appellari placet, erat apud illum contractus et brevis, et in membra quaedam, quae κῶλα Graeci vocant, dispertiebat orationem libentius.

(163) Hoc loco Brutus: Quando quidem tu istos oratores, inquit, tanto opere laudas, vellem aliquid Antonio praeter illum de ratione dicendi sane exilem libellum, plura Crasso libuisset scribere; cum enim omnibus memoriam sui tum etiam disciplinam dicendi nobis reliquissent. Nam Scaevolae dicendi elegantiam satis ex iis orationibus quas reliquit habemus cognitam.

(164) Et ego: Mihi quidem a pueritia quasi magistra fuit, inquam, illa in legem Caepionis oratio; in qua et auctoritas ornatur senatus, quo pro ordine illa dicuntur, et invidia concitatur in iudicum et in accusatorum factionem, contra quorum potentiam populariter tum dicendum fuit. Multa in illa oratione graviter, multa leniter, multa aspere, multa facete dicta sunt; plura etiam dicta quam scripta, quod ex quibusdam capitibus expositis nec explicatis intellegi potest. Ipsa illa censoria contra Cn. Domitium collegam non est oratio, sed quasi capita rerum et orationis commentarium paulo plenius; nulla est enim altercatio clamoribus umquam habita maioribus. **(165)** Et vero fuit in hoc etiam popularis dictio excellens; Antoni genus dicendi multo aptius iudiciis quam contionibus.

Hoc loco ipsum Domitium non relinquo. Nam etsi non fuit in oratorum numero, tamen pone satis in eo fuisse orationis atque ingeni quo et magistratus personam et consularem dignitatem tueretur. Quod idem de C. Coelio dixerim, industriam in eo summam fuisse summasque virtutes, eloquentiae tantum quod esset in rebus privatis amicis eius, in re publica ipsius dignitati satis. **(166)** Eodem tempore M. Herennius in mediocribus oratoribus Latine et diligenter loquentibus numeratus est; qui tamen summa nobilitate hominem, cognatione sodalitate collegio, summa etiam eloquentia, L. Philippum in consulatus petitione superavit. Eodem tempore

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1 *del. Heusinger* **2** Caepionis *J*[1] **3** defensiuncula *Lange*] defensione iuncta *L*: laudatio cum defensione iuncta *Petersen*: defensione senatus iuncta *Sydow*: oratiuncula *Murgia*: defensio *Piderit* **4** his *BEFOλ*] iis *DGMT* **6** perhiodorum *L, corr. vulg.* **7** cola *BFβλ*: colla *O* **8** dispertiebat *M*] dispertibat *BDEFGOλ*: dispartibat *T* | orationem *F*] oratione *Bλρ* **10** ratione *Bλρ*] oratione *F* **11** Crasso] Crasso quoque *DEM* **13** ex iis *Ad*] ex his *BFOλ*: *om. β* **17** iudicum *BE*[c]*F*[c]*JMOTU*[c]*X*] iudicium *EFGU* | in[2] *BFO*[2]*λ*] *om. ρ* **19** leviter *EGT*[c] **21** Cn.] G. *B* **27** pono *BM* **29** Coelio *FU*] Caelio *J*: Cęlio *BGMT*: Celio *DEO* **31** dignitati *B*[c]*DGMO*[c]*TU*[c]] dignitatis *BEFOλ* **32** Latine<que> *Stangl*

C. Claudius, etsi propter summam nobilitatem et singularem potentiam magnus erat, tamen etiam eloquentiae quandam mediocritatem afferebat. **(167)** Eiusdem fere temporis fuit eques Romanus C. Titius, qui meo iudicio eo pervenisse videtur quo potuit fere Latinus orator sine Graecis litteris et sine multo usu pervenire. Huius orationes tantum argutiarum, tantum leporum, tantum urbanitatis habent, ut paene Attico stilo scriptae esse videantur. Easdem argutias in tragoedias satis ille quidem acute, sed parum tragice transtulit. Quem studebat imitari L. Afranius poeta, homo perargutus, in fabulis quidem etiam, ut scitis, disertus. **(168)** Fuit etiam Q. Rubrius Varro, qui a senatu hostis cum C. Mario iudicatus est, acer et vehemens accusator, in eo genere sane probabilis. Doctus autem Graecis litteris propinquus noster, factus ad dicendum, M. Gratidius M. Antoni perfamiliaris, cuius praefectus cum esset in Cilicia est interfectus, qui accusavit C. Fimbriam, M. Mari Gratidiani pater.

(169) Atque etiam apud socios et Latinos oratores habiti sunt Q. Vettius Vettianus e Marsis, quem ipse cognovi, prudens vir et in dicendo brevis; Q. D. Valerii Sorani, vicini et familiares mei, non tam in dicendo admirabiles quam docti et Graecis litteris et Latinis; C. Rusticelius Bononiensis, is quidem et exercitatus et natura volubilis; omnium autem eloquentissimus extra hanc urbem T. Betutius Barrus Asculanus, cuius sunt aliquot orationes Asculi habitae; illa Romae contra Caepionem nobilis sane, cui orationi Caepionis ore respondit Aelius, qui scriptitavit orationes multis, orator ipse numquam fuit. **(170)** Apud maiores autem nostros video disertissimum habitum ex Latio L. Papirium Fregellanum Ti. Gracchi P. f. fere aetate; eius etiam oratio est pro Fregellanis colonisque Latinis habita in senatu.

Tum Brutus: Quid tu igitur, inquit, tribuis istis externis quasi oratoribus?

Quid censes, inquam, nisi idem quod urbanis? Praeter unum, quod non est eorum urbanitate quadam quasi colorata oratio.

(171) Et Brutus: Qui est, inquit, iste tandem urbanitatis color?

Nescio, inquam; tantum esse quendam scio. Id tu, Brute, iam intelleges, cum in Galliam veneris. Audies tu quidem etiam verba quaedam non trita Romae, sed haec mutari dediscique possunt; illud est maius, quod in vocibus

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1 Claudius *Meyer*] Clodius *L* | potentiam] prudentiam *Campe* **3** eisdem M^{ac}, *ut vid.* | temporibus *β* **6** leporum *Simon*] exemplorum *L* **12** M.^{1} *om. ρ* **14** pater *vulg.*] patrem $BF^{1}λρ$: patem *F* **16** Vettius Vettianus *Oλ*] Vet- Vett- *G*: Vect- Vett- *M*: Vect- Vect- *DEFT*: Vect- Vecc- *B* **17** Valerii *ρ*] -ri *Fλ*: *om*. *B* **18** Rusticellus *L, corr. vulg.* **19** et^{1} *Bρ*] *om. Fλ* **20** Betutius *BGMTλ*] Betucius $B^{1mg}EFO$: Butius *D* **21** illa] et illa *Bake*: una *Madvig* **22** cui *vulg.*] quo *L* | orationi *del. Martha* | <L.> Aelius *Stangl* **24** Ti. *vulg.*] T. *L* | P.] Ti. *Ellendt* **25** etiam] autem *B* | Fregellanis *Bρ*] Frag- *λ*: Fleg- *F*: Flag- F^{1} | coloniisque *Corradus* **27** inquit *om. β* **29** idem *om. J* **33** tu *(cf. Tusc. 3.82)*] tum *Weidner, pler. edd. post eum*: ibi *Koch*

nostrorum oratorum retinnit quiddam et resonat urbanius. Nec hoc in oratoribus modo apparet, sed etiam in ceteris. **(172)** Ego memini T. Tincam Placentinum hominem facetissimum cum familiari nostro Q. Granio praecone dicacitate certare.

Eon', inquit Brutus, de quo multa Lucilius?

Isto ipso. Sed Tincam non minus multa ridicule dicentem Granius obruebat nescio quo sapore vernaculo; ut ego iam non mirer illud Theophrasto accidisse, quod dicitur, cum percontaretur ex anicula quadam quanti aliquid venderet et respondisset illa atque addidisset, 'hospes, non pote minoris', tulisse eum moleste se non effugere hospitis speciem, cum aetatem ageret Athenis optimeque loqueretur omnium. Sic, ut opinor, in nostris est quidam urbanorum, sicut illic Atticorum sonus. Sed domum redeamus, id est ad nostros revertamur.

(173) Duobus igitur summis Crasso et Antonio L. Philippus proximus accedebat, sed longo intervallo tamen proximus. Itaque eum, etsi nemo intercedebat qui se illi anteferret, neque secundum tamen neque tertium dixerim. Nec enim in quadrigis eum secundum numeraverim aut tertium qui vix e carceribus exierit, cum palmam iam primus acceperit, nec in oratoribus qui tantum absit a primo vix ut in eodem curriculo esse videatur. Sed tamen erant ea in Philippo quae, qui sine comparatione illorum spectaret, satis magna diceret: summa libertas in oratione, multae facetiae; satis creber in reperiendis, solutus in explicandis sententiis; erat etiam in primis, ut temporibus illis, Graecis doctrinis institutus; in altercando cum aliquo aculeo et maledicto facetus.

(174) Horum aetati prope coniunctus L. Gellius, non tam vendibilis orator quam ut nescires quid ei deesset. Nec enim erat indoctus nec tardus ad excogitandum nec Romanarum rerum immemor et verbis solutus satis; sed in magnos oratores inciderat eius aetas. Multam tamen operam amicis et utilem praebuit, atque ita diu vixit ut multarum aetatum oratoribus implicaretur. **(175)** Multum etiam in causis versabatur isdem fere temporibus D. Brutus, is qui consul cum Mamerco fuit, homo et Graecis doctus litteris et Latinis. Dicebat etiam L. Scipio non imperite, Gnaeusque Pompeius Sex. f. aliquem numerum obtinebat. Nam Sex. frater eius praestantissimum ingenium contulerat ad summam iuris civilis et ad

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1 retinnit *Ad*] retinuit *Fλρ*: recinuit *B*: recinit *Ab*^{c} **2** Tincam] Tingam *Badian ex Quint. Inst. 1.5.12* **3** Granio] Graneo *F* **6** multa *om. D* **10** cum *Ab*^{c}] quom *BF*: quō *B*^{1mg}*DEJM*: quo modo *OTUγ* **11** loqueretur. Omnino *Rivius* | ut *del. Orelli* **12** illic] ille *F*: illis *G* **13** id ... revertamur *del. Lambinus* **18** oratoribus] cursoribus *Klotz* **26** quam ut] quamvis *Jeep, pler. edd.* **27** Romanarum *del. Douglas* **30** implicaretur, multum ... versaretur. Isdem *L, corr. Kayser* **33** aliquem *vulg.*] at quem *BFJρ*: et quem *U* | Sex.^{2} *om. β*

perfectam geometriae rerum<que> Stoicarum scientiam. Item in iure <eminuer>at ante hos M. Brutus, et paulo post eum C. Billienus, homo per se magnus, simili ratione prope summus evaserat; qui consul factus esset, nisi in Marianos consulatus et in eas petitionis angustias incidisset. **(176)** Cn. autem Octavi eloquentia, quae fuerat ante consulatum ignorata, in consulatu multis contionibus est vehementer probata. Sed ab iis, qui tantum in dicentium numero, non in oratorum fuerunt, iam ad oratores revertamur.

Censeo, inquit Atticus; eloquentis enim videbare, non sedulos velle conquirere.

(177) Festivitate igitur et facetiis, inquam, C. Iulius L. f. et superioribus et aequalibus suis omnibus praestitit oratorque fuit minime ille quidem vehemens, sed nemo umquam urbanitate, nemo lepore, nemo suavitate conditior. Sunt eius aliquot orationes, ex quibus, sicut ex eiusdem tragoediis, lenitas eius sine nervis perspici potest. **(178)** Eius aequalis P. Cethegus, cui de re publica satis suppeditabat oratio — totam enim tenebat eam penitusque cognoverat; itaque in senatu consularium auctoritatem adsequebatur — sed in causis publicis nihil, privatis satis veterator videbatur. Erat in privatis causis Q. Lucretius Vispillo et acutus et iuris peritus; nam Afella contionibus aptior quam iudiciis. Prudens etiam T. Annius Velina et in eius generis causis orator sane tolerabilis. In eodem genere causarum multum erat T. Iuventius, nimis ille quidem lentus in dicendo et paene frigidus, sed et callidus et in capiendo adversario versutus et praeterea nec indoctus et magna cum iuris civilis intellegentia. **(179)** Cuius auditor P. Orbius meus fere aequalis in dicendo non nimis exercitatus, in iure autem civili non inferior quam magister fuit. Nam T. Aufidius, qui vixit ad summam senectutem, volebat esse similis horum eratque et bonus vir et innocens, sed dicebat parum; nec sane plus frater eius M. Verginius, qui tribunus plebis L. Sullae imperatori diem dixit. Eius collega P. Magius in dicendo paulo tamen copiosior. **(180)** Sed omnium oratorum sive rabularum, qui et plane indocti et inurbani aut rustici etiam fuerunt, quos quidem ego cognoverim, solutissimum in dicendo et acutissimum iudico nostri ordinis Q. Sertorium, equestris C. Gargonium. Fuit etiam facilis et

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1 perfectam *EM*] perfectum *BDFGOTλ* | rerumque *Aa*] rerum *L*: et rerum *vulg.* | Stoicorum U^{ac} | item in iure $E^{c}U$] itam in iure $BGJO^{c}O^{v}U^{c}$: [*spat. vac. v litt.*] in iure O^{ac}: ita m iniure *F*: sitam in iure *DEM* **2** eminuerat *Prohasel*] et *L*; *pro* itam in iure et *(L) Reis coniec.* ita eminuerat inter aequalis in iure ut **3** simili ratione prope *Schütz*] prope simili ratione *L*: prope sine ulla oratione *Bake* **13** aliquot eius *M* **14** levitas *E* **17** <in> privatis *Rom* **18** erat *Aa*] erant *L* | Iuspillo *O*: Vespillo *Manutius* **19** Afella *Heraeus*] a filia *L*: Ofella *Pisanus* **21** multum *(cf. Caes. BGall. 4.1.8)*] multus *vulg.*: multarum *Jahn* | T. *D*] T. i. $FO^{v}λ$: Ti. *BEMOTγ*: C. *Douglas* **23** cum *(cf. Att. 8.11B.1)*] cum antiquitatis memoria tum *Stangl (alii alia suppl.)*: comprobatus *Reis* **27** plus *om. B* | Verginius *Corradus ex Plut. Sull. 10.4*] Vergilius *Bλρ, fort. recte*: Virgilius *F* **28** Sull- F^{1mg}] Syll- *BFOλ*: Sill- *β* **29** dicendo <par> *Watt* **30** et ... et *BrDd*] et ... aut *L*: aut ... et *Heusinger*

expeditus ad dicendum et vitae splendore multo et ingenio sane probabili T. Iunius L. f. tribunicius, quo accusante P. Sextius praetor designatus damnatus est ambitus; is processisset honoribus longius, nisi semper infirma atque etiam aegra valetudine fuisset.

(181) Atque ego praeclare intellego me in eorum commemoratione versari qui nec habiti sint oratores neque fuerint, praeteriique a me aliquot ex veteribus commemoratione aut laude dignos. Sed hoc quidem ignoratione: quid enim est [superioris aetatis] quod scribi possit de iis, de quibus nulla monumenta loquuntur nec aliorum nec ipsorum? De his autem quos ipsi vidimus neminem fere praetermittimus eorum quos aliquando dicentis audivimus. **(182)** Volo enim sciri in tanta et tam vetere re publica maximis praemiis eloquentiae propositis omnis cupisse dicere, non plurimos ausos esse, potuisse paucos. Ego tamen ita de uno quoque dicam ut intellegi possit quem existimem clamatorem, quem oratorem fuisse.

Isdem fere temporibus aetate inferiores paulo quam Iulius, sed aequales propemodum fuerunt C. Cotta P. Sulpicius Q. Varius Cn. Pomponius C. Curio L. Fufius M. Drusus P. Antistius; nec ulla aetate uberior oratorum fetus fuit. **(183)** Ex his Cotta et Sulpicius cum meo iudicio tum omnium facile primas tulerunt.

Hic Atticus: Quo modo istuc dicis, inquit, cum tuo iudicio tum omnium? Semperne in oratore probando aut improbando vulgi iudicium cum intellegentium iudicio congruit, an alii probantur multitudini, alii autem ab iis qui intellegunt?

Recte requiris, inquam, Attice; sed audies ex me fortasse quod non omnes probent.

(184) An tu, inquit, id laboras, si huic modo Bruto probaturus es?

Plane, inquam, Attice, disputationem hanc de oratore probando aut improbando multo malim tibi et Bruto placere, eloquentiam autem meam populo probari velim. Etenim necesse est, qui ita dicat ut a multitudine probetur, eundem doctis probari. Nam quid in dicendo rectum sit aut pravum ego iudicabo, si modo is sum qui id possim aut sciam iudicare; qualis vero sit orator ex eo quod is dicendo efficiet poterit intellegi. **(185)** Tria sunt enim, ut quidem ego sentio, quae sint efficienda dicendo: ut doceatur is apud quem dicetur, ut delectetur, ut moveatur vehementius. Quibus virtutibus oratoris horum quidque efficiatur aut quibus vitiis orator aut non adsequatur haec aut etiam in his labatur et cadat, artifex aliquis

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2 Sextius *BEFO*γ] Sestius *DM*λ: Sesertius *T* **8** superioris aetatis *del. Kayser*] *post* ignoratione *transp. Mommsen* | scribi *L*] sciri *A. Eberhard* | iis *BJ*ρ] his *FU* **11** audivimus *Ruhnken*] vidimus *L* | sciri *vulg.*] scire *L* **11–12** vetere. p. maxumus *F* **16** Pomponius] Pompeius *DU* **17** P. Antistius *G*^{c}] Patistius *BFO*$^{\gamma}$$\beta\lambda$: Pasticius *O* **22** multitudini *Ströbel coll. §184*] multitudine *L*: a multitudine *Ad* **23** iis *Ad*] his *BDFGMOT*λ: hiis *E* | qui] qui me *F* **26** laboras si *Manutius*] laborasse *L* **31** parvum *U*^{ac}β **32** is] ipse *Weidner* **34** dicetur] dicatur *A. Eberhard* **35** oratoriis *Stangl* | horum *om. F*

iudicabit. Efficiatur autem ab oratore necne ut ii qui audiunt ita afficiantur ut orator velit, vulgi adsensu et populari approbatione iudicari solet. Itaque numquam de bono oratore aut non bono doctis hominibus cum populo dissensio fuit.

(186) An censes, dum illi viguerunt quos ante dixi, non eosdem gradus oratorum vulgi iudicio et doctorum fuisse? De populo, si quem ita rogavisses, ‘Quis est in hac civitate eloquentissimus?’ in Antonio et Crasso aut dubitaret aut hunc alius, illum alius diceret. Nemone Philippum, tam suavem oratorem tam gravem tam facetum, his anteferret, quem nosmet ipsi, qui haec arte aliqua volumus expendere, proximum illis fuisse diximus? Nemo profecto; id enim ipsum est summi oratoris, summum oratorem populo videri. **(187)** Quare tibicen Antigenidas dixerit sane discipulo frigenti ad populum, ‘Mihi cane et Musis’; ego huic Bruto dicenti, ut solet, apud multitudinem, ‘Mihi cane et populo, mi Brute’, dixerim, ut qui audient quid efficiatur, ego etiam cur id efficiatur intellegam. Credit iis quae dicuntur qui audit oratorem, vera putat, adsentitur, probat; fidem facit oratio: **(188)** tu artifex, quid quaeris amplius? Delectatur audiens multitudo et ducitur oratione et quasi voluptate quadam perfunditur: quid habes quod disputes? Gaudet dolet, ridet plorat, favet odit, contemnit invidet, ad misericordiam inducitur ad pudendum ad pigendum, irascitur mitigatur, sperat timet; haec perinde accidunt ut eorum qui adsunt mentes verbis et sententiis et actione tractantur: quid est quod exspectetur docti alicuius sententia? Quod enim probat multitudo, hoc idem doctis probandum est. Denique hoc specimen est popularis iudici, in quo numquam fuit populo cum doctis intellegentibusque dissensio: **(189)** cum multi essent oratores in vario genere dicendi, quis umquam ex his excellere iudicatus est vulgi iudicio, qui non idem a doctis probaretur? Quando autem dubium fuisset apud patres nostros eligendi cui patroni daretur optio, quin aut Antonium optaret aut Crassum? Aderant multi alii; tamen utrum de his potius dubitasset aliquis, quin alterum nemo. Quid? Adulescentibus nobis cum esset Cotta et Hortensius, num quis, cui quidem eligendi potestas esset, quemquam his anteponebat?

(190) Tum Brutus: Quid tu, inquit, quaeris alios? De te ipso nonne quid optarent rei, quid ipse Hortensius iudicaret videbamus? Qui cum partiretur tecum causas — saepe enim interfui — perorandi locum, ubi plurimum pollet oratio, semper tibi relinquebat.

Faciebat ille quidem, inquam, et mihi benevolentia, credo, ductus tribuebat omnia. Sed ego quae de me populi sit opinio nescio; de reliquis

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1 ii *Ad*] hi *L* | ita *om. B* **12** tibi cenanti genidas ρ: tibicen altigenidas O^{c} | sane discipulo *Madvig*] discipulo sane *L* **13** frigenti] strigenti *B*: fugienti U^{ac} **15** id *om. B* | iis *vulg.*] his *L* **20** pudendum] puniendum *Vassis* | mitigatur *Schütz coll. Orat. 131*] miratur *BDFGMOTλ*: micatur *E* **24–25** in ... dissensio *del. A. Eberhard* **26** his] is F^{ac} **29** aderant] at erant *Ernesti* **31** cui *vulg.*] quo *L* **34** optarent] opinarentur *Watt*

hoc affirmo, qui vulgi opinione disertissimi habiti sint, eosdem intellegentium quoque iudicio fuisse probatissimos. **(191)** Nec enim posset idem Demosthenes dicere quod dixisse Antimachum clarum poetam ferunt: qui cum convocatis auditoribus legeret iis magnum illud, quod novistis, volumen suum et eum legentem omnes praeter Platonem reliquissent, ‘Legam’, inquit, ‘nihilo minus: Plato enim mihi unus instar est omnium milium.’ Et recte: poema enim reconditum paucorum approbationem, oratio popularis adsensum vulgi debet movere. At si eundem hunc Platonem unum auditorem haberet Demosthenes, cum esset relictus a ceteris, verbum facere non posset. **(192)** Quid tu, Brute? Possesne, si te ut Curionem quondam contio reliquisset?

Ego vero, inquit ille, ut me tibi indicem, in iis etiam causis, in quibus omnis res nobis cum iudicibus est, non cum populo, tamen si a corona relictus sim, non queam dicere.

Ita se, inquam, res habet. Ut, si tibiae inflatae non referant sonum, abiciendas eas sibi tibicen putet, sic oratori populi aures tamquam tibiae sunt; eae si inflatum non recipiunt, aut si auditor omnino tamquam equus non facit, agitandi finis faciendus est. **(193)** Hoc tamen interest, quod vulgus interdum non probandum oratorem probat, sed probat sine comparatione: cum a mediocri aut etiam malo delectatur, eo est contentus; esse melius non sentit; illud quod est, qualecumque est, probat. Tenet enim auris vel mediocris orator, sit modo aliquid in eo; nec res ulla plus apud animos hominum quam ordo et ornatus orationis valet.

(194) Quare quis ex populo, cum Q. Scaevolam pro M. Coponio dicentem audiret in ea causa de qua ante dixi, quicquam politius aut elegantius aut omnino melius aut exspectaret aut posse fieri putaret? **(195)** Cum is hoc probare vellet, M’. Curium, cum ita heres institutus esset, ‘si pupillus ante mortuus esset quam in suam tutelam venisset’, pupillo non nato heredem esse non posse, quid ille non dixit de testamentorum iure, de antiquis formulis? quem ad modum scribi oportuisset, si etiam filio non nato heres institueretur? **(196)** quam captiosum esse populo quod scriptum esset neglegi et opinione quaeri voluntates et interpretatione disertorum scripta simplicium hominum pervertere? **(197)** Quam ille multa de auctoritate patris sui, qui semper ius illud esse defenderat? quam omnino multa de

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1 sunt *DE* **6–7** omnium millium *‘alii’ (teste Corrado)*: omnium me illum *L*: omnium ne illum J^2: omnium. Merito *Rom*: centum milium *Orelli coll. Att. 2.5.1, pler. edd.*: omnium illorum *Turnebus*: milium *Jahn*: hominum milium *Lennep* **8** movere B^c] moveri $BFO^v\beta\lambda$: mereri *O* **10** possesne si *vulg.*] posses nisi *L*: posses si B^cO^c **12** in iis] meis *F* **18** <ad obsequium> non *Reis*: non <ad iussa> *Fuchs* **20** malo] a malo *Ak* | delectetur ρ **25** audisset B^{ac} **26** fieri posse *GO* **27** is] his O^{ac} | M’. *vulg.*] M. *EFGOTλ*: M̄. *BM* **33** simplicium $B^1U^c\beta$] simplicum $FO\lambda$: simplicu B^{ac}, *ut vid.*

conservando iure civili? Quae quidem omnia cum perite et scienter, cum item breviter et presse et satis ornate et pereleganter diceret, quis esset in populo qui aut exspectaret aut fieri posse quicquam melius putaret?

At vero, ut contra Crassus ab adulescente delicato, qui in litore ambulans scalmum repperisset ob eamque rem aedificare navem concupivisset, exorsus est, similiter Scaevolam ex uno scalmo captionis centumvirale iudicium hereditatis effecisse; hoc [in illo] initio, consecutis multis eiusdem generis sententiis delectavit animosque omnium qui aderant in hilaritatem a severitate traduxit; quod est unum ex tribus quae dixi ab oratore effici debere. Deinde hoc voluisse eum qui testamentum fecisset, hoc sensisse, quoquo modo filius non esset, qui in suam tutelam veniret, sive non natus sive ante mortuus, Curius heres ut esset; ita scribere plerosque et id valere et valuisse semper. Haec et multa eius modi dicens fidem faciebat; quod est ex tribus oratoris officiis alterum. **(198)** Deinde aequum bonum, testamentorum sententias voluntatesque tutatus est: quanta esset in verbis captio cum in ceteris rebus tum in testamentis, si neglegerentur voluntates; quantam sibi potentiam Scaevola adsumeret, si nemo auderet testamentum facere postea nisi de illius sententia. Haec cum graviter tum ab exemplis copiose, tum varie, tum etiam ridicule et facete explicans eam admirationem adsensionemque commovit, dixisse ut contra nemo videretur; hoc erat oratoris officium partitione tertium, genere maximum. Hic ille de populo iudex, qui separatim alterum admiratus esset, idem audito altero iudicium suum contemneret; at vero intellegens et doctus audiens Scaevolam sentiret esse quoddam uberius dicendi genus et ornatius. Ab utroque autem causa perorata si quaereretur uter praestaret orator, numquam profecto sapientis iudicium a iudicio vulgi discreparet.

(199) Qui praestat igitur intellegens imperito? Magna re et difficili; si quidem magnum est scire quibus rebus efficiatur amittaturve dicendo illud, quicquid est, quod aut effici dicendo oportet aut amitti non oportet. Praestat etiam illo doctus auditor indocto, quod saepe, cum oratores duo aut plures populi iudicio probantur, quod dicendi genus optimum sit intellegit. Nam illud quod populo non probatur, ne intellegenti quidem auditori probari potest. Ut enim ex nervorum sono in fidibus quam scienter ii pulsi sint intellegi solet, sic ex animorum motu cernitur quid tractandis his perficiat orator. **(200)** Itaque intellegens dicendi existimator non adsidens et attente audiens, sed uno aspectu et praeteriens de oratore saepe iudicat. Videt

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1 conservando *om. B* **1–2** cum item *Reis*] tum ita *L, def. Ellendt*: tum *Friedrich*: item *Haupt*: sumpta *Martha*: inventa *Douglas* **3** aut exspectaret aut *del. Jahn* **7** in illo *del. Douglas*] ille *Rom* | initium *Douglas* | consecutis *BMOTγλ* (-qutis E^c)] consecutus J^2 (-quutus *F*): consequti *E*: constituto *Jahn* **8** delectavit <iudices> *Fuchs* | animos ... aderant <et> *Madvig* **11** venisset *B* **14** ex *Bβλ*] *om. FO* **19** tum[1] *vulg.*] cum *L* | facete *vulg. (cf. De or. 1.243)*] facile *L* **24** sentires *F* **28** dicendo] in dicendo *Friedrich*: *del. Kraffert* **29** dicendo *del. Meyer*

oscitantem iudicem, loquentem cum altero, non numquam etiam circulantem, mittentem ad horas, quaesitorem ut dimittat rogantem: intellegit [oratorem] in ea causa non adesse qui possit animis iudicum admovere orationem tamquam fidibus manum. Idem si praeteriens aspexerit erectos intuentis iudices, ut aut doceri de re idque etiam vultu probare videantur, aut ut avem cantu aliquo sic illos viderit oratione quasi suspensos teneri, aut, id quod maxime opus est, misericordia odio motu animi aliquo perturbatos esse vehementius — ea si praeteriens, ut dixi, aspexerit, si nihil audiverit, tamen oratorem versari in illo iudicio et opus oratorium fieri aut perfectum iam esse profecto intelleget.

(201) Cum haec disseruissem, uterque adsensus est, et ego tamquam de integro ordiens: Quando igitur, inquam, a Cotta et Sulpicio haec omnis fluxit oratio, cum hos maxime iudicio illorum hominum et illius aetatis dixissem probatos, revertar ad eos ipsos; tum reliquos, ut institui, deinceps persequar. Quoniam ergo oratorum bonorum — hos enim quaerimus — duo genera sunt, unum attenuate presseque, alterum sublate ampleque dicentium, etsi id melius est quod splendidius et magnificentius, tamen in bonis omnia quae summa sunt iure laudantur. **(202)** Sed cavenda est presso illi oratori inopia et ieiunitas, amplo autem inflatum et corruptum orationis genus. Inveniebat igitur acute Cotta, dicebat pure ac solute; et ut ad infirmitatem laterum perscienter contentionem omnem remiserat, sic ad virium imbecillitatem dicendi accommodabat genus. Nihil erat in eius oratione nisi sincerum, nihil nisi siccum atque sanum; illudque maximum, quod, cum contentione orationis flectere animos iudicum vix posset nec omnino eo genere diceret, tractando tamen impellebat ut idem facerent a se commoti quod a Sulpicio concitati. **(203)** Fuit enim Sulpicius vel maxime <omnium>, quos quidem ego audiverim, grandis et, ut ita dicam, tragicus orator: vox cum magna tum suavis et splendida; gestus et motus corporis ita venustus ut tamen ad forum, non ad scaenam institutus videretur; incitata et volubilis nec ea redundans tamen nec circumfluens oratio. Crassum hic volebat imitari, Cotta malebat Antonium; sed ab hoc vis aberat Antoni, Crassi ab illo lepos.

(204) O magnam, inquit, artem, Brutus: si quidem istis, cum summi essent oratores, duae res maximae altera alteri defuit.

Atque in his oratoribus illud animadvertendum est, posse esse summos qui inter se sint dissimiles. Nihil enim tam dissimile quam Cotta Sulpicio, et uterque aequalibus suis plurimum praestitit. Quare hoc doctoris intellegentis

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3 *del. Weidner* **5** aut *del. Martha* **7** quod] cum *F*: *om. D* **8** si^{2}] etiamsi *Fuchs* **13** iudicio ... aetatis] cum meo iudicio tum omnium illius aetatis *A. Eberhard coll. §183*: et meo iudicio et omnium ex illius aetatis oratoribus *Jahn*: iudicio omnium hominum illius aetatis *Piderit* **14** duxissem *β* **15** hos] quos *F* **23** cum *om. β* **26** omnium *Ad*] *om. L (recte, ut cens. Martha)*: *ante* vel *add. B*^{2} **31** malebat *om. M* **34** maximae *vulg.*] -me *L* **35** illud <inquam> *Weidner* | est *om. B* **36** et] at *Lambinus*

est videre, quo ferat natura sua quemque, et ea duce utentem sic instituere, ut Isocratem in acerrimo ingenio Theopompi et lenissimo Ephori dixisse traditum est, alteri se calcaria adhibere, alteri frenos. **(205)** Sulpici orationes quae feruntur, eas post mortem eius scripsisse P. Cannutius putatur aequalis meus, homo extra nostrum ordinem meo iudicio disertissimus. Ipsius Sulpici nulla oratio est, saepeque ex eo audivi, cum se scribere neque consuesse neque posse diceret. Cottae pro se lege Varia quae inscribitur, eam L. Aelius scripsit Cottae rogatu. Fuit is omnino vir egregius et eques Romanus cum primis honestus idemque eruditissimus et Graecis litteris et Latinis, antiquitatisque nostrae et in inventis rebus et in actis scriptorumque veterum litterate peritus. Quam scientiam Varro noster acceptam ab illo auctamque per sese, vir ingenio praestans omnique doctrina, pluribus et illustrioribus litteris explicavit. **(206)** Sed idem Aelius Stoicus <esse> voluit, orator autem nec studuit umquam nec fuit. Scribebat tamen orationes quas alii dicerent, ut Q. Metello * f., ut Q. Caepioni, ut Q. Pompeio Rufo; quamquam is etiam ipse scripsit eas quibus pro se est usus, sed non sine Aelio. **(207)** His enim scribendis etiam ipse interfui, cum essem apud Aelium adulescens eumque audire perstudiose solerem. Cottam autem miror summum ipsum oratorem minimeque ineptum Aelianas levis oratiunculas voluisse existimari suas.

His duobus eiusdem aetatis adnumerabatur nemo tertius, sed mihi placebat Pomponius maxime, vel dicam, minime displicebat. Locus erat omnino in maximis causis praeter eos de quibus supra dixi nemini, propterea quod Antonius, qui maxime expetebatur, facilis in causis recipiendis erat; fastidiosior Crassus, sed tamen recipiebat. Horum qui neutrum habebat, confugiebat ad Philippum fere aut ad Caesarem; Cotta Sulpicius<que rarius> expetebantur. Ita ab his sex patronis causae illustres agebantur; neque tam multa quam nostra aetate iudicia fiebant, neque hoc quod nunc fit, ut causae singulae defenderentur a pluribus, quo nihil est vitiosius. **(208)** Respondemus iis quos non audivimus: in quo primum saepe aliter est dictum, aliter ad nos relatum; deinde magni interest coram videre me quem ad modum adversarius de quaque re adseveret, maxime autem quem ad modum quaeque res audiatur. Sed nihil vitiosius quam, cum unum corpus debeat esse defensionis, nasci de integro causam, cum sit ab altero perorata. **(209)** Omnium enim causarum unum est naturale principium, una

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2 et lenissimo *BDFGMO^{v}Tλ*] Edenissimo *O*: et levissimo *E*: et lentissimo *Vogel ex Quint. Inst. 2.8.11* **4** Cannutius *λ*] Cānutius *BO^{2}*: Canutius *Fρ* **13** Stoicus esse *vulg.*] Stoicus *L*: Stoicum se *Stangl* **14** alii *Fρ*] ali *Bλ* **15** *lac. stat. Jahn*] <Q.> *Badian*: <Balearici> *Lambinus*: <L.> *Martha*: <Pio> *Douglas* | Cepioni *DEM*: Caepione *F* (Cęp- *BG*, Cep- *JOU^{c}*): Scipione *U* **17** scribendis *‘alii’ (teste Corrado)*] scriptis *BFJO^{v}β*: scripsitis *U^{1}*: scripsit eas quibus pro se est usus *U, ut vid.*: *om. O*: scribentibus *Kraffert* **22** praeter] propter *O^{ac}* **25–26** Cotta Sulpiciusque rarius *Reis*] Cotta Sulpicius *L*: Cotta et Sulpicius *Ad*: Cotta tum et Sulpicius *Malcovati*: dein Cotta et Sulpicius *ego*: rarius Cotta et Sulpicius *A. Eberhard*: parum Cotta et Sulpicius *Sauppe* **29** iis *B*] his *DFGMOTλ*: hiis *E*

peroratio; reliquae partes quasi membra suo quaeque loco locata suam et vim et dignitatem tenent. Cum autem difficile sit in longa oratione non aliquando aliquid ita dicere ut sibi ipse non conveniat, quanto difficilius cavere, ne quid dicas quod non conveniat eius orationi qui ante te dixerit? Sed quia et labor multo maior est totam causam quam partem dicere et quia plures ineuntur gratiae, si uno tempore dicas pro pluribus, idcirco hanc consuetudinem libenter adscivimus.

(210) Erant tamen quibus videretur illius aetatis tertius Curio, quia splendidioribus fortasse verbis utebatur, et quia Latine non pessime loquebatur usu, credo, aliquo domestico; nam litterarum admodum nihil sciebat. Sed magni interest quos quisque audiat cotidie domi, quibuscum loquatur a puero, quem ad modum patres paedagogi matres etiam loquantur. **(211)** Legimus epistulas Corneliae matris Gracchorum: apparet filios non tam in gremio educatos quam in sermone matris. Auditus est nobis Laeliae C. f. saepe sermo: ergo illam patris elegantia tinctam vidimus et filias eius Mucias ambas, quarum sermo mihi fuit notus, et neptis Licinias, quas nos quidem ambas, hanc vero Scipionis etiam tu, Brute, credo, aliquando audisti loquentem.

Ego vero ac libenter quidem, inquit Brutus; et eo libentius, quod L. Crassi erat filia.

(212) Quid Crassum, inquam, illum censes istius Liciniae filium, Crassi testamento qui fuit adoptatus?

Summo iste quidem dicitur ingenio fuisse, inquit, et vero hic Scipio collega meus mihi sane bene et loqui videtur et dicere.

Recte, inquam, iudicas, Brute. Etenim istius genus est ex ipsius sapientiae stirpe generatum. Nam et de duobus avis iam diximus, Scipione et Crasso, et de tribus proavis, Q. Metello, cuius quattuor <illi> filii, P. Scipione, qui ex dominatu Ti. Gracchi privatus in libertatem rem publicam vindicavit, Q. Scaevola augure, qui peritissimus iuris idemque percomis est habitus. **(213)** Iam duorum abavorum quam est illustre nomen P. Scipionis, qui bis consul fuit, qui est Corculum dictus, alterius omnium sapientissimi, C. Laeli!

O generosam, inquit, stirpem et, tamquam in unam arborem plura genera, sic in istam domum multorum insitam atque †inluminatam† sapientiam!

Similiter igitur suspicor, ut conferamus parva magnis, Curionis, etsi pupillus relictus est, patrio fuisse instituto puro sermone adsuefactam

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1 loco *BFO*$^{2}\lambda$] *om.* ρ **3** sibi ipsum non conveniat *Lambinus*: tibi ipse non convenias *Ernesti* **14** in^{1} *om. F* **15** C. *BO*$^{\nu}\lambda$ (Gai β)] *om. FO* **19** quidem *om. B* **24** bene et *BFJ*^{c}*U*] et bene *J*ρ **27** illi filii *Jahn*] filii *L*: filii consulares *Orelli* **28** Ti. *om. F* **34** atque inluminatam *del. Kayser* | inluminatam *FU* (ill- *BEGJMOTW*)] illuminatum *D (ut vid.) Q*: inseminatam *Koch, fort. recte*: illigatam *Ernesti*: inoculatam *Schütz*: innatam *Cuiaccius* **36** igitur <inquam> *Stangl*

domum; et eo magis hoc iudico, quod neminem, ex iis quidem qui aliquo in numero fuerunt, cognovi in omni genere honestarum artium tam indoctum tam rudem. **(214)** Nullum ille poetam noverat, nullum legerat oratorem, nullam memoriam antiquitatis collegerat, non publicum ius, non privatum et civile cognoverat. Quamquam id quidem fuit etiam in aliis et magnis quidem oratoribus, quos parum his instructos artibus vidimus, ut Sulpicium, ut Antonium. Sed ii tamen unum illud habebant dicendi opus elaboratum; idque cum constaret ex quinque notissimis partibus, nemo in aliqua parte earum omnino nihil poterat; in quacumque enim una plane clauderet, orator esse non posset; sed tamen alius in alia excellebat magis. **(215)** Reperiebat quid dici opus esset et quo modo praeparari et quo loco locari, memoriaque ea comprehendebat Antonius; excellebat autem actione. Erant ei quaedam ex his paria cum Crasso, quaedam etiam superiora; at Crassi magis nitebat oratio. Nec vero Sulpicio neque Cottae dicere possumus neque cuiquam bono oratori rem ullam ex illis quinque partibus plane atque omnino defuisse.

(216) Itaque in Curione hoc verissime iudicari potest, nulla re una magis oratorem commendari quam verborum splendore et copia. Nam cum tardus in cogitando tum in instruendo dissipatus fuit. Reliqua duo sunt, agere et meminisse: in utroque cachinnos irri<sionemque au>dientium commovebat. Motus erat is quem et C. Iulius in perpetuum notavit, cum ex eo in utramque partem toto corpore vacillante quaesivit quis loqueretur e luntre, et Cn. Sicinius, homo impurus sed admodum ridiculus — neque aliud in eo oratoris simile quicquam. **(217)** Is cum tribunus plebis Curionem et Octavium consules produxisset Curioque multa dixisset sedente Cn. Octavio collega, qui devinctus erat fasciis et multis medicamentis propter dolorem artuum delibutus, ‘numquam’, inquit, ‘Octavi, collegae tuo gratiam referes; qui nisi se suo more iactavisset, hodie te istic muscae comedissent.’ Memoria autem ita fuit nulla, ut aliquotiens, tria cum proposuisset, aut quartum adderet aut tertium quaereret; qui in iudicio privato vel maximo, cum ego pro Titinia Cottae peroravissem, ille contra me pro Ser. Naevio diceret, subito totam causam oblitus est idque veneficiis et cantionibus Titiniae factum esse dicebat. **(218)** Magna haec immemoris ingeni signa; sed nihil turpius quam quod etiam in scriptis obliviscebatur quid paulo ante posuisset: ut in eo libro, ubi se exeuntem ex senatu et cum Pansa nostro et

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1 iis *Ad*] his *BDFGMOTλ*: hiis *E* **5** id] hic *F* **7** tamen] tantum *U* **9** plane *om. J, add. J²* | claudicaret $F^{mg}J^{2}$: claudicet O^{2} **11** praeparari *vulg.*] praeparare *L*: apparari *Campe* **12** erant] erantque *F* **13** his] is *F* **15** rem *del. Lambinus* **19** instruendo] struendo *F* **20** cacinnos $BFO^{v}\lambda$: cachinos ρ | irrisionemque audientium *scripsi*] inridentium $B^{c}F\lambda$ (irr- $BJ^{c}\rho$) **22–23** quis in luntre loqueretur *Quint. Inst. 11.3.129* **22** loqueretur *Quint.*] loquetur *L* **22–23** eluntre *B (ut vid.) FGO*^{2vl}*QTW*: cluntre $EO^{ac}O^{v}X$ *(ut vid.)* λ: cliviter J^{2}: elucubre *M*: in luntre *Quint.* **24** oratori *F* **27** gratias *B* **31** Sex. *Corradus* **35** ex *U*] e C^{2} *(in ras. II litt.), BFJ*ρ

cum Curione filio colloquentem facit, cum senatum Caesar consul habuisset, omnisque ille sermo ductus e percontatione fili quid in senatu esset actum. In quo multis verbis cum inveheretur in Caesarem Curio disputatioque esset inter eos, ut est consuetudo dialogorum, cum sermo esset institutus senatu misso, quem senatum Caesar consul habuisset, reprehendit eas res quas idem Caesar anno post et deinceps reliquis annis administravisset in Gallia.

(219) Tum Brutus admirans: Tantamne fuisse oblivionem, inquit, in scripto praesertim, ut ne legens quidem umquam senserit quantum flagiti commisisset?

Quid autem, inquam, Brute, stultius quam, si ea vituperare volebat quae vituperavit, non eo tempore instituere sermonem, cum illarum rerum iam tempora praeterissent? Sed ita totus errat ut in eodem sermone dicat in senatum se Caesare consule non accedere, sed id dicat ipso consule exiens e senatu. Iam qui hac parte animi, quae custos est ceterarum ingeni partium, tam debilis esset ut ne in scripto quidem meminisset quid paulo ante posuisset, huic minime mirum est ex tempore dicenti solitam effluere mentem. **(220)** Itaque cum ei nec officium deesset et flagraret studio dicendi, perpaucae ad eum causae deferebantur. Orator autem, vivis eius aequalibus, proximus optimis numerabatur propter verborum bonitatem, ut ante dixi, et expeditam ac profluentem quodam modo celeritatem. Itaque eius orationes aspiciendas tamen censeo. Sunt illae quidem languidiores, verum tamen possunt augere et quasi alere id bonum quod in illo mediocriter fuisse concedimus, quod habet tantam vim ut solum sine aliis in Curione speciem oratoris alicuius effecerit. Sed ad instituta redeamus.

(221) In eodem igitur numero eiusdem aetatis C. Carbo fuit, illius eloquentissimi viri filius, non satis acutus orator; sed tamen orator numeratus est. Erat in verbis gravitas et facile dicebat et auctoritatem naturalem quandam habebat oratio. Acutior Q. Varius rebus inveniendis nec minus verbis expeditus. Fortis vero actor et vehemens et verbis nec inops nec abiectus et quem plane oratorem dicere auderes Cn. Pomponius, lateribus pugnans, incitans animos, acer acerbus criminosus. **(222)** Multum ab his aberat L. Fufius, tamen ex accusatione M’. Aquili diligentiae fructum ceperat. Nam M. Drusum tuum magnum avunculum, gravem oratorem ita dumtaxat cum de re publica diceret, L. autem Lucullum etiam acutum, patremque tuum, Brute, iuris quoque et publici et privati sane peritum, M. Lucullum, M. Octavium Cn. f., qui tantum auctoritate dicendoque valuit ut

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1 cum[2] ... habuisset *del. Ernesti* **2** ductus *BCFλρ*] ductus est *Bf*: ductus esset *Lambinus*: ducitur *vulg.* **6** administravit *Stangl* **10** stultius] sulpicius *F* **11** vituperavit *BFλρ*] vitiperavit *C* **13** senatum *Ad*] senatu *BCFλρ* | sed *BCFλρ*] et Bg^{vl} **17** nec] ne *O* **18** vivis eius] vivis eius aetatis *Friedrich*: vivis etiam *Stangl*: a suis *Piderit*: visus est *Watt* **19** bonitatem] vanitatem *F* **20** ac] et $U^{ac}X$ **21** orationes *BFλρ*] oratones C^{c}: C^{ac} *incert., fort.* oratores **26** <is> non *Jahn* **29** forti *C, corr.* C^{1} **30** audires $T^{ac}U$ **32** M’. *vulg.*] M. *DFGOλ*: Ⅿ. *BEMT* (Ⅿ *C*) **33** cepit *Stangl*

legem Sempronium frumentariam populi frequentis suffragiis abrogaverit, Cn. Octavium M. f., M. Catonem patrem, Q. etiam Catulum filium abducamus ex acie, id est a iudiciis, et in praesidiis rei publicae, cui facile satis facere possint, collocemus. **(223)** Eodem Q. Caepionem referrem, nisi nimis equestri ordini deditus a senatu dissedisset.

Cn. Carbonem M. Marium et ex eodem genere compluris minime dignos elegantis conventus auribus, aptissimos cognovi turbulentis contionibus. Quo in genere, ut in his perturbem aetatum ordinem, nuper L. Quinctius fuit; aptior etiam Palicanus auribus imperitorum. **(224)** Et quoniam huius generis facta mentio est, seditiosorum omnium post Gracchos L. Appuleius Saturninus eloquentissimus visus est; magis specie tamen et motu atque ipso amictu capiebat homines quam aut dicendi copia aut mediocritate prudentiae. Longe autem post natos homines improbissimus C. Servilius Glaucia, sed peracutus et callidus cum primisque ridiculus. Is ex summis et fortunae et vitae sordibus in praetura consul factus esset, si rationem eius haberi licere iudicatum esset. Nam et plebem tenebat et equestrem ordinem beneficio legis devinxerat. Is praetor eodem die quo Saturninus tribunus plebis Mario et Flacco consulibus publice est interfectus; homo simillimus Atheniensis Hyperboli, cuius improbitatem veteres Atticorum comoediae notaverunt. **(225)** Quos Sex. Titius consecutus, homo loquax sane et satis acutus, sed tam solutus et mollis in gestu ut saltatio quaedam nasceretur, cui saltationi Titius nomen esset. Ita cavendum est ne quid in agendo dicendove facias cuius imitatio rideatur. Sed ad paulo superiorem aetatem revecti sumus; nunc ad eam de qua aliquantum sumus locuti revertamur.

(226) Coniunctus igitur Sulpici aetati P. Antistius fuit, rabula sane probabilis, qui multos cum iacuisset annos neque contemni solum sed irrideri etiam solitus esset, in tribunatu primum contra C. Iuli illam consulatus petitionem extraordinariam veram causam agens est probatus; et eo magis quod eandem causam cum ageret eius collega ille ipse Sulpicius, hic plura et acutiora dicebat. Itaque post tribunatum primo multae ad eum causae, deinde omnes maximae quaecumque erant deferebantur. **(227)** Rem videbat acute, componebat diligenter, memoria valebat; verbis non ille quidem ornatis utebatur, sed tamen non abiectis; expedita autem erat et perfacile currens oratio, et erat eius quidam tamquam habitus non inurbanus; actio paulum cum vitio vocis tum etiam ineptiis claudicabat. Hic temporibus

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2 Cn.] M. *F* | Catullum B^1O **3** id ... iudiciis *del. Manutius* **5** ordinis *F* | dissedisset $B^cCEFQTW\lambda$] dessedisset *G*: discedisset *MO*: dissessesset *B* **8** contionibus *DE*] cognitionibus *BCFGO*λ: cognotionibus *T*: conotionibus *M* **9** <M.> Palicanus *Stangl* **17** <at> is *ego*: igitur *Stangl* **21** consecutus est *Ak* | dissolutus B^{ac} **23** cavendum est *F*$\lambda\rho$] cavendum·st *C* (-um st *B*) **24** ad[1]] a *F*: ad ad $G^{ac}MT$ | revecti $BCFO^{v}\lambda$] reiecti ρ **25** locuti sumus *B* **27** iacuisset *Baehrens*] tacuisset *BCF*$\lambda\rho$, *pler. edd.* **33** dividebat *Fuchs coll. §303* **35** quidam *Manutius*] quidem *BCF*$\lambda\rho$ **36** cum vitio *BCFO*λ] cui convitio *DMT*γ (c. -cio *E*)

floruit iis quibus inter profectionem reditumque L. Sullae sine iure fuit et sine ulla dignitate res publica; hoc etiam magis probabatur, quod erat ab oratoribus quaedam in foro solitudo. Sulpicius occiderat, Cotta aberat et Curio, vivebat e reliquis patronis eius aetatis nemo praeter Carbonem et Pomponium, quorum utrumque facile superabat.

(228) Inferioris autem aetatis erat proximus L. Sisenna, doctus vir et studiis optimis deditus, bene Latine loquens, gnarus rei publicae, non sine facetiis, sed neque laboris multi nec satis versatus in causis; interiectusque inter duas aetates Hortensi et Sulpici nec maiorem consequi poterat et minori necesse erat cedere. Huius omnis facultas ex historia ipsius perspici potest, quae cum facile omnis vincat superiores, tum indicat tamen quantum absit a summo quamque genus hoc scriptionis nondum sit satis Latinis litteris illustratum.

Nam Q. Hortensi admodum adulescentis ingenium ut Phidiae signum simul aspectum et probatum est. **(229)** Is L. Crasso Q. Scaevola consulibus primum in foro dixit et apud hos ipsos quidem consules, et cum eorum qui adfuerunt tum ipsorum consulum, qui omnibus intellegentia anteibant, iudicio discessit probatus. Undeviginti annos natus erat eo tempore, est autem L. Paullo C. Marcello consulibus mortuus; ex quo videmus eum in patronorum numero annos quattuor et quadraginta fuisse. Hoc de oratore paulo post plura dicemus; hoc autem loco voluimus <eius> aetatem in disparem oratorum aetatem includere. Quamquam id quidem omnibus usu venire necesse fuit quibus paulo longior vita contigit, ut et cum multo maioribus natu quam essent ipsi et cum aliquanto minoribus compararentur. Ut Accius isdem aedilibus ait se et Pacuvium docuisse fabulam, cum ille octoginta, ipse triginta annos natus esset, **(230)** sic Hortensius non cum suis aequalibus solum, sed et mea cum aetate et cum tua, Brute, et cum aliquanto superiore coniungitur, si quidem et Crasso vivo dicere solebat, et magis iam etiam vigebat Antonio, et cum Philippo iam sene pro Cn. Pompei bonis dicens in illa causa, adulescens cum esset, princeps fuit, et in eorum quos in Sulpici aetate posui numerum facile pervenerat, et suos inter aequalis M. Pisonem M. Crassum Cn. Lentulum P. Lentulum Suram longe praestitit, et me adulescentem nactus octo annis minorem quam erat ipse multos annos in

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1 iis *Ad*] his *BC*^{c}*Fλρ*: *C*^{ac} *incert., fort.* hiis | Sull- *F*^{c}] Syll- *BCFOλ*: Sill- *β* **2** ulla *del. Jahn* | etiam *BUβ*] etiam autem *FO*: esse *J* **6–7** doctus ... deditus *om. γ* **7** non *om. β* **9** maiorem *Ad*^{2}] maioris *L* **10** percipi *F* **14** nam Q. *Ad*] namque *L* **17** omnibus *Diom. (Keil, Gramm. Lat. i.313.10)*] omnis *L* | anteibant *L*] anteibat *Diom.* **19** Paulo *L* **21** eius aetatem *Marggraff*] aetatem *L*: aetatem eius *Stephanus*: eum *Ernesti*: aetatem *del. Schütz* **22** aetatem *om. O* **23** cum] tum *F* **25** aedilibus *JU*^{c} (ęd- *EMT*, ed- *DGO*)] aedibus *U* (ęd- *B*): et idibus *F* | cum *vulg.*] qua *L (corr. ex* que *E)* **29** <vivo> vigebat *Tittler*: vig<ente flor>ebat *Kayser* | cum *ante* Antonio *transp. Madvig* **30** dicens *Schütz*] dicente *L*

studio eiusdem laudis <se> exercuit, et tecum simul, sicut ego pro multis, sic ille pro Appio Claudio dixit paulo ante mortem.

(231) Vides igitur ut ad te oratorem, Brute, pervenerimus tam multis inter nostrum tuumque initium dicendi interpositis oratoribus; ex quibus, quoniam in hoc sermone nostro statui neminem eorum qui viverent nominare, ne vos curiosius eliceretis ex me quid de quoque iudicarem, eos qui iam sunt mortui nominabo.

Tum Brutus: Non est, inquit, ista causa quam dicis, quam ob rem de iis qui vivunt nihil velis dicere.

Quaenam igitur, inquam, est?

Vereri te, inquit, arbitror ne per nos hic sermo tuus emanet et ii tibi suscenseant quos praeterieris.

Quid? Vos, inquam, tacere non poteritis?

Nos quidem, inquit, facillime; sed tamen te arbitror malle ipsum tacere quam taciturnitatem nostram experiri.

(232) Tum ego: Vere tibi, inquam, Brute, dicam. Non me existimavi in hoc sermone usque ad hanc aetatem esse venturum; sed ita traxit ordo aetatum orationem ut iam ad minores etiam pervenerim.

Interpone igitur, inquit, si quos videtur; deinde redeamus ad te et ad Hortensium.

Immo vero, inquam, ad Hortensium; de me alii dicent, si qui volent.

Minime vero, inquit. Nam etsi me facile omni tuo sermone tenuisti, tamen is mihi longior videtur, quod propero audire de te; nec vero tam de virtutibus dicendi tuis, quae cum omnibus tum certe mihi notissimae sunt, quam quod gradus tuos et quasi processus dicendi studeo cognoscere.

(233) Geretur, inquam, tibi mos, quoniam me non ingeni praedicatorem esse vis sed laboris mei. Verum interponam, ut placet, alios, et a M. Crasso, qui fuit aequalis Hortensi, exordiar.

Is igitur mediocriter a doctrina instructus, angustius etiam a natura, labore et industria et quod adhibebat ad obtinendas causas curam etiam et gratiam, in principibus patronis aliquot annos fuit. In huius oratione sermo Latinus erat, verba non abiecta, res compositae diligenter, nullus flos tamen neque lumen ullum, animi magna, vocis parva contentio, omnia fere ut similiter atque uno modo dicerentur. Nam huius aequalis et inimicus C. Fimbria non ita diu iactare se potuit, qui omnia magna voce dicens verborum sane bonorum cursu quodam incitato ita furebat tamen, ut mirarere tam alias res agere populum, ut esset insano inter disertos locus. **(234)** Cn. autem Lentulus multo maiorem opinionem dicendi actione faciebat quam quanta in eo facultas erat; qui cum esset nec peracutus,

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1 *add. Douglas* **6** eliceretis *Aa*] eligeretis *L* **8** iis *Ad*] his *L* **10** inquit *J, corr. J*[1] **14** ipsum] id ipsum *B* **16** inquam tibi *BD* **18** minores *vulg.*] minoris *L* | perveneris *F* **19** ad[2] *FJρ*] *om. BU* **21** immo ... Hortensium *om. B* **25** quod *del. Ernesti* **29** instructus] instructus et *β* **35** Fimbriam *λ, corr. J*[2] **37** tam] etiam *ρ*

quamquam et ex facie et ex vultu videbatur, nec abundans verbis, etsi fallebat in eo ipso, sic intervallis, exclamationibus, voce suavi et canora, †admirando inridebat calebat† in agendo, ut ea quae deerant non desiderarentur. Ita tamquam Curio copia nonnulla verborum, nullo alio bono, tenuit oratorum locum, **(235)** sic Lentulus ceterarum virtutum dicendi mediocritatem actione occultavit, in qua excellens fuit. Nec multo secus P. Lentulus, cuius et excogitandi et loquendi tarditatem tegebat formae dignitas, corporis motus plenus et artis et venustatis, vocis et suavitas et magnitudo. Sic in hoc nihil praeter actionem fuit, cetera etiam minora quam in superiore. **(236)** M. Piso quicquid habuit, habuit ex disciplina maximeque ex omnibus qui ante fuerunt Graecis doctrinis eruditus fuit. Habuit a natura genus quoddam acuminis, quod etiam arte limaverat, quod erat in reprehendendis verbis versutum et sollers, sed saepe stomachosum, non numquam frigidum, interdum etiam facetum. Is laborem quasi cursum forensem diutius non tulit, quod et corpore erat infirmo et hominum ineptias ac stultitias, quae devorandae nobis sunt, non ferebat iracundiusque respuebat sive morose, ut putabatur, sive ingenuo liberoque fastidio. Is cum satis floruisset adulescens, minor haberi est coeptus postea; deinde ex virginum iudicio magnam laudem est adeptus et ex eo tempore quasi revocatus in cursum tenuit locum tam diu quam ferre potuit laborem; postea quantum detraxit ex studio, tantum amisit ex gloria.

(237) P. Murena mediocri ingenio sed magno studio rerum veterum, litterarum et studiosus et non imperitus, multae industriae et magni laboris fuit. C. Censorinus Graecis litteris satis doctus, quod proposuerat explicans expedite, non invenustus actor, sed iners et inimicus fori. L. Turius parvo ingenio sed multo labore, quoquo modo poterat, saepe dicebat; itaque ei paucae centuriae ad consulatum defuerunt. **(238)** C. Macer auctoritate semper eguit, sed fuit patronus propemodum diligentissimus. Huius si vita, si mores, si vultus denique non omnem commendationem ingeni everteret, maius nomen in patronis fuisset. Non erat abundans, non inops tamen; non valde nitens, non plane horrida oratio; vox gestus et omnis actio sine lepore; at in inveniendis componendisque rebus mira accuratio, ut non facile in ullo diligentiorem maioremque cognoverim, sed eam ut citius veteratoriam quam

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3 admirando inridebat calebat *BFλ* (a. irr- c. *β*; a. irr- callebat *O*)] admiranda dignitate valebat *Kayser* (valebat *Ernesti*): admirando ore dicebat, calebat *Friedrich*: admirantes irretiebat et sic calebat *Schütz*: admirando irridendo latebat *Lambinus*: [admirando inridebat] valebat *Douglas*: admirando ardore calebat *vel* admirando ardebat calore *ego* **6** in ... fuit *del. Weidner* | neque *F* **7** et[1] *om. B* **9** sic] sed *Orelli*: scilicet *Stangl* **10** quicquam *O* **13** sed] et *U* **14** quasi cursum] *del. Jahn*: et quasi cursum *Castiglioni* **17** ingenuo *Bλ*] ingenio *Fρ* | is] itaque *Kayser*: igitur *Stangl* **19** et ex *FJ*[1]*ρ*] et *BU*: ex *J* **23** et[1] *om. O* **26** <ac> saepe *Weidner*: <et> saepe *Bake* | ei *vulg.*] et *L* **27** C. Macer *vulg.*] cancer *L* **31** vox] mox *MTγ* **32** in[1] *om. DF* | accuratio] cura ac ratio *Madvig* | ullo] nullo *F*

oratoriam diceres. Hic etsi etiam in publicis causis probabatur, tamen in privatis illustriorem obtinebat locum.

(239) C. deinde Piso statarius et sermonis plenus orator, minime ille quidem tardus in excogitando, verum tamen vultu et simulatione multo etiam acutior quam erat videbatur. Nam eius aequalem M'. Glabrionem bene institutum avi Scaevolae diligentia socors ipsius natura neglegensque tardaverat. Etiam L. Torquatus elegans in dicendo, in existimando admodum prudens, toto genere perurbanus. Meus autem aequalis Cn. Pompeius, vir ad omnia summa natus, maiorem dicendi gloriam habuisset, nisi eum maioris gloriae cupiditas ad bellicas laudes abstraxisset. Erat oratione satis amplus, rem prudenter videbat; actio vero eius habebat et in voce magnum splendorem et in motu summam dignitatem. **(240)** Noster item aequalis D. Silanus, vitricus tuus, studi ille quidem habuit non multum, sed acuminis et orationis satis.

Q. Pompeius A. f., qui Bithynicus dictus est, biennio quam nos fortasse maior, summo studio dicendi multaque doctrina, incredibili labore atque industria; quod scire possum; fuit enim mecum et cum M. Pisone cum amicitia tum studiis exercitationibusque coniunctus. Huius actio non satis commendabat orationem; in hac enim satis erat copiae, in illa autem leporis parum. **(241)** Erat eius aequalis P. Autronius, voce peracuta atque magna nec alia re ulla probabilis, et L. Octavius Reatinus, qui cum multas iam causas diceret, adulescens est mortuus — is tamen ad dicendum veniebat magis audacter quam parate —, et C. Staienus, qui se ipse adoptaverat et de Staieno Aelium fecerat, fervido quodam et petulanti et furioso genere dicendi; quod quia multis gratum erat et probabatur, ascendisset ad honores, nisi in facinore manifesto deprehensus poenas legibus et iudicio dedisset. **(242)** Eodem tempore C. L. Caepasii fratres fuerunt, qui multa opera, ignoti homines et repentini, quaestores celeriter facti sunt, oppidano quodam et incondito genere dicendi. Addamus huc etiam, ne quem vocalem praeterisse videamur, C. Cosconium Calidianum, qui nullo acumine eam tamen verborum copiam, si quam habebat, praebebat populo cum multa concursatione magnoque clamore. Quod idem faciebat Q. Arrius, qui fuit M. Crassi quasi secundarum. Is omnibus exemplo debet esse quantum in hac urbe polleat multorum oboedire tempori multorumque vel honori vel periculo servire. **(243)** His enim rebus infimo loco natus et honores et pecuniam et gratiam consecutus etiam in patronorum — sine doctrina, sine ingenio — aliquem numerum pervenerat. Sed ut pugiles inexercitati, etiam si pugnos et plagas Olympiorum cupidi ferre possunt, solem tamen saepe ferre non possunt, sic ille cum omni iam fortuna prospere functus labores

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1 etsi] si *F* **5** M'. *vulg.*] M. *DEFGOTλ*: Ṁ. *BM* **6** avi *vulg.*] aut *L* | diligentia] industria *B, corr. B*^{1} **9** eum *om. β* **16** multaque] multa *U* **17** et *om. F* **20** Autronius *BFOλ*] Antronius *ET*: Antonius *MQWγ* **25** quia] qui *U* **27** Caepasii *β*] -si *BFOλ* **28** homines] honores *F* **34** multorum *om. D* **39** ferre *del. Weidner*

etiam magnos excepisset, illius iudicialis anni severitatem quasi solem non tulit.

(244) Tum Atticus: Tu quidem de faece, inquit, hauris idque iam dudum, sed tacebam; hoc vero non putabam, te usque ad Staienos et Autronios esse venturum.

Non puto, inquam, existimare te ambitione me labi, quippe de mortuis; sed ordinem sequens in memoriam notam et aequalem necessario incurro. Volo autem hoc perspici, omnibus conquisitis qui in multitudine dicere ausi sint, memoria quidem dignos perpaucos, verum qui omnino nomen habuerint, non ita multos fuisse. Sed ad sermonem institutum revertamur.

(245) T. Torquatus T. f., et doctus vir ex Rhodia disciplina Molonis et a natura ad dicendum satis solutus atque expeditus (cui si vita suppeditavisset, sublato ambitu consul factus esset), plus facultatis habuit ad dicendum quam voluntatis. Itaque studio huic non satis fecit, officio vero nec in suorum necessariorum causis nec in sententia senatoria defuit. **(246)** Etiam M. Pontidius municeps noster multas privatas causas actitavit, celeriter sane verba volvens nec hebes in causis, vel dicam plus etiam quam non hebes, sed effervescens in dicendo stomacho saepe iracundiaque vehementius; ut non cum adversario solum sed etiam, quod mirabile esset, cum iudice ipso, cuius delenitor esse debet orator, iurgio saepe contenderet. M. Messalla minor natu quam nos, nullo modo inops sed non nimis ornatus genere verborum, prudens acutus, minime incautus patronus, in causis cognoscendis componendisque diligens, magni laboris, multae operae multarumque causarum. **(247)** Duo etiam Metelli, Celer et Nepos, nihil in causis versati nec sine ingenio nec indocti hoc erant populare dicendi genus adsecuti. Cn. autem Lentulus Marcellinus nec umquam indisertus et in consulatu pereloquens visus est, non tardus sententiis, non inops verbis, voce canora, facetus satis. C. Memmius L. f. perfectus litteris, sed Graecis, fastidiosus sane Latinarum, argutus orator verbisque dulcis, sed fugiens non modo dicendi verum etiam cogitandi laborem, tantum sibi de facultate detraxit quantum imminuit industriae.

(248) Hoc loco Brutus: Quam vellem, inquit, de his etiam oratoribus qui hodie sunt tibi dicere liberet; et si de aliis minus, de duobus tamen quos a te scio laudari solere, Caesare et Marcello, audirem non minus libenter quam audivi de iis qui fuerunt.

Cur tandem? inquam. An exspectas quid ego iudicem de istis qui tibi sunt aeque noti ac mihi?

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4 putaram *Weidner* | et] aut *U* **9** indignos *B* | verum] eorum *Weidner*: videri *Stangl* **10** ita] tam *ρ* **12** cui] qui *Kayser* **18** exfervescens *L* **19** esset] *om. β*: est *Meyer* **20** delinitor E^cO: delinitior *BFβλ* | Messalla *DGT*] Messala *BFMOλ*: Massalla *E* **26** Cn. *Manutius*] Gaius *Bλρ*: G. *F*: C. F^c **28** Meminius *β, corr.* E^c **32** his] is *E*: iis *Rom* **35** his *GU*

Mihi mehercule, inquit, Marcellus satis est notus, Caesar autem parum; illum enim saepe audivi, hic, cum ego iudicare iam aliquid possem, afuit.

(249) Quid igitur de illo iudicas quem saepe audivisti?

Quid censes, inquit, nisi id quod habiturus es similem tui?

Ne ego, inquam, si ita est, velim tibi eum placere quam maxime.

Atqui et ita est, inquit, et vehementer placet; nec vero sine causa. Nam et didicit et, omissis ceteris studiis, unum id egit seseque cotidianis commentationibus acerrime exercuit. **(250)** Itaque et lectis utitur verbis et frequentibus <sententiis>, et splendore vocis dignitate motus fit speciosum et illustre quod dicitur, omniaque sic suppetunt, ut ei nullam deesse virtutem oratoris putem; maximeque laudandus est, qui hoc tempore ipso, cum liceat in hoc communi nostro et quasi fatali malo, consoletur se cum conscientia optimae mentis tum etiam usurpatione et renovatione doctrinae. Vidi enim Mytilenis nuper virum atque, ut dixi, vidi plane virum. Itaque cum eum antea tui similem in dicendo viderim, tum vero nunc a doctissimo viro tibique, ut intellexi, amicissimo Cratippo instructum omni copia multo videbam similiorem.

(251) Hic ego: Etsi, inquam, de optimi viri nobisque amicissimi laudibus libenter audio, tamen incurro in memoriam communium miseriarum, quarum oblivionem quaerens hunc ipsum sermonem produxi longius. Sed de Caesare cupio audire quid tandem Atticus iudicet.

Et ille: Praeclare, inquit, tibi constas, ut de iis qui nunc sint nihil velis ipse dicere; et hercule si sic ageres, ut de iis egisti qui iam mortui sunt, neminem ut praetermitteres, ne tu in multos Autronios et Staienos incurreres. Quare sive hanc turbam effugere voluisti sive veritus ne quis se aut praeteritum aut non satis laudatum queri posset, de Caesare tamen potuisti dicere, praesertim cum et tuum de illius ingenio notissimum iudicium esset nec illius de tuo obscurum.

(252) Sed tamen, Brute, inquit Atticus, de Caesare et ipse ita iudico et de hoc huius generis acerrimo existimatore saepissime audio, illum omnium fere oratorum Latine loqui elegantissime; nec id solum domestica consuetudine, ut dudum de Laeliorum et Muciorum familiis audiebamus, sed quamquam id quoque credo fuisse, tamen, ut esset perfecta illa bene loquendi laus, multis litteris et iis quidem reconditis et exquisitis summoque studio et diligentia est consecutus: **(253)** qui[n] etiam in maximis occupationibus ad te ipsum, inquit in me intuens, de ratione Latine loquendi accuratissime scripserit, primoque in libro dixerit verborum dilectum originem esse eloquentiae, tribueritque, mi Brute, huic nostro, qui me de illo

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2 iam *om. B* **3** iudicas <inquam> *Jahn* **5** ita est] ita st *B* **6** atqui *vulg.*] atque *L* **9** sententiis *add. Jahn* | et *del. Martha* | vocis <et> *vulg.* **10** dicitur] *om. G*: dicit *Orelli* **11** cum *L, def. Douglas*] quod *Peter* **16** Cratippo $E^cFG^cJ^2$] Gratippo $B\lambda\rho$ **25** veritus <es> *vulg., edd.* **26** possit *B* **28** nec F^cJ^2] ne *L* **35** qui *Schneider*] quin *L* **37** scripserit $B^1\lambda\rho$] scripsit *BF* | dixerit] disserit F^{2mg}: dixit *A. Eberhard* **38** tribuitque *A. Eberhard*

maluit quam se dicere, laudem singularem. Nam scripsit his verbis, cum hunc nomine esset affatus: ‘Ac si, <ut> cogitata praeclare eloqui possent, nonnulli studio et usu elaboraverunt, cuius te paene principem copiae atque inventorem bene de nomine ac dignitate populi Romani meritum esse existimare debemus, hunc facilem et cotidianum novisse sermonem nunc pro relicto est habendum.’

(254) Tum Brutus: Amice hercule, inquit, et magnifice te laudatum puto, quem non solum principem atque inventorem copiae dixerit, quae erat magna laus, sed etiam bene meritum de populi Romani nomine et dignitate. Quo enim uno vincebamur a victa Graecia, id aut ereptum illis est aut certe nobis cum Graecis communicatum. **(255)** Hanc autem, inquit, gloriam testimoniumque Caesaris tuae quidem supplicationi non, sed triumphis multorum antepono.

Et recte quidem, inquam, Brute, modo sit hoc Caesaris iudici, non benevolentiae testimonium. Plus enim certe attulit huic populo dignitatis, quisquis est ille, si modo est aliquis, qui non illustravit modo, sed etiam genuit in hac urbe dicendi copiam, quam illi qui Ligurum castella expugnaverunt; ex quibus multi sunt, ut scitis, triumphi. **(256)** Verum quidem si audire volumus, omissis illis divinis consiliis, quibus saepe constituta est [imperatorum sapientia] salus civitatis aut belli aut domi, multo magnus orator praestat minutis imperatoribus. ‘At prodest plus imperator.’ Quis negat? Sed tamen — non metuo ne mihi acclametis; est autem quod sentias dicendi liber locus — malim mihi L. Crassi unam pro M’. Curio dictionem quam castellanos triumphos duo. ‘At plus interfuit rei publicae castellum capi Ligurum quam bene defendi causam M’. Curi.’ **(257)** Credo; sed Atheniensium quoque plus interfuit firma tecta in domiciliis habere quam Minervae signum ex ebore pulcherrimum; tamen ego me Phidiam esse mallem quam vel optimum fabrum tignuarium. Quare non quantum quisque prosit, sed quanti quisque sit ponderandum est; praesertim cum pauci pingere egregie possint aut fingere, operarii autem aut baiuli deesse non possint. **(258)** Sed perge, Pomponi, de Caesare et redde quae restant.

Solum quidem, inquit ille, et quasi fundamentum oratoris vides locutionem emendatam et Latinam, cuius penes quos laus adhuc fuit, non fuit rationis aut scientiae sed quasi bonae consuetudinis. Mitto C. Laelium

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2 si ut *Aa*] si *L*; ut *add. post* eloqui *Ernesti* **5** facilem *Aa*] facile *L* | nunc] num *Lallemand* **6** delicto *Schütz* **10** <per te> ereptum *Piderit ex Plut. Cic. 4.7* **11** nobis cum graecis *FJ* (n. c. grę- *DGO*; n. c. gre- *EMU*)] nobis cum illis *B*: nobiscum *Simon* **12** non] non solum *β*; non *ante* tuae *transp. Ernesti* **20** imperatorum sapientia *del. Lambinus* **23** libere *Jahn* | L. *om. F* **24** M’. *vulg.*] M. *EFGOTλ*: Ṁ. *BM* **25** capiligurum *λ* | M’. *vulg.*] M. *EFGOTλ*: Ṁ. *BG*^{c} *(ut vid.) M* **28** tignarium *G*^{c} **31** baiuli deesse *F*] baioli deesse *B*: baioli de esse *G*^{c}*λ*: baiolide esse *ρ* **34** elocutionem *β* **35** bono *F*

Philum Scipionem: aetatis illius ista fuit laus tamquam innocentiae sic Latine loquendi — nec omnium tamen, nam illorum aequalis Caecilium et Pacuvium male locutos videmus — sed omnes tum fere, qui nec extra urbem hanc vixerant neque eos aliqua barbaria domestica infuscaverat, recte loquebantur. Sed hanc certe rem deteriorem vetustas fecit et Romae et in Graecia. Confluxerunt enim et Athenas et in hanc urbem multi inquinate loquentes ex diversis locis. Quo magis expurgandus est sermo et adhibenda tamquam obrussa ratio, quae mutari non potest, nec utendum pravissima consuetudinis regula. **(259)** T. Flamininum, qui cum Q. Metello consul fuit, pueri vidimus; existimabatur bene Latine, sed litteras nesciebat. Catulus erat ille quidem minime indoctus, ut a te paulo est ante dictum, sed tamen suavitas vocis et levis appellatio litterarum bene loquendi famam confecerat. Cotta, qui se valde dilatandis litteris a similitudine Graecae locutionis abstraxerat sonabatque contrarium Catulo subagreste quiddam planeque subrusticum, alia quidem quasi inculta et silvestri via ad eandem laudem pervenerat. Sisenna autem quasi emendator sermonis usitati cum esse vellet, ne a C. Rusio quidem accusatore deterreri potuit quo minus inusitatis verbis uteretur.

(260) Quidnam istuc est, inquit Brutus, aut quis est iste C. Rusius?

Et ille: Fuit accusator, inquit, vetus, quo accusante C. Hirtilium Sisenna defendens dixit quaedam eius sputatilica esse crimina. Tum C. Rusius: ‘Circumvenior’, inquit, ‘iudices, nisi subvenitis. Sisenna quid dicat nescio; metuo insidias. Sputatilica: quid est hoc? Sputa quid sit scio, tilica nescio.’ Maximi risus; sed ille tamen familiaris meus recte loqui putabat esse inusitate loqui. **(261)** Caesar autem rationem adhibens consuetudinem vitiosam et corruptam pura et incorrupta consuetudine emendat. Itaque cum ad hanc elegantiam verborum Latinorum — quae, etiam si orator non sis et sis ingenuus civis Romanus, tamen necessaria est — adiungit illa oratoria ornamenta dicendi, tum videtur tamquam tabulas bene pictas collocare in bono lumine. Hanc cum habeat praecipuam laudem, in communibus non video cui debeat cedere. Splendidam quandam minimeque veteratoriam

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1 Philum *Heraeus*] pilum *BFOλ*: publium $E^cG^{vl}M$ (p. F^c): publium *post* Scipionem *E*: *om. DG*: L. Philum P. *Reis* **4** aliqua $E^cG^{vl}O^c$] aliquae *J* (-quę *EGMU*, -que *BDFO*) | barbaria *Ad*] barbari *BDFGMOU*: barbaries $G^{vl}JO^c$: barbarie *E* | domestica G^{vl}] indomestica $OO^v\lambda$: in domestica *BFβ* **6** et[1] *om. B* **8** tamquam *Manutius*] quantum *λρ*: quamtum *F*: quam *B*: *om.* E^c **9** Flamininum F^c] Flamminium *FOλ*: Flaminium *Bβ* | Q. *om. ρ, add.* O^v **10** Latine <loqui> *Kayser* | Catulus *DFγλ*] Catullus *BEMO* **12** levis *BEFGQWλ*] lenis J^2MO **13** qui *Ernesti*] quia *Fλρ*: qui a *B* | Graecae] rectae *Simon* **14** Catullo *DM* **15** quidem] quidam *J*: quadam J^2 | silvestri via] silvestria *F* **17** accusatore *del. Kayser* | usitatis *B* **20** accusante] accusatore *O, corr.* O^v | C. Hirtilium *Müller*] Chirtilium *L*: C. Hirtuleium *Ellendt* **21** criminatum. C. Rusium *L, corr. Ad* **22** dicat *Ad*] dicas *L* **26** emendabat *ρ* **31** veteratoriam $B^cFJ^2\rho$] vetetoriam *Bλ*

rationem dicendi tenet, voce motu forma etiam magnificam et generosam quodam modo.

(262) Tum Brutus: Orationes quidem eius mihi vehementer probantur. Compluris autem legi; atque etiam commentarios quosdam scripsit rerum suarum.

Valde quidem, inquam, probandos; nudi enim sunt, recti et venusti, omni ornatu orationis tamquam veste detracta. Sed dum voluit alios habere parata, unde sumerent qui vellent scribere historiam, ineptis gratum fortasse fecit, qui illa volent calamistris inurere: sanos quidem homines a scribendo deterruit; nihil est enim in historia pura et illustri brevitate dulcius. Sed ad eos, si placet, qui vita excesserunt, revertamur.

(263) C. Sicinius igitur, Q. Pompei illius qui censor fuit ex filia nepos, quaestorius mortuus est; probabilis orator, iam vero etiam probatus, ex hac inopi ad ornandum, sed ad inveniendum expedita Hermagorae disciplina. Ea dat rationes certas et praecepta dicendi; quae si minorem habent apparatum — sunt enim exilia — tamen habent ordinem et quasdam errare in dicendo non patientis vias. Has ille tenens et paratus ad causas veniens, verborum non egens, ipsa illa comparatione disciplinaque dicendi iam in patronorum numerum pervenerat. **(264)** Erat etiam vir doctus in primis C. Visellius Varro, consobrinus meus, qui fuit cum Sicinio aetate coniunctus. Is cum post curulem aedilitatem iudex quaestionis esset, est mortuus; in quo fateor vulgi iudicium a iudicio meo dissensisse. Nam populo non erat satis vendibilis; praeceps quaedam et cum idcirco obscura quia peracuta, tum rapida et celeritate caecata oratio; sed neque verbis aptiorem cito alium dixerim neque sententiis crebriorem; praeterea perfectus in litteris, iurisque civilis iam a patre Aculeone traditam tenuit disciplinam.

(265) Reliqui sunt, qui mortui sint, L. Torquatus, quem tu non tam cito rhetorem dixisses, etsi non deerat oratio, quam, ut Graeci dicunt, πολιτικόν. Erant in eo plurimae litterae nec eae vulgares, sed interiores quaedam et reconditae, divina memoria, summa verborum et gravitas et elegantia; atque haec omnia vitae decorabat gravitas et integritas. Me quidem admodum delectabat etiam Triari in illa aetate plena litteratae senectutis oratio. Quanta severitas in vultu! Quantum pondus in verbis! Quam nihil non consideratum exibat ex ore!

(266) Tum Brutus Torquati et Triari mentione commotus — utrumque enim eorum admodum dilexerat —: Ne ego, inquit, ut omittam cetera, quae

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1 etiam] et *F* | magnificam et generosam *Corradus ex Suet. Iul. 55.1*] magnifica et generosa *L* **4** quosdam] quos idem *Stangl* **6** enim *om. Suet. (Iul. 56.2)* **7** detracta *L Suet.*] detracto *Lambinus* **8** <si> qui *Kovacs* **9** illa volent J^2 *Suet.*] volunt illa *Fλρ*: nolunt illa *B* **10** enim est *B* **12** Sicinius *Ad*] Sinicius *FOλ*: Sinitius *β*: Sinucius *B* **14** inopi *BF*] inopia *λρ* **17** patientes $FG^{vl}OX^{vl}$ (paci- *λ*): patentes *Bβ* **21** aedilitatem] dignitatem *B* **24** rapida] rapiditate *Dederich* | et *del. Schütz* **28** politicon *BFJρ*: polyticon *U* **31** gravitas $BFO^{v}λρ$] dignitas *O*: castitas *Stangl* **36** admodum *om. B*

sunt innumerabilia, de istis duobus cum cogito, doleo nihil tuam perpetuam auctoritatem de pace valuisse. Nam nec istos excellentis viros nec multos alios praestantis civis res publica perdidisset.

Sileamus, inquam, Brute, de istis nec augeamus dolorem. Nam et praeteritorum recordatio est acerba et acerbior exspectatio reliquorum. Itaque omittamus lugere et tantum quid quisque dicendo potuerit, quoniam id quaerimus, praedicemus.

(267) Sunt etiam ex iis qui eodem bello occiderunt M. Bibulus, qui et scriptitavit accurate, cum praesertim non esset orator, et egit multa constanter; App. Claudius socer tuus, collega et familiaris meus: hic iam et satis studiosus et valde cum doctus tum etiam exercitatus orator et cum auguralis tum omnis publici iuris antiquitatisque nostrae bene peritus fuit. L. Domitius nulla ille quidem arte, sed Latine tamen et multa cum libertate dicebat. **(268)** Duo praeterea Lentuli consulares, quorum Publius ille nostrarum iniuriarum ultor, auctor salutis, quicquid habuit, quantumcumque fuit, illud totum habuit e disciplina; instrumenta naturae deerant; sed tantus animi splendor et tanta magnitudo ut sibi omnia quae clarorum virorum essent non dubitaret adsciscere eaque omni dignitate obtineret. L. autem Lentulus satis erat fortis orator, si modo orator, sed cogitandi non ferebat laborem; vox canora, verba non horrida sane * * * ut plena esset animi et terroris oratio; quaereres in iudiciis fortasse melius, in re publica quod erat esse iudicares satis. **(269)** Ne T. quidem Postumius contemnendus in dicendo; de re publica vero non minus vehemens orator quam bellator fuit, effrenatus et acer nimis, sed bene iuris publici leges atque instituta cognoverat.

Hoc loco Atticus: Putarem te, inquit, ambitiosum esse, si, ut dixisti, ii quos iam diu colligis viverent. Omnis enim commemoras qui ausi aliquando sunt stantes loqui, ut mihi imprudens M. Servilium praeterisse videare.

(270) Non, inquam, ego istuc ignoro, Pomponi, multos fuisse qui verbum numquam in publico fecissent, cum melius aliquanto possent quam isti oratores quos colligo dicere; sed his commemorandis etiam illud adsequor, ut intellegatis primum ex omni numero quam non multi ausi sint dicere, deinde ex iis ipsis quam pauci fuerint laude digni. **(271)** Itaque ne hos quidem equites Romanos amicos nostros, qui nuper mortui sunt, <praeteribo>, P. Cominium Spoletinum, quo accusante defendi C. Cornelium, in quo et compositum dicendi genus et acre et expeditum fuit; T. Attium Pisaurensem, cuius accusationi respondi pro A. Cluentio, qui et

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1 perpetuam tuam *B* **4** nec *Cλρ*] ne *BF* **10** App. *COλ*] Appius *BFβ*: Ap.p. O^{v} **20** non *del. Barwick* | *lac. aliquot verborum stat. Hendrickson* | ut plena esset] at plena et *Weidner*: plena *Schütz* **21** terroris *(cf. Caes. BCiv. 1.1-2)*] horroris *B*: fervoris *Purgold* **22** esse *om. B* | T.] L. *Corradus*: C. *Sumner* | Postumius *F*] Postumus *BCλρ* **24** acer nimis] acerrimus FJ^{2} **35** praeteribo *addidi*] omittam *hic add. Kayser, post* Romanos *Hertz* | Spoletinum $BE^{c}FJ^{c}U$] Spolentinum *CJρ* **37** Attium *BCλρ*] Accium *F*

accurate dicebat et satis copiose, eratque praeterea doctus Hermagorae praeceptis, quibus etsi ornamenta non satis opima dicendi, tamen, ut hastae velitibus ammentatae, sic apta quaedam et parata singulis causarum generibus argumenta traduntur.

(272) Studio autem neminem nec industria maiore cognovi, quamquam ne ingenio quidem qui praestiterit facile dixerim C. Pisoni genero meo. Nullum tempus illi umquam vacabat aut a forensi dictione aut a commentatione domestica aut a scribendo aut a cogitando. Itaque tantos processus efficiebat ut evolare, non excurrere videretur; eratque verborum et dilectus elegans et apta et quasi rotunda constructio; cumque argumenta excogitabantur ab eo multa et firma ad probandum tum concinnae acutaeque sententiae; gestusque natura ita venustus ut ars etiam, quae non erat, et e disciplina motus quidam videretur accedere. Vereor ne amore videar plura quam fuerint in illo dicere, quod non ita est; alia enim de illo maiora dici possunt. Nam nec continentia nec pietate nec ullo genere virtutis quemquam eiusdem aetatis cum illo conferendum puto.

(273) Nec vero M. Caelium praetereundum arbitror, quaecumque eius in exitu vel fortuna vel mens fuit; qui quamdiu auctoritati meae paruit, talis tribunus plebis fuit ut nemo contra civium perditorum popularem turbulentamque dementiam a senatu et a bonorum causa steterit constantius. †Quam† eius actionem multum tamen et splendida et grandis et eadem in primis faceta et perurbana commendabat oratio. Graves eius contiones aliquot fuerunt, acres accusationes tres eaeque omnes ex rei publicae contentione susceptae; defensiones, etsi illa erant in eo meliora quae dixi, non contemnendae tamen saneque tolerabiles. Hic cum summa voluntate bonorum aedilis curulis factus esset, nescio quo modo discessu meo discessit a sese ceciditque, posteaquam eos imitari coepit quos ipse perverterat.

(274) Sed de M. Calidio dicamus aliquid, qui non fuit orator unus e multis, potius inter multos prope singularis fuit: ita reconditas exquisitasque sententias mollis et pellucens vestiebat oratio. Nihil tam tenerum quam illius comprehensio verborum, nihil tam flexibile, nihil quod magis ipsius arbitrio fingeretur, ut nullius oratoris aeque in potestate fuerit; quae primum ita pura erat ut nihil liquidius, ita libere fluebat ut nusquam adhaeresceret; nullum nisi loco positum et tamquam in vermiculato emblemate, ut ait Lucilius, structum verbum videres; nec vero ullum aut durum aut insolens aut humile aut [in] longius ductum; ac non propria verba rerum sed pleraque translata,

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3 āmentatae C^{c} *(ut vid.) J* (-tę *EGM*, -te *DO*)] ament- *BC (ut vid.) FU*^{c}*X*: arment- *U* **7** a^{1} *om. ρ, add. O*^{2} **9** et *om. X* **12** e *om. DF* **17–18** in eius *γ* **19** proditorum *U* **21** quam] iniquam *Hendrickson*: scaenicam *Weidner*: quamvis molestam *Barwick*: quamvis miram *Busche*: antiquam *Hertz*: nimiam *A. Eberhard*: nequam *Della Corte* | quam eius] cuius *Ag*^{c}*υ* | actionem] dictionem *Martha* | et^{1} *om. B* **30** prope *om. β* **33** aeque ... fuerit] eaeque ... fuerunt *F* **36** ullum *H*] nullum *L* **37** in *L, om. V*^{ac}

sic tamen ut ea non irruisse in alienum locum sed immigrasse in suum diceres; nec vero haec soluta nec diffluentia sed astricta numeris, non aperte nec eodem modo semper sed varie dissimulanterque conclusis. **(275)** Erant autem et verborum et sententiarum illa lumina quae vocant Graeci σχήματα, quibus tamquam insignibus in ornatu distinguebatur omnis oratio. ‘Qua de re agitur’ autem illud, quod multis locis in iuris consultorum includitur formulis, id ubi esset videbat. **(276)** Accedebat ordo rerum plenus artis, actio liberalis totumque dicendi placidum et sanum genus. Quod si est optimum suaviter dicere, nihil est quod melius hoc quaerendum putes. Sed cum a nobis paulo ante dictum sit tria videri esse quae orator efficere deberet, ut doceret ut delectaret ut moveret, duo summe tenuit, ut et rem illustraret disserendo et animos eorum qui audirent devinciret voluptate; aberat tertia illa laus, qua permoveret atque incitaret animos, quam plurimum pollere diximus; nec erat ulla vis atque contentio, sive consilio, quod eos quorum altior oratio actioque esset ardentior furere et bacchari arbitraretur, sive quod natura non esset ita factus, sive quod non consuesset, sive quod non nosset. Hoc unum illi si nihil utilitatis habebat, afuit; si opus erat, defuit.

(277) Quin etiam memini, cum in accusatione sua Q. Gallio crimini dedisset sibi eum venenum paravisse, idque a se esse deprehensum seseque chirographa testificationes indicia quaestiones manifestam rem deferre diceret, deque eo crimine accurate et exquisite disputavisset, me in respondendo, cum essem argumentatus quantum res ferebat, hoc ipsum etiam posuisse pro argumento, quod ille, cum pestem capitis sui, cum indicia mortis se comperisse manifesto et manu tenere diceret, tam solute egisset, tam leniter, tam oscitanter. **(278)** ‘Tu istuc, M. Calidi, nisi fingeres, sic ageres? Praesertim cum ista eloquentia alienorum hominum pericula defendere acerrime soleas, tuum neglegeres? Ubi dolor, ubi ardor animi, qui etiam ex infantium ingeniis elicere voces et querelas solet? Nulla perturbatio animi, nulla corporis; frons non percussa, non femur; pedis, quod minimum est, nulla supplosio. Itaque tantum afuit ut inflammares nostros animos, somnum isto loco vix tenebamus.’ Sic nos summi oratoris vel sanitate vel vitio pro argumento ad diluendum crimen usi sumus.

(279) Tum Brutus: Atque dubitamus, inquit, utrum ista sanitas fuerit an vitium? Quis enim non fateatur, cum ex omnibus oratoris laudibus longe ista sit maxima, inflammare animos audientium et quocumque res postulet modo flectere, qui hac virtute caruerit, id ei quod maximum fuerit defuisse?

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7 id *Corradus*] et *L* **8** est *om. B* **12** devinciret G^{c}] devinceret *BEFGMOλ*: devincerent *D* **17** nosset *Friedrich*] posset *L* **19** crimini J^{2}] crimine *BFJU*^{c}*ρ*: criminet *U* **21** deferre *As*] differre *L* **22** crimine $BF^{ac}F^{c}J^{2}\rho$] crimen $F^{1}\lambda$ **26** leviter *X* **27** cum ista eloquentia] ista eloquentia? Cum *Lambinus*: ista eloquentia? *Martha* **28** soleas *Ad*] soles *L* **30** frons non *BFJU*^{c}*ρ*] fons non U^{ac}: non frons *Quint. Inst. 11.3.123* **31** afuit *BFO*$^{c}\lambda$ (abf- $J^{2}\beta$)] affuit *O*: abest *Quint. Inst. 11.3.155* **34** dubitabamus *Gλ*

Sit sane ita, inquam; sed redeamus ad eum qui iam unus restat, Hortensium; tum de nobismet ipsis, quoniam id etiam, Brute, postulas, pauca dicemus. Quamquam facienda mentio est, ut quidem mihi videtur, duorum adulescentium qui, si diutius vixissent, magnam essent eloquentiae laudem consecuti.

(280) C. Curionem te, inquit Brutus, et C. Licinium Calvum arbitror dicere.

Recte, inquam, arbitraris; quorum quidem alter [quod verisimile dixisset] ita facile soluteque verbis volvebat satis interdum acutas, crebras quidem certe sententias, ut nihil posset ornatius esse, nihil expeditius. Atque hic parum a magistris institutus naturam habuit admirabilem ad dicendum; industriam non sum expertus, studium certe fuit. Qui si me audire voluisset, ut coeperat, honores quam opes consequi maluisset.

Quidnam est, inquit, istuc, et quem ad modum distinguis?

(281) Hoc modo, inquam: cum honos sit praemium virtutis iudicio studioque civium delatum ad aliquem, qui eum sententiis, qui suffragiis adeptus est, is mihi et honestus et honoratus videtur. Qui autem occasione aliqua etiam invitis suis civibus nactus est imperium, ut ille cupiebat, hunc nomen honoris adeptum, non honorem puto. Quae si ille audire voluisset, maxima cum gratia et gloria ad summam amplitudinem pervenisset, ascendens gradibus magistratuum, ut pater eius fecerat, ut reliqui clariores viri. Quae quidem etiam cum P. Crasso M. f., <cum> initio aetatis ad amicitiam se meam contulisset, saepe egisse me arbitror, cum eum vehementer hortarer ut eam laudis viam rectissimam esse duceret quam maiores eius ei tritam reliquissent. **(282)** Erat enim cum institutus optime tum etiam perfecte planeque eruditus, ineratque et ingenium satis acre et orationis non inelegans copia, praetereaque sine arrogantia gravis esse videbatur et sine segnitia verecundus. Sed hunc quoque absorbuit aestus quidam insolitae adulescentibus gloriae; qui quia navarat miles operam imperatori, imperatorem se statim esse cupiebat, cui muneri mos maiorum aetatem certam, sortem incertam reliquit. Ita gravissimo suo casu, dum Cyri et Alexandri similis esse voluit, qui suum cursum transcurrerant, et L. Crassi et multorum Crassorum inventus est dissimillimus.

(283) Sed ad Calvum — is enim nobis erat propositus — revertamur; qui orator fuit cum litteris eruditior quam Curio, tum etiam accuratius quoddam dicendi et exquisitius afferebat genus; quod quamquam scienter eleganterque tractabat, nimium tamen inquirens in se atque ipse sese observans metuensque ne vitiosum colligeret, etiam verum sanguinem

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1 redeamus] respondeamus *F* **8–9** *del. Lambinus* **11** a magistris parum *B* **14** quinam *F* **18** suis *om. β* **21** clariores] maiores clari *Jahn*: clari omnes *Castiglioni* **22** *add. vulg.* **26** perfecte <litteratus> *Stangl* **30** muneri F^cJ^2] munere *L* | maiorum *U*] malorum *BFJρ* **35** fuit cum *Corradus*] fuisset cum *L*: cum esset *Piderit* | <erat> eruditior *Marggraff*

deperdebat. Itaque eius oratio nimia religione attenuata doctis et attente audientibus erat illustris, <a> multitudine autem et a foro, cui nata eloquentia est, <non> devorabatur.

(284) Tum Brutus: Atticum se, inquit, Calvus noster dici oratorem volebat; inde erat ista exilitas quam ille de industria consequebatur.

Dicebat, inquam, ita; sed et ipse errabat et alios etiam errare cogebat. Nam si quis eos qui nec inepte dicunt nec odiose nec putide Attice putat dicere, is recte nisi Atticum probat neminem. Insulsitatem enim et insolentiam tamquam insaniam quandam orationis odit, sanitatem autem et integritatem quasi religionem et verecundiam oratoris probat. Haec omnium debet oratorum eadem esse sententia. **(285)** Sin autem ieiunitatem et siccitatem et inopiam, dummodo sit polita, dum urbana, dum elegans, in Attico genere ponit, hoc recte dumtaxat; sed quia sunt in Atticis alia <aliis> meliora, videat ne ignoret et gradus et dissimilitudines et vim et varietatem Atticorum. ‘Atticos’, inquit, ‘volo imitari.’ Quos? Nec enim est unum genus. Nam quid est tam dissimile quam Demosthenes et Lysias? Quam idem et Hyperides? Quam horum omnium Aeschines? Quem igitur imitaris? Si aliquem, ceteri ergo Attice non dicebant? Si omnis, qui potes, cum sint ipsi dissimillimi inter se? In quo illud etiam quaero, Phalereus ille Demetrius Atticene dixerit. Mihi quidem ex illius orationibus redolere ipsae Athenae videntur. At est floridior, ut ita dicam, quam Hyperides, quam Lysias: natura quaedam aut voluntas ita dicendi fuit. **(286)** Et quidem duo fuerunt per idem tempus dissimiles inter se, sed Attici tamen; quorum Charisius multarum orationum, quas scribebat aliis, cum cupere videretur imitari Lysiam; Democharis autem, qui fuit Demostheni sororis filius et orationes scripsit aliquot et earum rerum historiam quae erant Athenis ipsius aetate gestae non tam historico quam oratorio genere perscripsit. At Charisi vult Hegesias esse similis, isque se ita putat Atticum ut veros illos prae se paene agrestis putet. **(287)** At quid est tam fractum, tam minutum, tam in ipsa, quam tamen consequitur, concinnitate puerile? ‘Atticorum similes esse volumus.’ Optime; suntne igitur hi Attici oratores? ‘Quis negare potest? Hos imitamur.’ Quo modo, qui sunt et inter se dissimiles et aliorum?

‘Thucydidem’, inquit, ‘imitamur.’ Optime, si historiam scribere, non si causas dicere cogitatis. Thucydides enim rerum gestarum pronuntiator sincerus et grandis etiam fuit; hoc forense concertatorium iudiciale non tractavit genus. Orationes autem quas interposuit — multae enim sunt — eas ego laudare soleo; imitari neque possim, si velim, nec velim fortasse, si possim. Ut si quis Falerno vino delectetur, sed eo nec ita novo ut proximis

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1 deperdebat $E^cF^cJ^cO^{2vl}$] dependebat *L*: perdidisse *Quint. Inst. 10.1.115 (in or. obl.)* **2** *add. Ad* **3** *add. Leeman* | deserebatur *Purgold* **5** ille *om. β* **6** et[1] *om. B* **13** *add. hic Bake, ante* alia *Piderit* **18** si[1] E^2F^c] sed *L* **23** dissimilis *L, corr. vulg.* **25** Demosthenis *ρ* **27** at] atque *Stangl*: ac *Jahn* **28** Egesias E^2J^2: Hegestas $BF^1GMO\lambda$: egestas *DE*: egesta *F* **32** imitamur *DGM* (imm- *E*)] imitantur *BFOλ* | quo quo modo *B*

consulibus natum velit, nec rursus ita vetere ut Opimium aut Anicium consulem quaerat. ‘Atqui hae notae sunt optimae.’ Credo; sed nimia vetustas nec habet eam quam quaerimus suavitatem nec est iam sane tolerabilis. **(288)** Num igitur qui hoc sentiat, si is potare velit, de dolio sibi hauriendum putet? Minime; sed quandam sequatur aetatem. Sic ego istis censuerim et novam istam quasi de musto ac lacu fervidam orationem fugiendam nec illam praeclaram Thucydidi nimis veterem tamquam Anicianam notam persequendam. Ipse enim Thucydides, si posterius fuisset, multo maturior fuisset et mitior.

(289) ‘Demosthenem igitur imitemur.’ O di boni! Quid, quaeso, nos aliud agimus aut quid aliud optamus? At non adsequimur; isti enim videlicet Attici nostri quod volunt adsequuntur. Ne illud quidem intellegunt, non modo ita memoriae proditum esse sed ita necesse fuisse, cum Demosthenes dicturus esset, ut concursus audiendi causa ex tota Graecia fierent. At cum isti Attici dicunt, non modo a corona, quod est ipsum miserabile, sed etiam ab advocatis relinquuntur. Quare si anguste et exiliter dicere est Atticorum, sint sane Attici; sed in comitium veniant, ad stantem iudicem dicant: subsellia grandiorem et pleniorem vocem desiderant. **(290)** Volo hoc oratori contingat, ut, cum auditum sit eum esse dicturum, locus in subselliis occupetur, compleatur tribunal, gratiosi scribae sint in dando et cedendo loco, corona multiplex, iudex erectus; cum surgat is qui dicturus sit, significetur a corona silentium, deinde crebrae adsensiones, multae admirationes; risus, cum velit, cum velit, fletus: ut qui haec procul videat, etiam si quid agatur nesciat, at placere tamen et in scaena esse Roscium intellegat. Haec cui contingant, eum scito Attice dicere, ut de Pericle audimus, ut de Hyperide, <de> Aeschine, de ipso quidem Demosthene maxime. **(291)** Sin autem acutum prudens et idem sincerum et solidum et exsiccatum genus orationis probant nec illo graviore ornatu oratorio utuntur et hoc proprium esse Atticorum volunt, recte laudant. Est enim in arte tanta tamque varia etiam huic minutae subtilitati locus. Ita fiet ut non omnes, qui Attice, idem bene, sed ut omnes, qui bene, idem etiam Attice dicant. Sed redeamus rursus ad Hortensium.

(292) Sane quidem, inquit Brutus; quamquam ista mihi tua fuit periucunda a proposita ratione digressio.

Tum Atticus: Aliquotiens sum, inquit, conatus, sed interpellare nolui. Nunc quoniam iam ad perorandum spectare videtur sermo tuus, dicam, opinor, quod sentio.

Tu vero, inquam, Tite.

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2 optumę *Aa*: optume *BEFGMOλ* (optime *QW*) **6** musto ac] musti *Baehrens*: *del. Ellendt* **10** quaeso *vulg.*] quasi *L* **13** ita[1] *om. B* **17** sunt *GU*^{ac} **26** de[2] *Rom*] *om. Fλρ*: ut de *B* **29** esse proprium *O* **31** sed ... bene *om. B* **34** ratione *scripsi (cf. §307)*] oratione *L* **35** conatus] commotus *E. Eberhard*: concitatus *A. Eberhard*: paene conatus *Friedrich* **38** Tite] Attice *B*

Tum ille: Ego, inquit, ironiam illam quam in Socrate dicunt fuisse, qua ille in Platonis et Xenophontis et Aeschini libris utitur, facetam et elegantem puto. Est enim et minime inepti hominis et eiusdem etiam faceti, cum de sapientia disceptetur, hanc sibi ipsum detrahere, iis tribuere illudentem, qui eam sibi arrogant, ut apud Platonem Socrates in caelum effert laudibus Protagoram Hippiam Prodicum Gorgiam ceteros, se autem omnium rerum inscium fingit et rudem. Decet hoc nescio quo modo illum, nec Epicuro, qui id reprehendit, adsentior. Sed in historia, qua tu es usus in omni sermone, cum qualis quisque orator fuisset exponeres, vide, quaeso, inquit, ne tam reprehendenda sit ironia quam in testimonio.

(293) Quorsus, inquam, istuc? Non enim intellego.

Quia primum, inquit, ita laudavisti quosdam oratores ut imperitos posses in errorem inducere. Equidem in quibusdam risum vix tenebam, cum Attico Lysiae Catonem nostrum comparabas, magnum mehercule hominem vel potius summum et singularem virum — nemo dicet secus — sed oratorem? Sed etiam Lysiae similem, quo nihil potest esse politius? Bella ironia, si iocaremur; sin adseveramus, vide ne religio nobis tam adhibenda sit quam si testimonium diceremus. **(294)** Ego enim Catonem tuum ut civem, ut senatorem, ut imperatorem, ut virum denique cum prudentia et diligentia tum omni virtute excellentem probo; orationes autem eius ut illis temporibus valde laudo; significant enim formam quandam ingeni, sed admodum impolitam et plane rudem. Origines vero cum omnibus oratoris laudibus refertas diceres et Catonem cum Philisto et Thucydide comparares, Brutone te id censebas an mihi probaturum? Quos enim ne e Graecis quidem quisquam imitari potest, his tu comparas hominem Tusculanum nondum suspicantem quale esset copiose et ornate dicere. **(295)** Galbam laudas. Si ut illius aetatis principem, adsentior — sic enim accepimus — sin ut oratorem, cedo, quaeso, orationes — sunt enim — et dic hunc, quem tu plus quam te amas, Brutum velle te illo modo dicere. Probas Lepidi orationes. Paulum hic tibi adsentior, modo ita laudes ut antiquas. Quod item de Africano, de Laelio, cuius tu oratione negas fieri quicquam posse dulcius, addis etiam nescio quid augustius; nomine nos capis summi viri vitaeque elegantissimae verissimis laudibus. Remove haec: ne ista dulcis oratio ita sit abiecta ut eam aspicere nemo velit. **(296)** Carbonem in summis oratoribus habitum scio; sed cum in ceteris rebus tum in dicendo semper, quo iam nihil est melius, id laudari, qualecumque est, solet. Dico idem de Gracchis, etsi de

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4 disceptur *G*: disceptatur G^{c} **5** arrogant] adiggant B^{ac}: adrogent *Ernesti* **13** <ut> cum *Ernesti* **15–16** sed ... sed] sin ... sin F^{c} **16** politius *Beier*] pictius *L*: perfectius *Sarpe* **21** formam quandam *FOλ*] quandam formam *Bβ* **22** oratoriis *Manutius* **24** te *om. B* **31** de[2]] et *O, corr.* O^{v} **32** augustius $F^{1}GJ^{2}$] angustius $BDE^{c}FMO\lambda$: augustius nomine ... vitaeque angustius *E* **33** ita $DE^{c}GMO^{2vl}\lambda$] ista $BEFJ^{1mg}OU^{c}$ | sit] erit *Weidner* **34** ut eam E^{2}] autem *L*: ut O^{2vl} | nemo aspicere *O* **35** quo iam *Jahn*] quoniam *L*: quo E^{c} **36** laudare *L, corr. vulg.*

iis ea sunt a te dicta quibus ego adsentior. Omitto ceteros; venio ad eos in quibus iam perfectam putas esse eloquentiam, quos ego audivi, sine controversia magnos oratores, Crassum et Antonium. De horum laudibus tibi prorsus adsentior, sed tamen non isto modo: ut Polycliti Doryphorum sibi Lysippus aiebat, sic tu suasionem legis Serviliae tibi magistram fuisse. Haec germana ironia est. Cur ita sentiam non dicam, ne me tibi adsentari putes. **(297)** Omitto igitur quae de his ipsis, quae de Cotta, quae de Sulpicio, quae modo de Caelio dixeris. Hi enim fuerunt certe oratores; quanti autem et quales tu videris. Nam illud minus curo, quod congessisti operarios omnis, ut mihi videantur mori voluisse nonnulli ut a te in oratorum numerum referrentur.

Haec cum ille dixisset: Longi sermonis initium attulisti, inquam, Attice, remque commovisti nova disputatione dignam, quam in aliud tempus differamus. **(298)** Volvendi enim sunt libri cum aliorum tum in primis Catonis. Intelleges nihil illius liniamentis nisi eorum pigmentorum, quae inventa nondum erant, florem et colorem defuisse. Nam de Crassi oratione sic existimo, ipsum fortasse melius potuisse scribere, alium, ut arbitror, neminem. Nec in hoc εἴρωνα me duxeris esse, quod eam orationem mihi magistram fuisse dixerim. Nam etsi tute melius existimare videris de ea, si quam nunc habemus, facultate, tamen adulescentes quid in Latinis potius imitaremur non habebamus. **(299)** Quod autem plures a nobis nominati sunt, eo pertinuit, ut paulo ante dixi, quod intellegi volui, [in] eo, cuius omnes cupidissimi essent, quam pauci digni nomine evaderent. Quare εἴρωνα me, ne si Africanus quidem fuit, ut ait in historia sua C. Fannius, existimari velim.

Ut voles, inquit Atticus. Ego enim non alienum a te putabam quod et in Africano fuisset et in Socrate.

(300) Tum Brutus: De isto postea; sed tu, inquit me intuens, orationes nobis veteres explicabis?

Vero, inquam, Brute; sed in Cumano aut in Tusculano aliquando, si modo licebit, quoniam utroque in loco vicini sumus. Sed iam ad id unde digressi sumus revertamur.

(301) Hortensius igitur, cum admodum adulescens orsus esset in foro dicere, celeriter ad maiores causas adhiberi coeptus est; <et> quamquam inciderat in Cottae et Sulpici aetatem, qui annis decem maiores <erant>,

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1 venis *L, corr. vulg.* **8** dixeris] dixisti *Schütz* **11** referrentur *BFG^{c} (ut vid.)*] referentur *λρ* **12** ille] ita *U* | attulisti *Lambinus*] depulisti *L*: intulisti *Schütz*: protulisti *Watt*: detulisti *Manutius*: pepulisti *vulg., pler. edd.* **18** εἴρωνα me duxeris *Baehrens*] ironiam eduxeris *Fλ* (yr- e. *Bρ*): ironiam duxeris *J^{c}*: me yrona edixeris *E^{c}* **19** tute *Stangl*] ut tu *BFJU^{1}ρ*: tu *U* **20** facultatem *F^{c}* | quid] quod *fort. legendum est* **22** *del. Barwick* **23** εἴρωνα *vulg.*] ironia *Fλ* (yr- *Bρ*): yrona *E^{c}* **23–24** menesi *Fλρ*: mene si *B*: nesi *E^{c}* **26** et *om. J^{ac}* **32** digressi sumus *F^{c}λρ*] disgressimus *B*: digressimus *B^{c}*: digessimus *F* **34** *add. Ellendt* **35** *add. hic Rau, post* decem *A. Eberhard*

excellente tum Crasso et Antonio, dein Philippo, post Iulio, cum his ipsis dicendi gloria comparabatur. Primum memoria tanta quantam in nullo cognovisse me arbitror, ut quae secum commentatus esset, ea sine scripto verbis isdem redderet quibus cogitavisset. Hoc adiumento ille tanto sic utebatur ut sua et commentata et scripta et nullo referente omnia adversariorum dicta meminisset. **(302)** Ardebat autem cupiditate sic ut in nullo umquam flagrantius studium viderim. Nullum enim patiebatur esse diem quin aut in foro diceret aut meditaretur extra forum; saepissime autem eodem die utrumque faciebat. Attuleratque minime vulgare genus dicendi; duas quidem res quas nemo alius: partitiones quibus de rebus dicturus esset et collectiones eorum quae essent dicta contra quaeque ipse dixisset. **(303)** Erat in verborum splendore elegans, compositione aptus, facultate copiosus; eaque erat cum summo ingenio tum exercitationibus maximis consecutus. Rem complectebatur memoriter, dividebat acute, nec praetermittebat fere quicquam quod esset in causa aut ad confirmandum aut ad refellendum. Vox canora et suavis; motus et gestus etiam plus artis habebat quam erat oratori satis. Hoc igitur florescente Crassus est mortuus, Cotta pulsus, iudicia intermissa bello, nos in forum venimus.

(304) Erat Hortensius in bello primo anno miles, altero tribunus militum, Sulpicius legatus; aberat etiam M. Antonius; exercebatur una lege iudicium Varia, ceteris propter bellum intermissis; cui frequens aderam, quamquam pro se ipsi dicebant oratores non illi quidem principes, L. Memmius et Q. Pompeius, sed oratores tamen, teste diserto utique Philippo, cuius in testimonio contentio et vim accusatoris habebat et copiam. **(305)** Reliqui qui tum principes numerabantur in magistratibus erant cotidieque fere a nobis in contionibus audiebantur. Erat enim tribunus plebis tum C. Curio, quamquam is quidem silebat, ut erat semel a contione universa relictus; Q. Metellus Celer non ille quidem orator, sed tamen non infans; diserti autem Q. Varius C. Carbo Cn. Pomponius, et hi quidem habitabant in rostris; C. etiam Iulius aedilis curulis cotidie fere accuratas contiones habebat. Sed me cupidissimum audiendi primus dolor percussit, Cotta cum est expulsus. Reliquos frequenter audiens acerrimo studio tenebar cotidieque et scribens et legens et commentans oratoriis tantum exercitationibus contentus non eram. Iam consequente anno Q. Varius sua lege damnatus excesserat. **(306)** Ego autem iuris civilis studio multum operae dabam Q.

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2 quantam $B^cE^cG^c$] quanta *L* | in nullo *Aa*] in vito *DFJ* (invito *BO*): in viro $B^cEJ^2MU\gamma$: in nullo viro O^{2vl} **5** et^1 *om.* γ | omnia ρ] omnia. omnia $BF\lambda$: omnia omnium *Stangl* **9** <ad> minime *Fuchs* **11** coniectiones *L, corr.* E^c | eorum *Jahn*] memor et $B\lambda\rho$ (memoret *F*) **14** videbat *Douglas coll. §227* **20** legatus aberat, <aberat> *Wex* **21** cui *vulg.*] qui *L* **23** utique *Jahn*] uterque *L* **29** Cn. Pomponius] C. Pompeius *U* **30** accuratas contiones] accusationes *B*: contiones B^1 **31** cum] enim *O* **33** oratoriis *Ad*] oratoris *L* | tantum] tamen *Corradus* **35** excesserat *om.* ρ, *add.* E^cO^v | <in> iuris *Müller*

Scaevolae P. f., qui quamquam nemini <se> ad docendum dabat, tamen consulentibus respondendo studiosos audiendi docebat. Atque huic anno proximus Sulla consule et Pompeio fuit. Tum P. Sulpici in tribunatu cotidie contionantis totum genus dicendi penitus cognovimus; eodemque tempore, cum princeps Academiae Philo cum Atheniensium optimatibus Mithridatico bello domo profugisset Romamque venisset, totum ei me tradidi admirabili quodam ad philosophiam studio concitatus; in quo hoc etiam commorabar attentius — etsi rerum ipsarum varietas et magnitudo summa me delectatione retinebat — sed tamen sublata iam esse in perpetuum ratio iudiciorum videbatur. **(307)** Occiderat Sulpicius illo anno tresque proximo trium aetatum oratores erant crudelissime interfecti, Q. Catulus M. Antonius C. Iulius. Eodem anno etiam Moloni Rhodio Romae dedimus operam, et actori summo causarum et magistro. Haec etsi videntur esse a proposita ratione diversa, tamen idcirco a me proferuntur ut nostrum cursum perspicere, quoniam voluisti, Brute, possis — nam Attico haec nota sunt — et videre quem ad modum simus in spatio Q. Hortensium ipsius vestigiis persecuti.

(308) Triennium fere fuit urbs sine armis; sed oratorum aut interitu aut discessu aut fuga — nam aberant etiam adulescentes M. Crassus et Lentuli duo — primas in causis agebat Hortensius, magis magisque cotidie probabatur Antistius, Piso saepe dicebat, minus saepe Pomponius, raro Carbo, semel aut iterum Philippus. At vero ego hoc tempore omni noctis et dies in omnium doctrinarum meditatione versabar. **(309)** Eram cum Stoico Diodoto, qui cum habitavisset apud me <me>cumque vixisset, nuper est domi meae mortuus. A quo cum in aliis rebus tum studiosissime in dialectica exercebar, quae quasi contracta et astricta eloquentia putanda est; sine qua etiam tu, Brute, iudicavisti te illam iustam eloquentiam, quam dialecticam esse dilatatam putant, consequi non posse. Huic ego doctori et eius artibus variis atque multis ita eram tamen deditus ut ab exercitationibus oratoriis nullus dies vacuus esset. **(310)** Commentabar declamitans — sic enim nunc loquuntur — saepe cum M. Pisone et cum Q. Pompeio aut cum aliquo cotidie, idque faciebam multum etiam Latine, sed Graece saepius, vel quod Graeca oratio plura ornamenta suppeditans consuetudinem similiter Latine dicendi afferebat, vel quod a Graecis summis doctoribus, nisi Graece dicerem, neque corrigi possem neque doceri. **(311)** Tumultus interim recuperanda re publica et crudelis interitus oratorum trium, Scaevolae

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1 P.] Q. *Fabricius* | se *add. hic vulg., ante* dabat E^2G^c, *ante* nemini *Reis* **7** hoc *om. B* **8** etsi] quod etsi *Ad* **9** sed] *om. Ad*: quod *Madvig* **12–13** eodem ... magistro *del. Wetzel (v. comm.)* **13** proposita G^cJ] proposito $BFJ^cU\rho$ **14** oratione *Ascensius* **16** et F^1G^cO] ei $BO^v\beta\lambda$: eive *F*: licuit ei J^2 **24** Diodoto FJ^2] Dioto $B\lambda\rho$: Diodoro B^{mg} | mecumque Cd^2Ct^2] cumque *B (ut vid.)* $FO^v\lambda$: cum Q. ρ **26** quae $B^cJ^2UX^{vl}$ (que G^{vl})] qua $BDFJMOU^c\gamma$: quam *E* **28** dilatatam G^c] dilatam $B^cDFGMO\lambda$ (dill- *BE*) **35** possem *O*] possim $BFO^c\beta\lambda$ **36** recuperanda re publica] in r. r. p. *Bd*: *del. Kayser*

Carbonis Antisti, reditus Cottae Curionis Crassi Lentulorum Pompei, leges et iudicia constituta, recuperata res publica; ex numero autem oratorum Pomponius Censorinus Murena sublati. Tum primum nos ad causas et privatas et publicas adire coepimus, non ut in foro disceremus, quod plerique fecerunt, sed ut, quantum nos efficere potuissemus, docti in forum veniremus. **(312)** Eodem tempore Moloni dedimus operam; dictatore enim Sulla legatus ad senatum de Rhodiorum praemiis venerat. Itaque prima causa publica pro Sex. Roscio dicta tantum commendationis habuit ut non ulla esset quae non digna nostro patrocinio videretur. Deinceps inde multae, quas nos diligenter elaboratas et tamquam elucubratas afferebamus.

(313) Nunc quoniam totum me non naevo aliquo aut crepundiis, sed corpore omni videris velle cognoscere, complectar nonnulla etiam quae fortasse videantur minus necessaria. Erat eo tempore in nobis summa gracilitas et infirmitas corporis, procerum et tenue collum; qui habitus et quae figura non procul abesse putatur a vitae periculo, si accedit labor et laterum magna contentio. Eoque magis hoc eos quibus eram carus commovebat, quod omnia sine remissione, sine varietate, vi summa vocis et totius corporis contentione dicebam. **(314)** Itaque cum me et amici et medici hortarentur ut causas agere desisterem, quodvis potius periculum mihi adeundum quam a sperata dicendi gloria discedendum putavi. Sed cum censerem remissione et moderatione vocis et commutato genere dicendi me et periculum vitare posse et temperatius dicere, ut consuetudinem dicendi mutarem, ea causa mihi in Asiam proficiscendi fuit. Itaque cum essem biennium versatus in causis et iam in foro celebratum meum nomen esset, Roma sum profectus.

(315) Cum venissem Athenas, sex mensis cum Antiocho veteris Academiae nobilissimo et prudentissimo philosopho fui studiumque philosophiae numquam intermissum a primaque adulescentia cultum et semper auctum hoc rursus summo auctore et doctore renovavi. Eodem tamen tempore Athenis apud Demetrium Syrum veterem et non ignobilem dicendi magistrum studiose exerceri solebam. Post a me Asia tota peragrata est cum summis quidem oratoribus, quibuscum exercebar ipsis libentibus; quorum erat princeps Menippus Stratonicensis meo iudicio tota Asia illis temporibus disertissimus; et si nihil habere molestiarum nec ineptiarum Atticorum est, hic orator in illis numerari recte potest. **(316)** Adsiduissime autem mecum fuit Dionysius Magnes; erat etiam Aeschylus Cnidius, Adramyttenus Xenocles. Hi tum in Asia rhetorum principes numerabantur. Quibus non contentus Rhodum veni meque ad eundem quem Romae

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2 re *Dγ* **5** faciunt *O* **6** Moloni *BE^{c}FG^{c}JOU^{c}*] Miloni *Uβ* **8** habuit *TCo*] habui *L* **9** nostro digna *B* **10** et tamquam *Ad*] etiam quam *BFJU^{1}ρ*: *om. U* **15** putantur *OX* | accedit *F^{1}*] accidit *L* **23** mutarem *ρ*] mutarim *BFλ* **24** et iam *F*] etiam *Bλρ* **32** cum] fuique cum *Kayser*: referta tum *Friedrich* **34** nec] et *B* **36** Cnidius *BO^{v}λ*] Gnidius *FJ^{2}*: Cuidius *W*: Enidius *O*: Evidius *Q*: Ovidius *EG*

audiveram Molonem applicavi, cum actorem in veris causis scriptoremque praestantem tum in notandis animadvertendisque vitiis et instituendo docendoque prudentissimum. Is dedit operam, si modo id consequi potuit, ut nimis redundantis nos et supra fluentis iuvenili quadam dicendi impunitate et licentia reprimeret et quasi extra ripas diffluentis coerceret. Ita recepi me biennio post non modo exercitatior sed prope mutatus. Nam et contentio nimia vocis resederat et quasi deferverat oratio lateribusque vires et corpori mediocris habitus accesserat.

(317) Duo tum excellebant oratores qui me imitandi cupiditate incitarent, Cotta et Hortensius; quorum alter remissus et lenis et propriis verbis comprehendens solute et facile sententiam, alter ornatus, acer et non talis qualem tu eum, Brute, iam deflorescentem cognovisti, sed verborum et actionis genere commotior. Itaque cum Hortensio mihi magis arbitrabar rem esse, quod et dicendi ardore eram propior et aetate coniunctior. Etenim videram in isdem causis, ut pro M. Canuleio, pro Cn. Dolabella consulari, cum Cotta princeps adhibitus esset, priores tamen agere partis Hortensium. Acrem enim oratorem, incensum et agentem et canorum, concursus hominum forique strepitus desiderat. **(318)** Unum igitur annum, cum redissemus ex Asia, causas nobilis egimus, cum quaesturam nos, consulatum Cotta, aedilitatem peteret Hortensius. Interim me quaestorem Siciliensis excepit annus, Cotta ex consulatu est profectus in Galliam, princeps et erat et habebatur Hortensius. Cum autem anno post ex Sicilia me recepissem, iam videbatur illud in me, quicquid esset, esse perfectum et habere maturitatem quandam suam. Nimis multa videor de me, ipse praesertim; sed omni huic sermoni propositum est non ut ingenium et eloquentiam meam perspicias, unde longe absum, sed ut laborem et industriam. **(319)** Cum igitur essem in plurimis causis et in principibus patronis quinquennium fere versatus, tum in patrocinio Siciliensi maxime in certamen veni designatus aedilis cum designato consule Hortensio.

Sed quoniam omnis hic sermo noster non solum enumerationem oratorum verum etiam praecepta quaedam desiderat, quid tamquam notandum et animadvertendum sit in Hortensio breviter licet dicere. **(320)** Nam is post consulatum — credo quod videret ex consularibus neminem esse secum comparandum, neglegeret autem eos qui consules non fuissent — summum illud suum studium remisit quo a puero fuerat incensus, atque in omnium rerum abundantia voluit beatius, ut ipse putabat, remissius certe

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1 auctorem *X* (autorem *O*) **2** tum <magistrum> *Fuchs* | <in> instituendo *Av* **5** diffluentis *Ad*] diffluentem *BEMOλ* (difl- *G*): diffluenti *F* **7** resederat *Lambinus*] reciderat *L* | deferverat *H*] referverat *L* | corpori *Be*] corporis *L* **9** tum *BFJO*^{v}*β*] tamen *OU* **10** levis *EX* **11** et^{2}] *del. Bake*: certe *Weidner*: id est *Stangl* **14** quod] cui *Jahn*: quod ei *ego* **15** dolabella *F*] dolobella *BF*^{1}*λρ* **17** <et> incensum *AiCc* **22** e *B* **23** esset] erat *Stangl* **28** tum] tamen *U*: cum *X* | maximum *Ar* **31** oratorum *Bg*^{2vl}] oratoriam *L* **33** videret *G*^{c}] viderit *L* **35** suum *om. B*

vivere. Primus et secundus annus et tertius tantum quasi de picturae veteris colore detraxerat, quantum non quivis unus ex populo, sed existimator doctus et intellegens posset cognoscere. Longius autem procedens, ut in ceteris eloquentiae partibus, tum maxime in celeritate et continuatione verborum adhaerescens, sui dissimilior videbatur fieri cotidie.

(321) Nos autem non desistebamus cum omni genere exercitationis tum maxime stilo nostrum illud quod erat augere, quantumcumque erat. Atque ut multa omittam in hoc spatio et in his post aedilitatem annis, et praetor primus et incredibili populari voluntate sum factus. Nam cum propter adsiduitatem in causis et industriam tum propter exquisitius et minime vulgare orationis genus animos hominum ad me dicendi novitate converteram. **(322)** Nihil de me dicam: dicam de ceteris, quorum nemo erat qui videretur exquisitius quam vulgus hominum studuisse litteris, quibus fons perfectae eloquentiae continetur; nemo qui philosophiam complexus esset, matrem omnium bene factorum beneque dictorum; nemo qui ius civile didicisset, rem ad privatas causas et ad oratoris prudentiam maxime necessariam; nemo qui memoriam rerum Romanarum teneret, ex qua, si quando opus esset, ab inferis locupletissimos testis excitaret; nemo qui breviter arguteque incluso adversario laxaret iudicum animos atque a severitate paulisper ad hilaritatem risumque traduceret; nemo qui dilatare posset atque a propria ac definita disputatione hominis ac temporis <ad> communem quaestionem universi generis orationem traducere; nemo qui delectandi gratia digredi parumper a causa; nemo qui ad iracundiam magno opere iudicem, nemo qui ad fletum posset adducere; nemo qui animum eius, quod unum est oratoris maxime proprium, quocumque res postularet impellere.

(323) Itaque cum iam paene evanuisset Hortensius et ego anno meo, sexto autem post illum consulem, consul factus essem, revocare se ad industriam coepit, ne, cum pares honore essemus, aliqua re superior viderer. Sic duodecim post meum consulatum annos in maximis causis, cum ego mihi illum, sibi me ille anteferret, coniunctissime versati sumus, consulatusque meus, qui illum primo leviter perstrinxerat, idem nos rerum mearum gestarum, quas ille admirabatur, laude coniunxerat. **(324)** Maxime vero perspecta est utriusque nostrum exercitatio paulo ante quam perterritum armis hoc studium, Brute, nostrum conticuit subito et obmutuit, cum lege Pompeia ternis horis ad dicendum datis ad causas simillimas inter

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2 exstumator G^c (extum- *BO*, extim- *Y*): aestumator $B^cF\lambda$: etstumator *EG* (et stum- *D*): et senator J^2 **3** cognoscere *vulg.*] magnum scelus *L*: cognoscere magnum scelus F^1: agnoscere *Orelli* | ut] cum *Lambinus, fort. recte* **7** quod erat *om. B* **8** et ... annis *del. Ellendt* | his *Ad*] iis *L* | et praetor] praetor et *Lambinus*: praetor *Kroll* **9** <consul> sum *Friedrich* **19** incluso] illuso *Schütz* | animos iudicum *DYγ* (a. iudicium *E*) **21** *add.* G^c **22** traduceret *L, corr.* υ **26** impelleret *L, corr. W* **29** superior viderer *Lambinus*] superiores videremur *L*: superior esse viderer *Jahn* **32** leniter *F*

se vel potius easdem novi veniebamus cotidie. Quibus quidem causis tu etiam, Brute, praesto fuisti complurisque et nobiscum et solus egisti, ut qui non satis diu vixerit Hortensius tamen hunc cursum confecerit: annis ante decem causas agere coepit quam tu es natus; idem quarto <et> sexagesimo anno, perpaucis ante mortem diebus, una tecum socerum tuum defendit Appium. Dicendi autem genus quod fuerit in utroque, orationes utriusque etiam posteris nostris indicabunt.

(325) Sed si quaerimus cur adulescens magis floruerit dicendo quam senior Hortensius, causas reperiemus verissimas duas. Primum, quod genus erat orationis Asiaticum adulescentiae magis concessum quam senectuti. Genera autem Asiaticae dictionis duo sunt: unum sententiosum et argutum, sententiis non tam gravibus et severis quam concinnis et venustis, qualis in historia Timaeus, in dicendo autem pueris nobis Hierocles Alabandeus, magis etiam Menecles frater eius fuit, quorum utriusque orationes sunt in primis ut Asiatico in genere laudabiles. Aliud autem genus est non tam sententiis frequentatum quam verbis volucre atque incitatum, quali est nunc Asia tota, nec flumine solum orationis, sed etiam exornato et faceto genere verborum, in quo fuit Aeschylus Cnidius et meus aequalis Milesius Aeschines. In his erat admirabilis orationis cursus, ornata sententiarum concinnitas non erat. **(326)** Haec autem, ut dixi, genera dicendi aptiora sunt adulescentibus, in senibus gravitatem non habent. Itaque Hortensius utroque genere florens clamores faciebat adulescens. Habebat enim et Meneclium illud studium crebrarum venustarumque sententiarum, in quibus, ut in illo Graeco, sic in hoc erant quaedam magis venustae dulcesque sententiae quam aut necessariae aut interdum utiles; et erat oratio cum incitata et vibrans tum etiam accurata et polita. Non probabantur haec senibus — saepe videbam cum irridentem tum etiam irascentem et stomachantem Philippum — sed mirabantur adulescentes, multitudo movebatur. **(327)** Erat excellens iudicio vulgi et facile primas tenebat adulescens. Etsi enim genus illud dicendi auctoritatis habebat parum, tamen aptum esse aetati videbatur. Et certe, quod et ingeni quaedam forma lucebat et exercitatione perfecta erat verborumque erat astricta comprehensio, summam hominum admirationem

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4 decem] sedecim *Nipperdey* | idem] idemque *O* | *add. Ak* **11** dictionis *BFO*^{v}*βλ*] orationis *O* **12** et severis quam *Co*^{2}] et si veris numquam *BFλ* (e. s. v. nunquam *ρ*) **15** aliud] alterum *E. Eberhard* **16** quali *Fλρ*] quale *B*: qualis *Bn* **17** facto *I* **23–25** in^{1} ... utiles *del. Friedrich* **24** *post* sententiae *iterata sunt verba* in quibus ut in (in *om. O*) illo graeco sic in hoc erant quaedam magis, *expuncta F*^{c}*G*^{c} **26** probabantur *J*] probantur *BFUρ* **31** et^{1} *BFO*] *om. βλ* | elucebat *Lambinus* | et exercitatione *BDEFGOλ*] ex exercitatione *Y*: et exercitatio *Rom*: exercitatione *Schütz*: usu et exercitatione *Malcovati*: et studio et exercitatione *Barwick* **31–32** erat verborumque erat *Be*] erat verborum eratque *L*: eratque verborum *vulg.*: verborum erat atque *Sydow*: verborumque erat arte *Hendrickson*: erat verborum *Kaster*: verborum erat *Douglas* **32** comprehensio *ρ* (comprensio *Fλ*)] comprensa *B*: comprehensione *Martha*

excitabat. Sed cum iam honores et illa senior auctoritas gravius quiddam requireret, remanebat idem nec decebat idem; quodque exercitationem studiumque dimiserat, quod in eo fuerat acerrimum, concinnitas illa crebritasque sententiarum pristina manebat, sed ea vestitu illo orationis quo consuerat ornata non erat. Hoc tibi ille, Brute, minus fortasse placuit quam placuisset, si illum flagrantem studio et florentem facultate audire potuisses.

(328) Tum Brutus: Ego vero, inquit, et ista quae dicis video qualia sint et Hortensium magnum oratorem semper putavi maximeque probavi pro Messalla dicentem, cum tu afuisti.

Sic ferunt, inquam, idque declarat totidem quot dixit, ut aiunt, scripta verbis oratio. Ergo ille a Crasso consule et Scaevola usque ad Paulum et Marcellum consules floruit; nos in eodem cursu fuimus a Sulla dictatore ad eosdem fere consules. Sic Q. Hortensi vox exstincta fato suo est, nostra publico.

Melius, quaeso, ominare, inquit Brutus.

(329) Sit sane ut vis, inquam, et id non tam mea causa quam tua; sed fortunatus illius exitus, qui ea non vidit cum fierent quae providit futura. Saepe enim inter nos impendentis casus deflevimus, cum belli civilis causas in privatorum cupiditatibus inclusas, pacis spem a publico consilio esse exclusam videremus. Sed illum videtur felicitas ipsius, qua semper est usus, ab iis miseriis quae consecutae sunt morte vindicavisse.

(330) Nos autem, Brute, quoniam post Hortensi clarissimi oratoris mortem orbae eloquentiae quasi tutores relicti sumus, domi teneamus eam saeptam liberali custodia et hos ignotos atque impudentis procos repudiemus tueamurque ut adultam virginem caste et ab amatorum impetu, quantum possumus, prohibeamus. Equidem etsi doleo me in vitam paulo serius tamquam in viam ingressum, priusquam confectum iter sit, in hanc rei publicae noctem incidisse, tamen ea consolatione sustentor quam tu mihi, Brute, adhibuisti tuis suavissimis litteris, quibus me forti animo esse oportere censebas, quod ea gessissem quae de me etiam me tacente ipsa loquerentur mortuoque viverent; quae, si recte esset, salute rei publicae, sin secus, interitu ipso testimonium meorum de re publica consiliorum darent.

(331) Sed in te intuens, Brute, doleo, cuius in adulescentiam per medias laudes quasi quadrigis vehentem transversa incurrit misera fortuna rei publicae. Hic me dolor angit, haec cura sollicitat et hunc mecum socium eiusdem et amoris et iudici. Tibi favemus, te tua frui virtute cupimus, tibi

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1 excitabat $F^{c}J^{c}\rho$] exercitabat $BF\lambda$ **3** remiserat *Bake* **7** et *om. B* **9** afuisti $F\lambda$ (aff- *B*)] affuisses ρ (af- O^{c}) **10** idque] idemque *B* **13** suo fato *O* **15** ominare G^{c}] o mire $FO^{v}\beta\lambda$: omitte *BO*: o marce X^{vl} **25** amatorum *Ak*] armatorum $BFJU^{1}\rho$: armentorum *U* **26** possimus *X* **30** me^{2} *om. Bz* **31** mortuoque viverent *vulg.*] mortuo viverentque *L*: mortuo viverent *Ar*: viverentque mortuo *Stangl*: mortuoque me viverent *Ernesti* | essent $U^{ac}Y$ | saluti *L, corr. vulg.* **35** angit *Ba*] tangit *L* | cura $F\lambda\rho$] me cura *B*: cura et me *Fuchs* **36** moris *F*

optamus eam rem publicam in qua duorum generum amplissimorum renovare memoriam atque augere possis. Tuum enim forum, tuum erat illud curriculum, tu illuc veneras unus, qui non linguam modo acuisses exercitatione dicendi, sed et ipsam eloquentiam locupletavisses graviorum artium instrumento et isdem artibus decus omne virtutis cum summa eloquentiae laude iunxisses. **(332)** Ex te duplex nos afficit sollicitudo, quod et ipse re publica careas et illa te. Tu tamen, etsi cursum ingeni tui, Brute, premit haec importuna clades civitatis, contine te in tuis perennibus studiis et effice id quod iam propemodum vel plane potius effeceras, ut te eripias ex ea quam ego congessi in hunc sermonem turba patronorum. Nec enim decet te ornatum uberrimis artibus, quas cum domo haurire non posses, arcessivisti ex urbe ea quae domus est semper habita doctrinae, numerari in vulgo patronorum. Nam quid te exercuit Pammenes vir longe eloquentissimus Graeciae, quid illa vetus Academia atque eius heres Aristus hospes et familiaris meus, si quidem similes maioris partis oratorum futuri sumus? **(333)** Nonne cernimus vix singulis aetatibus binos oratores laudabilis constitisse? Galba fuit inter tot aequalis unus excellens, cui, quem ad modum accepimus, et Cato cedebat senior et qui temporibus illis aetate inferiores fuerunt; Lepidus postea, deinde Carbo — nam Gracchi in contionibus multo faciliore et liberiore genere dicendi, quorum tamen ipsorum ad aetatem laus eloquentiae perfecta nondum fuit — Antonius Crassus, post Cotta Sulpicius, Hortensius. Nihil dico amplius, tantum dico: si mihi accidisset ut numerarer in multis * * * si operosa est concursatio magis opportunorum * * *

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6 eloquentia deiunxisses *ρ* **11** domi *Rom* **13** quid *G*^{c}] qui *L* **17** constitisse] extitisse *Cc* | tot aequalis] cottę quales *B* **18** illis *om. B* **20** contionibus <usi sunt> *Piderit* | dicendi <utebantur> *Be* **22** post] p. et *F* **23** est] ista *λ* | concursatio] a concursatio *FY* (aconcursatio *DE*) **24** optumorum *Av* | *in subscr. B add. Flavius Blondus* Non erat amplius in exemplari: a quo abscisse sunt charte due: quamquam ut mihi videtur nedum charte: sed pauca admodum verba deficiunt., *et in subscr. O Viglevius de Ardiciis* Non inveni plura in perveteri codice: fortunę quidem iniquitas id totum, si tamen quiddam erat, recidit.

PART THREE
TEXTUAL COMMENTARY

6. *autem aut* Ad] *autem et* L: *autem* Ernesti: *aut* Lambinus. Some editors adopt Lambinus' *aut*, but *autem* should be retained, since it serves a useful function in signalling the contrast between the griefs which Hortensius would share with many people and the one which he would feel more keenly than most. L's *et*, however, is evidently corrupt. It could be deleted, but emending to *aut* is more economical.[1] This conjecture, often attributed to Piderit, was first made by Poggio.

10. *venit* ζ] *venerat* L. Douglas and Jahn-Kroll-Kytzler defend the pluperfect on the ground that Brutus and Atticus arrived before the conversation mentioned in §9.[2] However, *venerat* is more naturally taken after *inambularem*,[3] which would then produce the unwanted idea that Brutus and Atticus arrived before Cicero began his stroll in the garden. The difficulty is well illustrated by Hendrickson's translation, in which he was compelled to translate *venerat* as if it were a perfect: 'For one day when I was at home …, Marcus Brutus dropped in on me'. *Venit*, present in the descendants of ζ and later proposed by Alfred Fleckeisen (1883: 208), is a simple solution. *Venerat* is a Perseverationsfehler after *consueverat*; W. S. Watt (1983: 229-230) has pointed out the frequency of this type of error in the *Laudensis*.

14. *omnem*] *omnium* V^{ac} | *rerum* <*gestarum*> vel <*veterum*> Douglas: *rerum* <*nostrarum*> Jahn: *rerum* <*Romanarum*> Bake. The lack of an adjective with *rerum* has troubled some scholars, and I can find no close parallels for this use of *rerum memoria* ('history') on its own before Ammianus (Amm. Marc. 31.5.10 *cum explicandae*

[1] There are 22 instances of *autem aut … aut* in Cicero.
[2] If a date and page number do not accompany the name of a scholar, the reference is to the edition or commentary cited in the bibliography, *ad loc.*
[3] *Nam cum* is a standard formula used by Cicero in setting the scene of a dialogue (cf. *Fin.* 1.14, *Nat. D.* 1.15, *Div.* 1.8), and so the primary function of *nam* is to mark the start of a new section, not to tie the sentence to the preceding clause (*cum … incidissemus*).

rerum memoriae ubique debeatur integritas fida).[4] Cicero does, however, use *memoria* without a defining genitive to give the same sense (e.g. *Vat*. 33 *in omni memoria est omnino inauditum*, *Har*. *resp*. 37; *OLD s.v. memoria* 7), and the phrase here is a natural extension of this usage.

Were emendation necessary, Douglas's *rerum <gestarum>* would be the best option. The frequent coupling of *omnis* and *memoria* tells against V^{ac}'s *omnium*,[5] and, because of *Orat*. 120 (*Cognoscat etiam rerum gestarum et memoriae veteris ordinem, maxime scilicet nostrae civitatis, sed etiam imperiosorum populorum et regum illustrium. Quem laborem nobis Attici nostri levavit labor, qui conservatis notatisque temporibus, nihil cum illustre praetermitteret, annorum septingentorum memoriam uno libro colligavit*), any adjective supplied should not exclude non-Roman history (as do the emendations of Bake and Jahn)[6] or recent history (as does Douglas's <*veterum*>) from the content of Atticus' *Liber annalis*. The hyperbole voiced here by Brutus (*omnem rerum memoriam … complexus est*) is subsequently picked up by Cicero's own character in §15 *omnia viderem*.

15. *quae* CgDa] *quo* B^{v}Fλ: *qua* F^{1}ρ: *quod* J^{2}. Cf. Hes. *Op*. 349-350 εὖ μὲν μετρεῖσθαι παρὰ γείτονος, εὖ δ' ἀποδοῦναι, / αὐτῷ τῷ μέτρῳ, καὶ λώιον, αἴ κε δύνηαι; *Off*. 1.48 *ea, quae utenda acceperis, maiore mensura, si modo possis, iubet reddere Hesiodus*; *Att*. 13.12.3. From the agreement of B^{ac}F^{1}GO, editors have deduced that L's reading was *qua*. However, the agreement of B^{v}F^{ac}λ demonstrates that L actually read *quo*. Since *quo* is

[4] Cf., however, Cic. *Phil*. 12.12 *num etiam memoriam rerum delere possumus?*; Gell. *NA* 15.28.1 *Cornelius Nepos et rerum memoriae non indiligens*. Münzer (1905: 78) saw in *Brut.* 14 a possible allusion to Catull. 1.5-7 *ausus es unus Italorum* / *omne aevum tribus explicare chartis* / *doctis, Iuppiter, et laboriosis*, in which Catullus praises Cornelius Nepos's *Chronica*.
[5] e.g. at *Vat*. 33 (cited above), *Caec*. 80, *Flac*. 3.
[6] In *Orat.* 120, Cicero merely implies that Atticus included non-Roman history in the *Liber annalis*, but cf. below on §28 *Attici*; Drummond in *FRHist* i.348-349.

manifestly corrupt, we are left with a choice between three emendations, all found in the manuscript tradition: *quod*, *qua*, and *quae*. Douglas defends *qua* on the ground that it is closer to Hesiod's syntax, but Cicero is paraphrasing, not translating. It is better for *acceperis* to have an expressed object, and so *quod* and *quae* are superior. Of these two, *quae* is preferable: the movement from the plural *quae* in the Hesiodic maxim to the singular *quod* (§16 *tibi reddam quod accepi*) in the particular case of Cicero's debt to Atticus is effective, and the repetition of *quod* in *quod eadem mensura reddere iubet quod acceperis* would be somewhat awkward. The parallel from *Off.* 1.48 provides further support for *quae.*

16. *repressus* <*est*> Bake | *flos siti*] *siti flos* Lambinus: *flos* Orelli: *flos, sic vis* Ammon | *veteris ubertatis* del. A. Eberhard. Hendrickson translates the transmitted text thus: 'all new growth has been checked within me, and drought has burned and withered all that flowering which once promised abundance'. However, the word order requires that *veteris ubertatis* depend not upon *flos*, but upon *siti* ('the flower withered through thirst for its old fruitfulness'). The image of a flower withering with longing for its old fruitfulness is rather odd, and in context, *sitis* should mean 'lack of rain', 'drought', not 'longing', 'thirst'.[7] *Sitis* = 'drought' is not otherwise found in prose before the Imperial period,[8] but the semantic field of aridity is already present in *exustus ... exaruit*, and so it is not much of a stretch for Cicero to give *sitis* the meaning 'drought' in a metaphorical context such as this.

[7] Some commentators compare *sitis* + gen. here with *Rep*. 1.66 *inexplebiles populi fauces exaruerunt libertatis siti*, but *libertatis siti* is much more straightforward in sense than *siti veteris ubertatis*.

[8] But cf. *Orat*. 81, where Cicero admits that the metaphor *sitire agros* (probably the correct reading) is common in rustic Latin.

Lambinus transposed *siti* and *flos*, allowing *flos* to govern *veteris ubertatis*.[9] Nevertheless, as Watt (1996: 373-374) has pointed out, *flos veteris ubertatis* is no easier to understand than *sitis veteris ubertatis*. Eberhard's deletion of *veteris ubertatis* is preferable. The genitival phrase could have intruded as an explanatory gloss on *siti*. It adds little to the sense, and deleting it yields a more satisfactory balance between *flos* and *fetus*, which has no defining genitive.[10]

Even with Eberhard's deletion, however, the clause is difficult: the initial *sic* is used in a peculiar way; the placing of the attributive participle *exustusque* after *repressus* is awkward; and *exustusque ... exaruit* is, if not strictly tautological, at least unattractive.[11] Sticking-plaster solutions such as Bake's *repressus* <*est*> and Friedrich's *exortusque* (for *exustusque*) are to be avoided.[12] One might contemplate excising the whole of *sic ... exaruit*. However, without the clause the reader is left without an explanation of why Cicero cannot repay Atticus from the new crop. The stylistic infelicities may be due to hasty composition.[13] In my judgement, Eberhard's deletion is the best available option and leaves us with something which Cicero at least might have written.

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[9] Orelli achieved a similar result by deleting *siti*. However, the coupling of *sitis* and *exurere* in other passages tells in favour of retaining *siti* here. Cf., e.g., Lucr. 3.917 *quod sitis exurat miseros atque arida torrat*, Colum. *Rust*. 10.144 *ne sitis exurat concepto semine partum*, Sen. *Agam.* 19 *fervida exustus siti*. Watt (1996: 374) instead supplies *oblitus* after *veteris*, but this strains the metaphor and complicates the already difficult syntax.

[10] Stephen Oakley suggests transposing *veteris ubertatis* to after *fetus*, and compares §182 *nec ulla aetate uberior oratorum fetus fuit*.

[11] For further analysis of some of these problems, see Friedrich (1873: 845-846).

[12] On the omission of *est* after *repressus*, see below on §218 *ductus*. Ammon replaced *siti* with *sic vis*, thus enabling *exustus* to be taken predicatively with *flos* and eliminating the awkwardness of *repressus exustusque*, but *vis* is out of place here. While *vires* can mean 'vigour, full strength', I doubt whether the singular was used thus.

[13] Cf. Winterbottom (1967: 302): 'the sentence is in any case irremediably inelegant'.

18. *ausim* G^{c}] *ausus sim* BDEFMOSTλ: *ausum* G. If G^{c}'s emendation is accepted, this would be the only instance of *ausim* in Cicero;[14] the only other archaic sigmatic subjunctive forms employed by Cicero are *faxit* and *faxint* (e.g. *Verr*. 2.3.81 *di immortales faxint*, *Leg*. 2.19). However, there are no instances of the deponent perfect subjunctive of *audeo* in independent clauses in classical Latin. This absence is not merely an accident of survival: potential perfect subjunctives of all deponent verbs are rare,[15] and in Cicero the only example is *Tusc*. 1.55 *Ego vero facile sim passus ne in mentem quidem mihi aliquid contra venire*.[16]

Ausim and forms of *fax*- persisted long after other sigmatic subjunctives had disappeared,[17] and so it would not be surprising to find only these forms in Cicero. Additionally, *ausim* is usually combined with verbs of speaking and would fit well here with *repromittere*.[18] The corruption of an unfamiliar *ausim* would have been easy, especially if it had been spelled *aussim*.[19]

19. *rerum nostrarum* Lambinus] *rerum naturalium* L: *veterum annalium* Pisanus: *rerum et magistratuum* Reis coll. Nep. *Att.* 18.2. In defence of the transmitted reading, Van den Bruwaene (1967: 821) cites *Fin*. 1.16 as evidence for Atticus' expertise and interest in Epicurean philosophy. However, it is unlikely that Cicero's *De re publica* would have aroused Atticus' zeal for natural philosophy. Rather, *rerum naturalium*

[14] Cicero usually uses the present subjunctive to give this sense (e.g. *Brut*. 10 *aut ego pro certo dicere audeam*). For a list of the instances of *ausim* in Latin prose, see De Melo (2007: 344 n. 14).
[15] K-S i.176-177.
[16] The subjunctive *sim passus* has been contested, but it is accepted by recent editors. See Kennedy (2010: *ad loc*.).
[17] De Melo (2007: 338-353); Pinkster (2015: 491-492). Even in Terence the sigmatic subjunctive is limited almost exclusively to *facere* and *audere*: see De Melo (2007: 194-195).
[18] De Melo (2007: 345).
[19] I owe this observation to Wolfgang de Melo.

memoriam must conceal a reference to Atticus' historical investigations, which culminated in the *Liber annalis*.

Of the proposed emendations, Lambinus' *rerum nostrarum* is by far the best.[20] Although the *Liber annalis* almost certainly contained some non-Roman history, Nepos' description shows that the work dealt largely with Roman affairs.[21] Additionally, in *Rep*. 2.1-63, the part of that text most similar in subject matter to the *Liber annalis*, Cicero's focus is on Roman history, and so it would make sense for Atticus to say that he has been inspired by it to compile a record of Roman history. In *Brut*. 14, Brutus made the exaggerated claim that Atticus had encompassed all of history (*omnem rerum memoriam*) in the *Liber annalis*, and here Atticus, in keeping with Cicero's characterisation of him, is more modest in his summary of its contents.

Pisanus and Reis are much less economical in their emendations. Reis introduces *et magistratuum* in order to achieve greater coherence with Nepos' account, but in so doing he sacrifices coherence with *Rep*., in which the record of magistrates is not a major preoccupation. Pisanus' removal of *rerum* is infelicitous, in view of §14 *omnem rerum memoriam* and §322 *memoriam rerum Romanarum* (cf. §§44, 62), and it unduly confines the scope of Atticus' work to ancient history.[22]

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[20] Cf. §62 *historia rerum nostrarum*, §44 *te audiente, quem rerum Romanarum auctorem laudare possum religiosissimum*. For a more general statement of the value placed by Cicero on the investigation of Roman history, see *Acad*. 1.9.

[21] Nep. *Att*. 18.1-2 *Moris etiam maiorum summus imitator fuit antiquitatisque amator, quam adeo diligenter habuit cognitam, ut eam totam in eo volumine exposuerit quo magistratus ordinavit* (*ornavit* MSS). *Nulla enim lex neque pax neque bellum neque res illustris est populi Romani, quae non in eo suo tempore sit notata, et, quod difficillimum fuit, sic familiarum originem subtexuit, ut ex eo clarorum virorum propagines possimus cognoscere*.

[22] Cf. *Orat*. 120 *annorum septingentorum memoriam uno libro colligavit*. Douglas (1966: *ad loc*.) points out that ancient history was also the subject of *Rep*. 2, but *rerum nostrarum memoria* remains a more suitable description of the subject of the *Liber annalis*.

23. *studiosum. Et* L] *studioso. Et* O^{2vl}: *studioso mei* Orelli: *studioso et <dicendi et intellegendi magistro>* Hoffmann: *studiosum et <optumarum artium cupidum intuenti>* Kroll: *studiosum et <exercitatum audienti>* Friedrich: *studiosum et <doctum et exercitatum intuenti>* vel *<prudentem intuenti>* Amundsen: *studiosum et <dicendi et intellegendi intuenti>* ego. The sense is incomplete in the transmitted text. Orelli proposed *studioso mei* for *studiosum et*, but this emendation meets with two difficulties. Firstly, the following *enim* needs a purpose, and Orelli's conjecture does not provide an obvious causal link between the two sentences. Secondly, *studiosus* is usually used of the devotion of a disciple (cf. §64 *certos sui studiosos*) or a political supporter,[23] rather than that of an experienced role model and mentor towards a protégé.

Most editors postulate a lacuna after *et*. Friedrich's addition of a dative participle to agree with *mihi* and to govern *studiosum* has some plausibility, but Kroll's *intuenti* seems preferable to Friedrich's *audienti*, in view of §22 *mihi, Brute, in te intuenti* (and cf. §§253, 300, 331).[24] In some respects, though, Hoffmann's conjecture (1876) is the most appealing. *Studiosus* is often used with a genitive of something eagerly pursued or studied,[25] and the two gerunds *dicendi* and *intellegendi* allow for a natural movement of thought to the next sentence.[26] *Saut du même au même,* which is frequently involved in scribal omissions, would easily explain the loss of *dicendi ... magistro*. However, there is no reason to suspect *studiosum* of corruption. One might instead synthesise Hoffmann's supplement with Kroll's: *studiosum et <dicendi et intellegendi intuenti>*. Together, the words added are about as long as one line of text in the Cremona fragment,

[23] *OLD s.v. studiosus* 2, 3.
[24] Cf. Amundsen (1939: 127).
[25] *OLD s.v. studiosus* 1a.
[26] For *studiosus dicendi*, cf. *De or.* 1.251, *Orat.* 141. The gerunds *dicendum* and *intellegendum* are found together several times in Cicero: *De or.* 3.73 *veteres dicendi et intellegendi mirificam societatem esse voluissent*, *Orat.* 10, 17 (and cf. *De or.* 1.90).

and if the lines in L's exemplar had been of similar length, this could have made a leap from *dicendi* to *dicere* even easier.

28. *Attici* L] *Atticis* θ. *Atticis*, proposed by Lambinus but found already in the descendants of θ, is accepted by Kaster on the ground that the plural *monumenta* has the sense 'documentary record' throughout *Brut*. Yet, while the noun can denote generally 'the records which survive' (e.g. *Brut*. 52), it can also be applied more specifically to records written by particular authors (e.g. *Fam.* 5.12.1 *ut cuperem quam celerrime res nostras monumentis commendari tuis*, *Brut*. 181, Plin. *HN* 13.21).[27] There is therefore no linguistic difficulty with *Attici monumentis*. The context strongly favours the transmitted reading: chronological enquiry was central to the *Liber annalis*, and it is the topic on which Cicero appeals to Atticus' authority here. While Atticus was principally concerned with Roman history, *Orat*. 120 (quoted above at §14 *omnem rerum*) implies that he also referred to the history of other peoples.[28] The dates of major figures from Greek history such as Solon and Themistocles are just the kind of details which Atticus might have included in his work.

31. *verbis*] *urbanius* Vitelli: *urbanissime* Orelli: *verbis inversis* Ronconi: *acerbius* Marggraff: *versute* Sydow: *usitatis verbis* Simchen: *verbis suis* Ammon: *verba* Pinkster, qui etiam *instituta* ante *refellere* transp.: del. Wetzel. This textual problem has attracted a wide range of conjectures. Either the redundant *verbis* must be emended, or an adjective must be supplied with it. The deletion of *verbis*, favoured by some nineteenth-century editors, is now rightly considered unsatisfactory, since it causes the

[27] See further Drummond in *FRHist* iii.459; *OLD s.v. monumentum* 4, 5; *TLL* 8.1464.28-8.1465.23.
[28] For further discussion, see Münzer (1905), especially 80-85; Drummond in *FRHist* i.347-350.

sentence to end with the heroic clausula *instituta solebat*. Alessandro Ronconi (1958), in a perceptive discussion of the problem, pointed out that any emendation cannot simply repeat the sense of *subtilitate quadam disputandi*, but must add some further detail to the manner of Socrates' refutation of the sophists. Sydow's *versute* and Reis' *sagacibus verbis* are good examples of conjectures which fail to meet this test.[29] Ronconi's suggestion, *verbis inversis* ('with ironic words'),[30] is supported by §§292 and 299, the only other places where Socrates is mentioned in *Brut*. In §292, Atticus describes how Socrates makes use of irony in his arguments with the sophists; four of the five sophists mentioned in §30 are also listed in §292. Further Ciceronian references to Socrates' irony include *De or*. 2.270 *Socratem opinor in hac ironia dissimulantiaque longe lepore et humanitate omnibus praestitisse* and *Acad*. 2.15 *Socrates autem de se ipse detrahens in disputatione plus tribuebat iis quos volebat refellere; ita cum aliud diceret atque sentiret, libenter uti solitus est ea dissimulatione quam Graeci εἰρωνείαν vocant*.

However, Ronconi's emendation raises the thorny question of Cicero's philosophical position in 46 BC. Socrates' 'irony' was a live issue in the debate between Philo's New Academy and Antiochus' Old Academy: the sceptical New Academy took Socrates' professions of ignorance seriously, while the Old Academy, who believed instead in a dogmatic Socrates, interpreted his disavowals of knowledge as ironic.[31] Glucker (1997: 67) finds that, in *Orat.* 237-238, 'Cicero already expresses himself in terms as typical of the sceptical Academy as we find in his later philosophical works', and he suggests that it may be significant that it is 'Atticus', not 'Cicero', who discusses

[29] Sydow (1932: 240) compares *Orat*. 22 *versute et subtiliter*, where the adverbs are virtually synonymous; but in *Brut*. 31 the mere reiteration of *subtilitate quadam disputandi* is pointless.
[30] For *inversus* ≈ 'ironic', cf. Ter. *Haut.* 372 *inversa verba*; Cic. *De or*. 2.261-262; *OLD s.v. inverto* 2c.
[31] This may be an over-simplification: in *Acad*. 1.15-17, Varro, a follower of Antiochus, apparently takes Socrates' professions of ignorance at face value. Glucker (1997: 73) comments, '"Varro" does seem to be prepared to "give up the possession of Socrates", as long as he can keep Plato'.

Socrates' irony in *Brut*. 292. If Cicero was already sympathetic to the scepticism of the New Academy when writing *Brut*., he may have used the character Atticus to distance himself from the assertion of Socrates' irony.[32] In view of this consideration, it is hazardous to assign to Cicero's own character the same claim in our passage.[33]

Instead, we might consider Vitelli's *urbanius*.[34] To remove *verbis* is to remove the contrast with the sophists' *arrogantia verba* (§30), but it is also to eliminate a cumbersome second ablative from the clause. Indeed, the earlier *verbis* might easily explain the corruption of *urbanius*. It is less philosophically controversial to attribute to Socrates wit than irony. Cf., in addition to the passages cited above, *Fin.* 2.2 *illum quem nominavi et ceteros sophistas … lusos videmus a Socrate*, *Rep*. 1.16 *leporem Socraticum subtilitatemque sermonis, De or*. 3.67. Nevertheless, while I deem Vitelli's conjecture the best option available, significant uncertainty remains, and I prefer to obelise.[35]

39. *ut*] del. 'alii' (teste Corrado): *vel* Heusinger: *Brute* Martha. Douglas defends the paradosis by citing several Plautine examples of the construction *ut … quam*. However, all the parallels he adduces are in colloquial exclamations, and this construction is rather different from *videsne igitur ut … quam*, which we find here.[36] In the absence of more exact parallels, it is doubtful whether Cicero would have used a colloquialism such as this. Corradus more plausibly defends the transmitted text by appealing to epanalepsis,

[32] Cf. *Acad*. 2.15, cited above, where Lucullus, the proponent of Antiochus' dogmatism, voices a similar statement to Atticus' in *Brut*. 292.
[33] The statements of the character Cicero need not always represent Cicero's own views, but it is methodologically questionable to introduce here a potential conflict between the two by means of an emendation, especially when the passage does not demand a reference to Socratic irony.
[34] I see no reason to diverge further from the paradosis with Orelli's *urbanissime*.
[35] Marggraff's *acerbius* (1855: 4) and Philippson's *verissumis verbis* (1936: 1342) do not seem to me to fit well with Cicero's description of Socrates' *subtilitas disputandi*. For further discussion of the textual problem, see Simchen (1953: 167), Pinkster (1970), Malcovati (1971: 400).
[36] Cf. Malcovati (1968: 125).

with *quam* resuming the indirect question introduced by *ut*. If Cicero had started the sentence with the common *videsne (igitur) ut*,[37] the slight change of direction with *quam … sero* would have been quite natural.

Of the alternatives, Heusinger's *vel* ('even') is superficially attractive, especially given the frequent confusion of *ut* and *vel* in the manuscript tradition. However, *vel* clashes with *ipsa*, which already serves to draw attention to the surprising conclusion that even in Athens, eloquence came to prominence only late in the city's history. Martha adds a vocative to allow *videsne* to address a named character (cf. §§231, 307). However, unlike in §231, there is no particular reason for Cicero to address Brutus directly here, and the second person singular verb is employed merely to maintain the dialogic character of the work (cf. §49 *Et Graeciae quidem oratorum partus atque fontis vides*, §112 *quem ad modum scis*). The corruption of *Brute* into *ut* is very unlikely. The simplest solution would be to delete *ut*. I find this solution first reported by Corradus, who attributes to some unnamed scholars ('alii potius illam tollunt …') the suggestion that it might have arisen from the final syllable of *igitur*. But the anacoluthon is defensible in a conversational context like this.[38]

40. *idem* del. Koch] *valde* Koch: *gravis aut idem* Friedrich. The paradosis is hard to defend. Not only is the combination *ipse … hic … idem* cumbersome and without parallel,[39] but also, as Watt observed (1983: 230), the order *ipse idem* is not found before Christian Latin.[40] Despite Watt's defence,[41] the corruption of Koch's *valde* into *idem* is

[37] Cf. §231 *Vides igitur ut ad te oratorem, Brute, pervenerimus*.
[38] For some striking anacolutha in Cicero and other authors, see Mayer (2005).
[39] Cf. Malcovati (1968: 125).
[40] *TLL* 7.1.203.25-31.
[41] '[The conjecture] assumes little more than the disappearance of *va* after *tā*' (Watt (1983: 230)). Cf. Koch (1861: 485).

unlikely, and we do not want the intensifying adverb here.[42] No other emendations merit serious consideration,[43] and so the editor must either delete *idem* or follow Friedrich (1880: 138-139) in introducing another adjective.[44] *Idem* is sometimes used to join two contrasting adjectives (cf. §105 *eundem et vehementem et valde dulcem et perfacetum*, §158 *idem et perornatus et perbrevis*; *OLD s.v. idem* 8), and while it cannot join *ornatus in dicendo* and *plane orator* in this way, since there is no opposition between them, it could have linked *ornatus* with some lost adjective. One might consider, for example, *ornatus <et limatus>* or, perhaps better, *ornatus <et politus>*. Cf. *Cael*. 8 *quod ornate politeque dixisti*, *De or*. 1.31, and for the contrast between *ornatus* and *politus*, *De optimo genere oratorum* 12 *dicant se quiddam subtile et politum velle, grande ornatumque contemnere*. Nevertheless, on balance I think it more probable that *idem* was a gloss on *ipse poeta hic*. *Tam ornatus in dicendo* and *plane orator* complement each other well without any other description of Homer's style.

41. *Graeca* Jahn] *Graecia* L. If L's *Graecia* is correct, *regnante* would presumably have to be roughly equivalent to *florente*, given that Greece was not in any meaningful sense 'ruling' in Themistocles' time. The desire for an antithesis with *dominatu regio liberata* could perhaps justify the unusual usage, but Jahn's *Graeca* (sc. *civitate*) eliminates the difficulty with great economy. In the previous sentence, Cicero has contrasted *nos* and *Atheniensis*, and Jahn's emendation allows him to retain this contrast. Themistocles'

[42] The adverb's purpose is much easier to understand in *Div*. 2.81 (*Quasi vero quicquam sit tam valde quam nihil sapere vulgare*), the only other instance of *tam valde* + adjective in Cicero.
[43] Stangl's *interdum* and Baehrens' *identidem*, cited by Malcovati, are quite inappropriate and do not deserve a place in the apparatus.
[44] Friedrich's addition of *gravis aut* before *idem* is not in itself very inviting. Surely *<gravis et> idem* or *<gravis, tam> idem* would be preferable? *Gravitas* and *ornatus* are both stylistic features which would have made Homer the complete orator (*plane orator*). For examples of *gravis* and *ornatus* used in conjunction, see below on §86 *adornatior*.

Athens did hold a dominant position in Greece, and so *regnante* can take on its ordinary meaning.

46. *controversiae nata* Marggraff] *controversia natura* L: *controversia nata* G^{c}: *controversiae nara* vel *controversiae nara natura* Parker: *controversa natura* Ascensius: *controversiae cupida natura* Harnecker. Cicero, quoting Aristotle, provides reasons why it was in Sicily that the first works on rhetoric were written. The Sicilians are described as an *acuta gens*, and the corrupt *controversia natura* must conceal a second characteristic which made their society a natural place for rhetorical theory to be developed. The original text presumably had the meaning 'naturally given to controversy' (*vel sim.*).[45] The most economical way to produce this sense is Ascensius' *controversa natura*, but the adjective *controversus* usually means 'disputed', not 'quarrelsome'.[46] Wilhelm Heraeus (1934: 56 n. 1), developing an earlier argument by Moritz Haupt (1876: 380), suggested that Ammianus was alluding to *Brut*. 46 in his description of the Egyptians as a *genus hominum controversum* (Amm. Marc. 22.6.1; cf. Amm. Marc. 22.16.23 *Aegyptii … controversi*). While Ammianus was familiar with *Brut.*,[47] the parallels between these passages and *Brut*. 46 are too slim to justify the claim made by Haupt and Heraeus that they constitute an allusion to our text.

[45] Cf. Cassiod. *Var*. 1 *Ep*. 3 *novimus enim, testante Tullio, Siculorum natura quam sit facilis ad querelas, ut solita consuetudine possint iudices etiam de suspicionibus accusare* (with Haupt (1876: 380)). Although Cicero refers several times to the Sicilians' characteristic sharpness of tongue (see Jahn-Kroll-Kytzler (1962: *ad loc.*)), he does not specifically mention their litigiousness outside of *Brut.* Hence, Cassiodorus may well have been alluding to *Brut*. 46 in particular. However, Cassiodorus diverges too much from Cicero's phrasing for this allusion to be of much use in resolving the textual crux.

[46] *TLL* 4.788.28-75.

[47] See, e.g., Amm. Marc. 29.1.42 *Maximus ille philosophus, vir ingenti nomine doctrinarum, cuius ex uberrimis sermonibus ad scientiam copiosus Iulianus exstitit imperator* (with *Brut*. 31; cf. Den Boeft 2015: 230); 30.4.5 (with *Brut.* 289). On Ammianus' familiarity with Cicero, see, e.g., Michael (1874), Kelly (2008).

Much more attractive, and only slightly further from the paradosis, is Marggraff's *controversiae nata* ('born for controversy').[48] Also possible is Parker's *controversiae nara natura*,[49] perhaps a slight improvement on his alternative suggestion *controversiae nara*;[50] however, the simpler idea of a natural inclination towards controversy is preferable to that of an innate expertise in controversy. Harnecker's *controversiae cupida natura* produces satisfactory sense, but there is no need to depart so far from the transmitted text.

46. *de scripto* DE^{c}GJMT (*descripto* BEFOSU)] *descripte* Ar: *discripte* A. Eberhard. All recent editors print either *descripte* or *discripte*, but, while one might expect a second adverb after *accurate*, the transmitted *de scripto* may well be correct.[51] The phrase *dicere de scripto* ('to speak from a script') is well attested in Cicero: *Planc*. 74 *Recitetur oratio, quae propter rei magnitudinem dicta de scripto est*, *Phil*. 10.5, *Fam.* 10.13.1, *Att.* 4.3.3.[52] In all these examples, the phrase indicates that the orator brought the script with him and consulted it during his delivery, and it may signify the same here. However, because Cicero is translating from Aristotle, there is a possibility that he is using the phrase differently in our passage.[53] Cicero might conceivably mean only that the orators before

[48] *Natus* + dat., 'born for …', is well attested: see *TLL* 9.1.87.54-9.1.88.3. Malcovati claimed this emendation as her own, but she was anticipated by Marggraff (1855: 6) and Castiglioni (1935: 350).
[49] On the spelling of *narus*, see *Orat*. 158.
[50] Parker (1904: 248); cf. Simchen (1953: 168).
[51] *Descripte* is unattested elsewhere in classical Latin, while *discripte* occurs only at *Inv. rhet.* 1.49 (*TLL* 5.664.21-25; the MSS cannot, of course, be trusted to transmit accurately the distinction between forms of *describ-* and *discrib-*). One would expect the adverbial forms to be rare, but their rarity should still be a concern to those who wish to introduce either word here.
[52] Cf. *Brut.* 301 *ea sine scripto verbis eisdem redderet quibus cogitavisset*; *OLD s.v. scriptum* 3.
[53] Schöpsdau (1994: 193-198) considers the relationship between *Brut*. 46-48 and Aristotle's *Technon synagoge*, its probable source. The Thucydidean interruption (§47 *quo neminem … scripsit Thucydides*) and the use of Roman legal terminology (§48 *quo quis iudicio circumveniretur*) amply demonstrate that our passage is not simply a translation of Aristotle, but Cicero may nevertheless have rendered some phrases and clauses more literally, and so may have used a phrase such as *de scripto dicere* atypically.

Corax and Tisias memorised written drafts, but did not bring the scripts before their audiences.[54] Regardless of which of these two meanings is intended (I suspect the former), *de scripto* would fit with *accurate* and with *sed … tamen*: before Corax and Tisias, orators lacked theoretical training, but most still spoke from a script prepared carefully beforehand.

Several Greek writers discuss the use of written drafts. Alcidamas (*Soph.*) criticises the use of scripts in an orator's preparation, but does not discuss their use in the delivery of speeches. From the *Rhetorica ad Alexandrum*, perhaps the oldest extant rhetorical textbook, we know that at the time of its composition (probably *c.*340-330 BC) the law did not forbid the delivery of prepared speeches in court;[55] we can also infer from the same passage that some orators did in fact use scripts at that time:[56]

> ἐὰν δὲ διαβάλλωσιν ἡμᾶς ὡς γεγραμμένους λόγους λέγομεν ἢ λέγειν μελετῶμεν ἢ ὡς ἐπὶ μισθῷ τινι συνηγοροῦμεν, χρὴ πρὸς τὰ τοιαῦτα ὁμόσε βαδίζοντας εἰρωνεύεσθαι, καὶ περὶ μὲν τῆς γραφῆς, λέγειν μὴ κωλύειν τὸν νόμον ἢ αὐτὸν γεγραμμένα λέγειν ἢ ἐκεῖνον ἄγραφα· τὸν γὰρ νόμον οὐκ ἐᾶν τοιαῦτα πράττειν, λέγειν δὲ ὅπως ἄν τις βούληται συγχωρεῖν (*Rh. Al.* 1444a18-25).

For the fifth century BC, we have evidence from the *Suda*, which gives the following entry concerning Pericles: ῥήτωρ καὶ δημαγωγός· ὅστις πρῶτος γραπτὸν λόγον ἐν δικαστηρίῳ εἶπε, τῶν πρὸ αὐτοῦ σχεδιαζόντων (*Sud.* π 1180). If the *Suda* is to be trusted,[57] the practice of speaking from a written draft did not pre-date Pericles.[58] This is

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[54] Cf. *QFr.* 3.8.5 *laudavit pater scripto meo*, where *scriptum* might denote a written draft memorised by the father.

[55] At least, that is, in the place where the author of *Rh. Al.* lived.

[56] The phrases γεγραμμένους λόγους λέγειν and λέγειν μελετᾶν apparently represent two different possibilities: i) reading from a script, and ii) practising the speech beforehand. The former is probably a reference to the reading of a script prepared by a logographer: see Chiron (2002: *ad loc.*).

[57] On the statement's reliability, see Gonzalez (2011: 596 n. 55).

[58] Again, we cannot be certain whether the script was used in delivery or only in preparation.

initially hard to harmonise with *Brut*. 46, where we are told that most speakers before Corax and Tisias used a script. Corax and Tisias wrote their textbooks after the expulsion of the tyrants from Sicily (*Brut.* 46 *sublatis in Sicilia tyrannis*), and so very probably after 466 BC, when Thrasybulus was overthrown in Syracuse. This would make Corax and Tisias contemporaries of Pericles, and so would allow little time for the practice of using a script to become widespread before the publication of the first rhetorical textbooks. However, Cicero has already claimed that there was no theory of rhetoric in Pericles' day (*Brut*. 44), and so he must have believed that Pericles preceded Corax and Tisias. Cicero, quoting from Aristotle, is probably writing from an Athenian perspective: the manuals of Corax and Tisias may not have reached Athens for several decades, and the delay would have left ample time for other orators to imitate Pericles' practice of using a script in the delivery of forensic speeches. Hence, the transmitted text of *Brut*. does seem compatible with the testimony of the *Suda*.

Another relevant text is Sopater's commentary on Hermogenes. In a passage which appears to derive from the same Aristotelian source as *Brut*. 46-48, Sopater writes:[59]

> μετὰ δὲ ταῦτα Κόραξ πρῶτον ἁπάντων συνεστήσατο διδασκαλίαν περὶ ῥητορικῆς. οἱ γὰρ πρὸ αὐτοῦ ἐπιτηδεύοντες τὴν τέχνην ὡς ἐμπειρίᾳ τινὶ καὶ ἐπιμελείᾳ χρώμενοι ἐπετήδευον, καὶ οὕτως [οὗτος *MSS*] μὲν οὐ μετὰ λόγου καὶ αἰτίας οὐδὲ τέχνης τινός (Walz 5.6.20-24).

Cicero's *via nec arte* corresponds quite well with οὐ μετὰ λόγου καὶ αἰτίας οὐδὲ τέχνης τινός, and *accurate* fits with ἐπιμελείᾳ, but none of *de scripto*, *descripte*, and *discripte* matches Sopater's ἐμπειρίᾳ. Ἐμπειρία can denote 'practice, without knowledge

[59] For comparison of the two passages, see Cole (1991: 69), Schöpsdau (1994: 210). No other account of Corax and Tisias seems to derive from this source. See further Hinks (1940), Radermacher (1951: 28-35), Kennedy (1963: 52-61).

of principles',[60] and Sopater is not the only author to place it in opposition to τέχνη.[61] The noun ἐμπειρία is appropriate here, and one might suspect that *de scripto* conceals some adverb or phrase conveying the same idea in Latin. However, the versions given by Sopater and Cicero are sufficiently different in other respects that the variation here need not be a cause for concern.[62] Sopater does not help the editor of *Brut.* in choosing between *de scripto*, *descripte*, and *discripte*.

W. Rhys Roberts (1904) sought to draw parallels between P.Oxy.III 410, a fragment of a rhetorical treatise in the Doric dialect, and the accounts of Corax and Tisias. The fragment begins thus:[63]

> … καὶ ἄλλοι τινὲς τὲ ἀξιώσοντι. καὶ αἴ κ' ἐν τᾶι λέξει τᾶι <κατ'> ἀρχὰς τᾶν ἐφόδων καὶ μὴ γεγραμμέναις δοκῆι χρῆσθαι [τις] ἀλλὰ ἰδιωτικαῖς [κα]ὶ μηδὲν ὡς ἀκρι<βέως εἰ>[δ]ὼς ἀλλ' ὡς οἰόμε[ν]ος καὶ ἀκακοὼς λέγηι ἢ τῶν δικαστή[ρ]ων ἢ ἄλλων τινῶν.
>
> '… And others will esteem you; and also if in speaking at the commencement of the address of ingratiation one appears to use common phrases and not written ones, and speaks of nothing as a matter of certain knowledge, but of opinion and hearsay, whether from the jury or others.' (tr. Grenfell and Hunt)

Roberts compares the fragment's ἀκριβέως and γεγραμμέναις with the words *accurate* and *de scripto* from *Brut.* 46.[64] The parallel would support the reading *de scripto*, but Roberts fails to convince. The distinctions between 'common phrases' (ἰδιωτικαῖς) and 'written ones' (γεγραμμέναις), and between 'certain knowledge' (ἀκριβέως εἰδὼς) and 'opinion and hearsay' (οἰόμενος καὶ ἀκακοὼς), refer not to the absence of theoretical

[60] *LSJ s.v.* ἐμπειρία A.II. For discussion of the contrast and its history, see Schiefsky (2005: App. I).
[61] Cf., e.g., Pl. *Grg.* 463b.
[62] Μετὰ λόγου καὶ αἰτίας, for example, is rather different from Cicero's *via*.
[63] Grenfell and Hunt (1903: 26-31).
[64] Roberts (1904: 18).

knowledge or the careful preparation of a speech, but to a particular strategy for winning favour from the audience. Additionally, Grenfell and Hunt date the composition of the text to the beginning of the fourth century BC, that is, before Aristotle wrote the *Technon synagoge*, from which Cicero's account probably derives. Nevertheless, although P.Oxy.III 410 cannot serve to confirm the reading *de scripto*, public speakers in Athens apparently did make use of written drafts between the start of Pericles' public career and the arrival of Corax and Tisias' textbooks in the city.

51. *illi quidem* Lambinus] *quidem* L. The idiom *ille quidem … sed* (*tamen*), 'admittedly X, but nevertheless Y', is frequent in *Brut*.,[65] and the absence of *illi* in the paradosis is surprising. I can find only one instance where Cicero uses this idiom without placing *ille* or another pronoun before *quidem*.[66] This exception, *Phil.* 2.6 (*At in illa querela misera quidem et luctuosa, sed mihi … necessaria*), is due to the earlier *illa*, which was required to connect the sentence to the previous one. I suspect that Lambinus, Orelli, and Meyer are right to add the pronoun here.

66. *offecit* Wetzel] *officit* L. In the previous sentence, Cicero has said that Cato lacks admirers, just as, many centuries before (*multis iam ante saeculis*), Philistus and even Thucydides lacked them. In this sentence, Cicero gives the reason why (*nam*): 'Just as their terse aphorisms, which were sometimes even made obscure by their brevity and excessive subtlety, were overshadowed by Theopompus' elevated and exalted style (Demosthenes did the same to Lysias), so the style of later writers, built up too high, has

[65] It occurs at least sixteen times: see Hamilton (1968: 412 n. 5), and for examples from other texts and authors, Solodow (1978: 38-40). Cf. below on §112 *tamen*; *OLD s.vv. quidem* 4, *ille* 17a.
[66] I have checked all instances of *quidem … sed tamen*, but only some of *quidem … sed*.

blocked out Cato's light.' The past tense *offecit* is necessary or the point is lost. In the first century BC, Philistus, Thucydides, and Lysias do not lack admirers: cf. §68 *cur igitur Lysias et Hyperides amatur, cum penitus ignoretur Cato?*, §294, *Orat*. 31 [*Thucydides*] *laudatus est ab omnibus*. They did, however, lack admirers for a while after their successors (Theopompus and Demosthenes) had come onto the scene.

70. *etiam* FOλ] om. β: *autem* Simon | *et iam* FO^{2vl}] *etiam* λρ. Malcovati and a few other editors opt for the reading of BG, presumably believing it to have been the text of L, but there can be no doubt that the archetype had *etiam Polycliti etiam*. *Etiam* is often found with comparatives: cf. *Brut.* 92; *Off*. 1.107 *Ut enim in corporibus magnae dissimilitudines sunt …, sic in animis exsistunt maiores etiam varietates*; *Fin.* 5.55 *sunt autem etiam clariora vel plane perspicua … indicia naturae*; *TLL* 5.948.69-5.949.39. For the use of *etiam* and *et iam* in close proximity, cf. *Att*. 7.1.8, Plin. *Ep*. 4.17.6.

71. *sic in* del. Ellendt] *sic* [*in*] vulg. Most editors resolve the problem of L's impossible *sic in tamquam* by deleting *in*. However, Douglas rightly describes *sic tamquam* as 'an unusual collocation, especially where *tamquam* has no verb'. From *Fam.* 13.69.1 (*Apud eum ego sic Ephesi fui, quotienscumque fui, tamquam domi meae*) and *De or*. 2.180 (*Ac res quidem ista, quam ego, quia non noram, sic tamquam ignotum hominem praeteribam*) one can form a reasonable case that Cicero might have juxtaposed *sic* and *tamquam* in this way.[67] However, the transmitted *in* is a complicating factor. There is no ready explanation for its addition; the hypothesis that *sic in* was a progressive corruption of an initial error, *sicut*, is convoluted and unconvincing. More probably, *sic enim*, which is on the line immediately above in many manuscripts, prompted the accidental insertion

[67] Leeman et al. (1981-2008: *ad De or*. 2.180) compare *QFr*. 2.14.1 and *Tusc*. 1.88.

of *sic in*. Had a scribe copied *sic enim* or *sic en*, before realising his mistake and returning to the correct line of his exemplar, he could easily have produced L's reading.[68] The redundant *sic* should be deleted as well as *in*.

72. *captum* FOλ] *capto* β: *et capto* J^2. This is one of several places in *Brut.* where the application of stemmatic principles permits the elimination of a reading once defended as the paradosis.

73. *cui* vulg.] *quod* L: *cui si* Rom: *quoi ut* Castiglioni: *quoius si* Baehrens | *fuerit*] *fuit* Madvig.[69] L's *quod* does not fit into the sentence and must be corrupt. The emendation *cui*, which provides the necessary connection between *aequalis fuerit Livius* and the preceding clause, is probably correct.[70] Even with the adoption of *cui*, however, the relative clause *cui aequalis fuerit Livius* remains somewhat obscure. It would have to function as a hypothetical concession ('suppose that Livius was a contemporary of Ennius'), introducing the following indicatives. The subjunctive is certainly used in this way in both independent and relative clauses, but usually the concessive sense is clearer from the immediate context than it is here (e.g. *Verr*. 2.1.37 *'Malus civis, improbus consul, seditiosus homo Cn. Carbo fuit.' Fuerit aliis: tibi quando esse coepit?*; *Phil*. 1.13), or some word such as *sane* or *esto* is added to clarify the meaning (e.g. *Brut.* 76, *Fin*. 2.61; cf. K-S i.189-190). In addition to the apparent obscurity, another ground for suspicion is the presence of *fuerit* immediately before the relative clause. Watt (1983:

[68] Much less likely are the ingenious explanations put forward by Simon (1887: 19), who proposed that *sic in* was a corruption of *signum*, a gloss on *opus*, and Martha, who suggested that *sicin* might originally have been a gloss added by a scribe exasperated by Cicero's assessment of Livius Andronicus.

[69] Confusion over L's reading has persisted from some nineteenth-century editions into Wilkins (1903) and Jahn-Kroll-Kytzler (1962).

[70] On the question of orthography, and in particular why I prefer the spelling *cui* even when *quoi* allows the corruption to be explained more easily, see Introduction.

229), following Madvig (1884: 101), suggested that the second *fuerit* might be a Perseverationsfehler. However, Madvig emended *fuerit* to *fuit* because he wrongly believed that *cui si aequalis fuerit* was the paradosis. If *cui si* had been L's reading, *fuit* would be a simple and satisfactory correction, but since L read *quod*, Madvig's solution is uneconomical. Castiglioni's *quoi <ut>* is closer to the transmitted text, but I am not convinced that it does much to clarify the meaning. The slight obscurity is probably due to a desire to be succinct: Cicero wants to avoid labouring his point, and so he makes the final element of his argument against Accius' chronology as brief as possible, tacking it on with a connecting relative.

77. *indicant*] *quod indicant* Fuchs. Harald Fuchs (1956) proposed many supplements to the text of *Brut.* The addition of *quod* here is one of the most reasonable:[71] the absence of an object for *indicant* or of any word connecting the clause with the preceding one makes the transition rather awkward. In support of his conjecture, Fuchs cited *Brut*. 117 *quod indicat Gracchi in eum oratio*.[72] However, the absolute use of *indico* is attested,[73] and there are close Ciceronian parallels: *Off*. 1.37 *Hostis enim apud maiores nostros is dicebatur, quem nunc peregrinum dicimus. Indicant duodecim tabulae: 'aut status dies cum hoste'*; *Orat*. 152. L's text should be accepted here.

78. *unctior*] *vinctior* Peter: *lautior* Orelli | *splendidiorque* B] *splendidior* DEFGMOTλ: *et splendidior* Rom. Although *unctus* is not used elsewhere of oratorical style, there is no reason to doubt it here. Both Hendrickson and Kaster translate *unctior*

[71] One might also consider <*ut*> *indicant*: cf., e.g., *Acad*. 2.131, 2.137 *ut indicat ipsius historia*, *Verr*. 2.2.185, *De or.* 3.197. For further examples of *quod* and *ut* with *indico*, see *TLL* 7.1.1151.60-7.1.1152.42.
[72] Cf. also *Pis.* 36.
[73] *TLL* 7.1.1151.47-60.

as 'richer' (≈ *opimior*, *pinguior*), but in view of the accompanying *splendidiorque*, I suspect the intended sense is rather 'more radiant', 'more lustrous' (≈ *lautior*, *nitidior*).[74] As Jahn pointed out, 'die Wirkung der Salben ist *splendor* und *nitor*', and cf., for example, *Att*. 12.6.2, Sen. *Ep*. 51.10 *in primo deficit pulvere ille unctus et nitidus*. Cicero uses the adjective *lautus* in rhetorical contexts (*De optimo genere oratorum* 4), and there is no difficulty with *unctus* being used metaphorically in a similar way.

Peter's *vinctior* involves only a tiny change, but it introduces a reference to prose rhythm which is wholly out of place. Orelli's *lautior* gives the right sense,[75] but there is no need to emend. Indeed, Cicero uses *lautus* metaphorically several times,[76] and nowhere else does he add an apologetic *quidam* or *quasi* (*vel sim.*). The following *quaedam*, which indicates the use of an unfamiliar metaphor, fits better with *unctior*.

Many editors were not aware that L's reading was *splendidior*, not *splendidiorque*. The absence of a conjunction might invite one to delete *splendidior* as a gloss on *unctior*, but the adjective helps the reader to understand *unctior quaedam* and should be retained. A conjunction is, of course, required, and B's *splendidiorque* is the best option.

79. *triumvirum* FJMO (*trium virum* BGTU)] *triumvir* Ad. Neue and Wagener (1892: 659-660) offer many instances of this idiom, in which a partitive genitive such as *triumvirum* or *decemvirum* is applied to a particular member of a college.[77] Cf., for example, *Att*. 2.6.1 *Anti … ubi quidem ego mallem duumuirum quam Romae fuisse*; *Rep*. 2.61 *Gai Iuli … quod decemvirum sine provocatione esset*;[78] Livy 9.34.1; Augustus, *Res*

[74] Cf. *Brut*. 238 *non valde nitens … oratio*.
[75] Cf. *Off* 2.52 *illa* [sc. *opera*] *lautior ac splendidior*.
[76] *OLD s.v. lautus* 2.
[77] See also Oakley (2005: 429-430).
[78] The transmitted reading: see Oakley (2005: 430 n. 1), Powell (2006: *ad loc*.).

gestae 1.4, 7.1, 7.3.[79] For examples without *esse* or *creari*, cf. Varro *ap.* Gell. *NA* 13.12.6 *Ego triumvirum vocatus a Porcio tribuno plebis non ivi*, Livy 3.40.12, Tac. *Ann.* 6.12.1. Our passage, where *triumvirum* is not in apposition to a stated noun or pronoun, is particularly difficult, but in view of the frequency of the idiom, the paradosis is probably sound.[80]

86. *adornatior* Cz^{c}, ut vid.] *adortor* EFλ: *adhortor* BE^{2}GMOT: *adhortator* O^{2}: *ornatior* J^{2}: *ardentior* Corradus: *uberior* Marggraff: *atrocior* Triller: *asperior* Moser: *acerbior* Orelli: *incitatior* Busche. Previous editors believed that ρ's *adhortor* was the text of L, but the agreement of Fλ proves that L's reading was actually *adortor*. *Adortor* must be a corruption of a comparative adjective, and the most economical emendation is Cz^{c}'s *adornatior*.[81] The adjective *adornatus* is rare (although cf. *Verr.* 2.1.58 *forum comitiumque adornatum ad speciem magnifico ornatu*) and the comparative is unattested. However, the adverb *adornate* may have been used in a rhetorical context (Suet. *Gram. et rhet.* 30.2 *declamabat autem genere vario, modo splendide atque* <u>*adornate*</u> [λ: <u>*adoranter*</u> ω: <u>*ornate*</u> Kaster]), and the verb *adorno* certainly was.[82] The desire for alliteration with *acrior* could have motivated Cicero to employ *adornatus* instead of the common *ornatus*.

Adornatior ('more elaborate', 'more embellished') is a very suitable epithet for describing Galba's oratorical style.[83] Additionally, the pair *adornatior acriorque*

[79] There is no need to rely upon the Greek version of *Res gestae* 7.1 (as does Oakley (2005: 430)); the Latin text is sufficiently preserved: see Scheid (2007: *ad loc*.).
[80] *Pace* Malcovati (1968: 126), Watt (1983: 229).
[81] The letters *rna* have been added above an original *adortor*; the scribe's intention was presumably to suggest *adornatior*, not *adornator*. The conjecture may have been made by Leon Battista Alberti, who owned Cz.
[82] *OLD s.v. adorno* 6.
[83] Compare the description of Galba's style in §82 (especially *ut egrederetur a proposito ornandi causa*).

corresponds well with *gravius et vehementius* in the following clause (and cf. §88 *tanta vi tantaque gravitate*).[84] Cicero often uses forms of *gravitas* and *ornatus* in conjunction (e.g. *Brut*. 35 *nihil ornatum vel verborum gravitate vel sententiarum*), and in some places the terms are virtually synonymous (e.g. *Inv. rhet.* 2.50, *Leg. Man.* 52, *De or.* 1.54). For the combination of *ornatus* and *acer*, cf. *Brut.* 317 *alter ornatus, acer et non talis qualem tu eum, Brute, iam deflorescentem cognovisti, sed verborum et actionis genere commotior*.

Of the numerous other emendations which have been proposed, the best is Corradus' *ardentior*. The metaphor of heat is picked up in §§88 *incensum*, 89 *inflammet*, 93 *incendebat*, and 93 *flamma oratoris exstinguitur*. Yet Corradus' conjecture, like most of the others, is inferior to *adornatior* in three respects. Most obviously, it is further from the paradosis. Secondly, the contrast with *gravius et vehementius* is less exact. Finally, as Orelli observed, *ardentior* is arguably stronger than *acrior*, and so the combination would be more effective if the adjectives were transposed. While the passionate intensity of Galba's delivery is emphasised throughout §§86-90, it is only one element of a broader stylistic contrast between Laelius and Galba, between the two oratorical *laudes*: *una subtiliter disputandi ad docendum, altera graviter agendi ad animos audientium permovendos* (§89). In §86, the references to Galba's richer supply of rhetorical embellishments (*adornatior*) and his greater ferocity (*acrior*) are both apposite as Laelius initiates this contrast.

87. *alii aliud* Manutius] *aliud* L: *aliud alii* Manutius | *a* del. vulg.] *alii* Reis. The phrase *eodem tempore* should not be interrupted by *alii*, which belongs either before or after

[84] Marggraff (1855: 10-11) made the same point. His conjecture, *uberior*, is plausible, but the corruption to *adortor* is more easily explained with *adornatior*.

aliud. The Brepols *Library of Latin Texts* offers 21 instances of *aliud alii* in classical Latin (nine in Cicero), but only one relevant example of *alii aliud* from before the twelfth century.[85] Nevertheless, in spite of this significant fact, I prefer to add *alii* before *aliud* in our passage. In none of the instances of *aliud alii* is *alii* dependent on a genitive, whereas here *alii* belongs with *quorum*. Additionally, if the transmitted order is correct, then Cicero did write *aliis aliud* at *Rep*. 1.49.[86]

88. *illa disquisitione* scripsi] *illa dis quaestione* Fβλ: *illa die quaestione* O^{c}: O^{ac} incert., fort. *illa dies quaestione*: *illo die quaestione* Lambinus: *illa quaestione* vel *illa de caede quaestione* Orelli: *illa tandem quaestione* Weidner. O^{c}'s *die* is a good example of a conjecture which has gained a far wider acceptance than it deserved. Printed by almost all modern editors, *die* is merely a plausible, but not very probable, emendation of the nonsensical *dis*. *Illa die* produces an apt contrast between the single day which Galba needed to persuade the court to acquit the defendants and the multiple adjournments which had followed Laelius' defence speeches. However, the feminine *illa* poses a major problem, because Cicero overwhelmingly favours the masculine gender of *dies*. *Illa die* is unattested in Cicero, whereas *illo die* is found 44 times. When variations and expansions are included (*eo die, illo ipso die,* etc.), there are well over 100 examples of a masculine *die* with the meaning 'on that day', but just one of a feminine *die* (*Div*. 1.103 *ea ipsa die*).[87]

[85] Ambrose, *Expositio Evangelii secundum Lucam* 10.115 *alii aliud sorte defertur*.
[86] Cf. *Rhet. Her*. 3.38 *alii videtur aliud*, and below on §285 *alia <aliis>*. *Aliis aliud* is found several times in Latin poetry (*metri causa*).
[87] The four instances of *ex ea die* and *ex hac die* (*Pis*. 61, *Verr*. 2.1.34, *Att*. 5.14.1, 9.6.3) involve a quite distinct use of the word: the final two, for example, refer to particular days which have just been named. In the single instance where *ipsa die* is found on its own (*Fam*. 1.6.1), *dies* is used instrumentally ('will be worn down … by time itself').

This clear preference for *illo die* would give one pause for thought even if *illa die* were the transmitted reading, but when it is a conjecture, it renders it highly unattractive. One could, with Lambinus, emend *illa* to *illo*, but the feminine *illa* is surely an indication that it belongs with *quaestione*. We might follow Orelli's suggestion and delete *dis*, but it is not easy to explain how *dis* would have entered the text. Weidner's *illa tandem quaestione* (1879: 66-67) and Orelli's *illa de caede quaestione* are even more difficult to explain palaeographically, and it can hardly be said that the sense produced by either is sufficient to merit its acceptance in spite of this objection. A much more economical solution is *illa disquisitione* ('from that investigation').[88] This relatively rare word, attested twice in Cicero and only a few times elsewhere in classical Latin,[89] could easily have been corrupted. In *Sull*. 79 (*in magnis disquisitionibus*), *disquisitio* apparently denotes simply a trial, and in *Har*. *resp*. 13 (*ad facinoris disquisitionem interest adesse quam plurimos*), it refers to an inquiry conducted by the *collegium pontificum*. Cf. Livy 26.31.2 *in disquisitionem venit* (of an inquiry in the senate), Suet. *Iul*. 15 *disquisitionem populi*, Suet. *Nero* 2.2 *disquisitionem senatus*, Tac. *Ann*. 3.60.1 *disquisitionem patrum*, 5.11.1.

89. *an*] del. Pareus. The use of *an* to introduce an alternative ('or perhaps') is widely attested,[90] but the repetition of *an* ('perhaps X, perhaps Y') is properly paralleled only at *Att*. 11.6.7 *Is dicitur vidisse Quintum an euntem an iam in Asia*. Many scholars would

[88] Gregory Hutchinson suggests that *disquisitione* and *quaestione* might once have been variant readings, and that *dis-* might be the remnant of *disquisitione*. He further points out that *illa quaestione* would take up §85 *quaererent*. This latter consideration has a little weight, but the variants he postulates do not seem to me very likely.
[89] *TLL* 5.1450.79-5.1451.7; Heumann and Seckel (1907: 152). The word is admittedly more common in medieval Latin.
[90] *OLD s.v. an* 9; *TLL* 2.6.61-2.7.33.

delete the first *an* in both places.[91] Yet in neither sentence is there an obvious explanation for the addition of *an*, and the structure *an … an* is employed in a very similar way in the two passages. Examples of the use of *an … an* after verbs of doubting and uncertainty would provide a helpful comparandum for this use. However, while *an* is used after such verbs throughout all periods, structures such as *nescio an … an*, *quaero an … an* are hard to find in Republican Latin. Nevertheless, it is more probable that Cicero used a repeated *an* in *Brut*. 89 and *Att*. 11.6.7 than that the word was accidentally introduced in both places. The doubling of conjunctions (*et … et*, *aut … aut*, etc.) is more frequent in classical Latin than in many modern languages; here, the doubling of *an* would serve to emphasise Cicero's uncertainty about the period of time between the addition of Cato's speech to the *Origines* and his death.

92. *quod peringeniosis*] *peringeniosis quidem* **Cavarzere | *ut*] *quod*** **Cavarzere.** In §§91-93, Cicero is examining why some orators do not write and why others do not write as well as they speak. The first two groups described by Cicero do not write down their speeches, and the third group seems also to be made up of orators who do not write. Syntactically, this group is placed in parallel with the two previous ones (*alios oratores …; alios …; alios …*), and the absence of an infinitive with the third *alios* suggests that we should supply either *nihil scripsisse* or *non laborare ut meliores fiant* from earlier in the sentence. Furthermore, these orators are aware that they cannot write as well as they can speak (*melius putent dicere se posse quam scribere*), which would be an understandable reason for reluctance to write. In the transmitted text, Cicero apparently goes on to comment that this awareness of the inferiority of one's writing is characteristic

[91] So K-S ii.527. There is slightly fuller discussion in an earlier edition (Kühner (1877-1878: 2.2.1024)). Cf. Hand (1829: 307-309).

of those of great talent but insufficient training (*quod peringeniosis hominibus neque satis doctis plerumque contingit*), and he cites Servius Galba as an example of this type of orator. However, as Cavarzere (2012) has pointed out, Galba certainly did write down his speeches (§§91, 93). Even without this difficulty, the similarity between the second and third groups of orators would be problematic: the second group's belief that its glory will be greater if its written speeches are not read by the critics implies an awareness that its written output would be less impressive than the speeches as delivered.

We might instead take the third *alios* as a reference to orators, like Galba, who did write down their speeches, but whose written works did not live up to their oratorical reputations. Cavarzere rejects this option on the ground that orators possessed of great ability in public speaking and the knowledge that their writing is, by comparison, unimpressive are very unlikely to publish written versions of their speeches, especially since there was no expectation that they should do so. Cavarzere's solution is to transfer *peringeniosis … Galbae* to the following sentence by replacing *quod peringeniosis* with *peringeniosis quidem* and *ut* with *quod*. Even with these interventions, though, the text is not smooth: the final group which chooses not to write (*alios … scribere*) is dealt with in a very cursory fashion, and the transition between *scribere* and *peringeniosis* is abrupt.

If the text is corrupt, I would prefer to postulate a lacuna before *quod peringeniosis*. This lacuna might have included further discussion of the third group which chooses not to write, as well as an explicit transition to the second question, why some orators do not write as well as they speak. But if *quod peringeniosis …* refers only to a greater ability in speaking than in writing, rather than to the awareness of that difference in abilities, the paradosis is defensible. On this interpretation, the transition to *quod peringeniosis* would conceal a shift in focus from the *causa non scribendi* to the

causa non tam bene scribendi quam dixerint (cf. §91).[92] Such imprecise composition seems possible, and I accept the transmitted text.

97. *Sex.* Madvig] *sed* L. The transmitted text is unsatisfactory: the Pompeius mentioned here would have to be the Quintus Pompeius of §96, and the return to this minor orator is abrupt and uncharacteristic of Cicero's practice in *Brut*. Gnaeus and Quintus Caepio, who have just been discussed, bore witness against Quintus Pompeius in a trial of *c.*138;[93] this fact might have brought Pompeius back into Cicero's mind, but the connection between the two sentences (*Tum … sublevabant* and *Sed … prudentiae*) is still obscure. Sumner (1973: 52) suggests that Cicero intended to contrast Pompeius' extant works with the speeches of the Caepiones, which did not survive. If Cicero had merely stated that Pompeius' writings were extant, this interpretation would be plausible, but he then goes on to assess the quality of Pompeius' works (*nec nimis extenuata, quamquam veterum est similis, et plena prudentiae*). These evaluative comments do not fit so easily with Sumner's reading and seem rather to indicate that we have here the introduction of a new orator, not the reappearance of Quintus Pompeius. Madvig's emendation yields a much smoother text.

In defending the paradosis, Sumner was motivated by the difficulty of identifying Madvig's Sextus Pompeius. Commentators have assumed that he was the father of Gnaeus Pompeius Strabo and his brother Sextus Pompeius, both mentioned in §175. However, Sumner (1973: 51) argues that this Sextus Pompeius was a promagistrate in Macedonia in 119 and that his probable birth-date in or before 160 puts him out of place

[92] Jahn-Kroll-Kytzler: 'Der Übergang zu diesem zweiten Gedanken (*quod peringeniosis …*) ist verschleiert'.
[93] *Font.* 23; *TLRR* no. 8.

among the orators older than Gaius Carbo and Tiberius Gracchus.[94] Neither the identification with the promagistrate in Macedonia nor the promagistrate's date of birth is certain, but Sumner nevertheless raises a real issue for the view that this man is the father of the Pompeii of §175. One could emend the text in some other way, but the economy of Madvig's emendation makes it appealing. Perhaps another Sextus Pompeius, otherwise unknown, is in view: we cannot expect to have heard of this figure, given that many other people mentioned in *Brut.* are not known from elsewhere. One candidate is the grandfather of the Pompeii of §175. If their father had been born in 160, or shortly before, their grandfather could have been born between 180 and 190, which would make him similar in age to the other orators in this section.

99. *Gracchum*] *C. Gracchum* Jahn. Tiberius Gracchus was mentioned in §96 and will return in §104, while Gaius Gracchus, against whom Fannius' speech was directed, makes his first appearance in this passage. Consequently, many editors have followed Jahn in adding the *praenomen*. However, it is evident from §§99-100 that Fannius' speech was a famous one,[95] and Cicero would have expected his audience to know that it was Gaius Gracchus, not Tiberius, who proposed the extension of citizenship to the *socii* and the *nomen Latinum*.[96]

109. *facete* Lambinus] *facile* L: *faecem* Carcopino: *facete peregrinos* Martha | *C. Gracchum paulum* vulg.] *paulum C. Gracchum* L | *aetate*] *ei aetate* Stangl. Those who

[94] Cf. §96 *C. Carbo et Ti. Gracchus … de quibus iam dicendi locus erit, cum de senioribus pauca dixero*.
[95] Cicero apparently quotes from the same speech at *De or*. 3.183; cf. *ORF*[4] 142-145.
[96] Malcovati suggests that 'Gracchus κατ' ἐξοχήν Gaius fuit', but whether Cicero chooses to omit the *praenomen* apparently depends more on the context: at *Caec*. 87 (*Unde qui cum Graccho* [sc. *deiecti*] *fuerunt? Ex Capitolio.*) Tiberius Gracchus is in view, while in *De or*. 3.214 the subsequent quotation makes it clear that the reference is to Gaius.

defend the absolute use of *agitare* cite as parallels Ter. *Ad*. 501 (*quam vos facillume agitis*) and Porcius Licinus fr. 3 (Courtney) 10 (*tres per idem tempus qui agitabant nobiles facillime*).[97] However, it is an overstatement to call *facile agitare* ('to be prosperous') a 'well-attested idiom',[98] especially given that Porcius is probably imitating Terence's phrase.[99] Additionally, Terence and Porcius use the phrase with the sense of material prosperity ('to live easily'), a meaning quite different from the political context of *Brut*. 109. Lastly, we should expect a more explicit comment on Pennus' oratorical abilities than that offered by the paradosis. We must resort to emendation.

The transposition of *paulum* and *C. Gracchum* allows *agitare* to govern an eminently suitable object. In 126 BC, while he was tribune, Pennus enacted a law expelling all non-Romans from Rome,[100] and Gaius Gracchus is known to have delivered a speech on this law.[101] Hence, although we know little else about Pennus' tribunate, the supposition that it was characterised by fierce hostility to Gaius is reasonable.[102] As well as its historical plausibility, this emendation gives point to *tuus etiam gentilis*: *etiam* highlights the similarities between Marcus Drusus and Marcus Pennus, both of whom opposed Gaius during their tribunates. Finally, the transposition, by supplying an object for *agitare*, provides the needed reference to Pennus' oratory.[103] The transposition leaves

[97] Outside of *Brut*. 109, Cicero never uses *agitare* without a direct object. Douglas questioned the use of a personal subject with the verb *agitare*. But see, e.g., *Att.* 14.18.1 *saepius me iam agitas quod …*; *Rosc. Am.* 66; *Leg.* 1.40.
[98] Hendrickson (1962: 98).
[99] Courtney (1993: 90).
[100] *Off.* 3.47; Stockton (1979: 94-95).
[101] *ORF*[4] 179-180; Stockton (1979: 218).
[102] Carcopino (1929: 8-9) objected that Gaius Gracchus spent the year 126 in Sardinia, and that as a result he could not have taken part in an oratorical duel with Pennus in that year. But, as Stockton points out (1979: 95), such a duel could have taken place early in 126, before Gaius set out for Sardinia. Alternatively, Pennus could have spoken against Gaius during his absence in Sardinia, with Gaius eventually responding upon his return in 125/124.
[103] Carcopino's conjecture *faecem* is more economical (cf. *OLD s.v. faex* 4a '*(of persons)* the dregs, scum'), but *faecem agitavit* is an unappealing combination of words. I do not find Martha's *facete* <*peregrinos*> *agitavit* attractive either: Pennus' attempt to expel the *peregrini* from Rome was rather more than mere witty provocation or harassment.

aetate antecedens without an object, but the slight awkwardness can be tolerated, especially in view of parallels such as *Rep*. 1.18 *domi vicissim Laelium, quod aetate antecedebat, observaret in parentis loco Scipio*.[104]

L's *facile* has also been doubted. Reis compared §180 *facilis et expeditus ad dicendum*, but, like Malcovati (1960: 337; 1968: 129), I find this parallel unsatisfactory: the context in §109 suggests *facile* should mean 'easily', not 'fluently', and Gaius Gracchus was not an easy opponent to overcome. Lambinus' *facete* is persuasive, particularly since the same corruption occurs in §198.

111. *tecti* DEFGMOTλ] *recti* BF^{c}. At this point in *Brut*., B derives from β, and so the agreement of BF^{c} is not sufficient to put L's reading in doubt: the archetype read *tecti*. All recent editors print *recti*, but the transmitted text poses no difficulty. *Tectus* = 'guarded', 'cautious' is well attested in Cicero (e.g. *De or*. 2.296 *unum te in dicendo mihi videri tectissimum*, *Orat*. 146; *OLD s.v. tectus* 2b), and is sometimes associated, as here, with wisdom (*Deiot.* 16 *Quis consideratior illo? Quis tectior?*[105] *Quis prudentior?*; *Phil*. 13.6 *quid sapientia*? *Cautioribus utitur consiliis, in posterum providet, est omni ratione tectior.*). Scaurus' guarded manner fits well with his *gravitas summa et naturalis quaedam … auctoritas*, and would help to explain why he seemed more like a witness than a defence speaker (*non ut causam, sed ut testimonium dicere putares, cum pro reo diceret*). Scaurus' terse and careful style of speaking can also be deduced from Antonius' words in *De or*. 1.214: *iam, credo,* [sc. *Scaurus*] *huc veniat, et hanc loquacitatem nostram vultu ipso aspectuque conterreat: qui, quamquam est in dicendo minime contemnendus,*

[104] Alternatively, Stangl's *ei* might easily have been lost after the transposition of *C. Gracchum paulum*.
[105] *Tectior* has been corrupted into *rectior* in some MSS.

prudentia tamen rerum magnarum magis quam dicendi arte nititur. Cicero intimates that Scaurus epitomised the opposite of the *loquacitas* of Antonius and Crassus.[106]

In support of *recti*, one might observe that *sapientis hominis et recti* anticipates more precisely the observation in §112 that Scaurus' style conveyed not only practical wisdom, but also trustworthiness (*significabat enim non prudentiam solum, sed, quod maxime rem continebat, fidem*). However, this argument is not sufficient to motivate the emendation: Scaurus' *gravitas* and *auctoritas* would themselves have served to engender *fides*, and the reference to moral rectitude is not necessary.[107] In fact, emending to *recti* would create a more substantial problem than that which it would solve. Cicero only applies the adjective *rectus* to a person in *Fam*. 12.5.2 (*unus L. Caesar firmus est et rectus*), where it denotes 'faithful', 'committed to our cause', not 'morally upright'.[108] *Rectus* appears not to be used of people in this latter sense until Imperial Latin. On several counts, then, *tecti* is superior to *recti*.

112. *acta*] *lectu* Geel. The second supine *lectu*, not attested before the fourth-century grammarians, has been adopted by many editors. The rare form would certainly have been liable to corruption, and *lectu* would have point: 'Scaurus' books were worth reading, but no-one reads them'. Additionally, *acta*, while often coupled with *vita* in Cicero, even without modifying adverbs (e.g. *Tusc*. 1.109 *vita acta perficiat ut satis superque vixisse videamur*; *Fam*. 4.13.4 *quid gravitas, quid altitudo animi, quid acta tua*

[106] The same point may be implicit in *Font*. 24 *M. Aemilio Scauro … cuius iniurati nutu prope terrarum orbis regebatur,* and perhaps even in Sall. *Iug*. 15.4 *Aemilius Scaurus, homo nobilis inpiger factiosus, avidus potentiae honoris divitiarum, ceterum vitia sua callide occultans*.

[107] According to Sallust, Scaurus accepted bribes from Jugurtha (e.g. *Iug*. 29.2 *Scaurus … magnitudine pecuniae a bono honestoque in pravom abstractus est*), and it is perhaps because of these allegations that Cicero, who often praises Scaurus, emphasises his *gravitas*, *consilium,* and *constantia* (e.g. *Pro Rabirio perduellionis reo* 26, *Mur*. 36, *Fam.* 1.9.16) rather than his *integritas* and *virtus.*

[108] *OLD s.v. rectus* 7, 10c.

vita … a te flagitent, tu videbis; *Sen.* 38), typically has a clearer purpose.[109] Finally, Scaurus' autobiography is usually given the title *De vita sua*,[110] and the elimination of *acta* would draw Cicero's title closer to the normal designation.

However, other considerations make *lectu* less appealing. (1) The sequence *lectu … legit … legunt* is rather laboured. (2) Elsewhere, Cicero uses the noun *lectio*, not the supine (e.g. *Brut*. 69 *ut nullius scriptum exstet dignum quidem lectione*).[111] (3) Cicero never uses a supine with *utilis*.[112] (4) The second supine is usually placed immediately after its adjective in prose (70% of the time), and 'most exceptions to this tendency are due to (contrastive) focus on the supine' (e.g. Plin. *HN* 17.78 *non perflatu modo utilis verum et aspectu grata*).[113] Such a contrastive focus is obviously inappropriate here.[114] In view of these factors, I retain the superfluous, but otherwise unobjectionable, *acta*.

112. *tamen* om. D. *Tamen* is accepted by Wilkins, Reis, and Malcovati, but the strong adversative is inappropriate here; we want simply, 'neither is it so suited to our affairs, nor ought it to be preferred to the praises of Scaurus'. *Tamen* has probably arisen through a dittography of *neque tam*, and we should follow A. Eberhard in excising it.

115. *sed*] *et* Bake. Marggraff (1855: 12), defending L's *sed*, maintains that the conjunction establishes an antithesis between Cotta, who spoke like a real orator (*ut*

[109] Badian (1967: 226) suggested that *de vita ipsius acta* would imply 'written after his death', but one can reflect on one's life before reaching the very end (cf. *Sen*. 9 *conscientia bene actae vitae … iucundissima est*). The question of whether Scaurus wrote the work near the end of his life or some years earlier has not been settled (Smith in *FRHist* i.268-269).
[110] e.g. Val. Max. 4.4.11, Plin. *HN* 33.21; for further examples, see Smith in *FRHist* i.268. *De vita sua* was apparently a standard title for an autobiographical work: cf. the autobiographies of Rutilius (Smith in *FRHist* i.279) and Augustus (e.g. Suet. *Aug*. 85.1, Ulp. *Dig*. 48.24.1).
[111] But cf. *cognitu*, *cognitione*, both used by Cicero.
[112] But cf., e.g., Ps.-Sall. *Ad Caes. sen.* 2.4.5 *vera atque utilia factu*, 2.13.8.
[113] Kroon (1989: 217 n. 42).
[114] Malcovati asks (1968: 127), 'Come altrimenti un libro potrebbe essere utile?'.

orator), and Scaevola, who lacked the force and abundance which the case required (*nequaquam autem ea vi atque copia quam genus illud iudici et magnitudo causae postulabat*). Marggraff may be correct, but *sed* may be merely resumptive, as it is at §117 *sed ut vita* (cf. §§64, 80, 140).[115] *Sed* is frequently used to indicate the conclusion of a parenthetical remark and the resumption of the main subject.[116] In any case, there is no need to follow the majority of recent editors in adopting Bake's emendation. An additional hint that the text is sound can be found in the *ille quidem … nequaquam autem* construction. Cicero typically uses the structure *ille quidem … sed* (*tamen*),[117] and in fact this is the only place in the Ciceronian corpus where *autem* replaces *sed* in this idiom. Cicero has probably diverged from his usual practice in order to avoid repeating *sed*.

128. *lege* Peter] *lege Manilia quaestio* BDEFMOTλ: *lege Mavilia quaestio* G: *illa quaestione* Piderit: *lege Mamilia* Ernesti: *lege Mamilia quaestorium* Kroll: *lege Mamilia quaestio cum esset* Lichtenfeld. L's *Manilia* is obviously a corruption of *Mamilia*, and *Mamilia quaestio* has every appearance of being a gloss on *invidiosa lege*. Ernesti deleted only *quaestio*, but *Mamilia quaestio* is the more likely gloss.[118] Kroll emends *quaestio* to *quaestorium*, but Galba's status as a *quaestorius* is irrelevant here. Cicero's point is that five men of great distinction were convicted under the *lex Mamilia*: Galba, a priest, and four ex-consuls. It is Galba's membership of a priestly college, not his quaestorian rank, that made his conviction remarkable.[119]

[115] Bake wishes to emend *sed* to *et* in §117 as well.
[116] e.g. *De or*. 1.82 *sed cum*, and see further *OLD s.v. sed* 2b, K-S ii.76.
[117] Cf. above on §51 *illi quidem*.
[118] For an account of the *quaestio Mamilia* of 109 BC, see Gruen (1968: 136-156); cf. Sall. *Iug*. 40.
[119] Cf. §127 *Hic, qui in collegio sacerdotum esset, primus post Romam conditam iudicio publico est condemnatus.*

130. *atque etiam acri* Hendrickson] *atque etiam* BDEFOλ: *atque etam* MTX (*atque e tam* G): *acuto etiam* Kayser: *atque et acri* Friedrich. Two objections have been made to the transmitted text. Firstly, there seem to be few similarities between Gaius Fimbria and Gaius Sextius Calvinus to make sense of *atque etiam*. However, *atque etiam* can be understood as indicating simply that these men were contemporaries, rather than that they both possessed *ingenium* and *sermo elegans*. Cf. §131 *doctus etiam Graecis,* where *etiam* evidently does not mean that Lucius Caesulenus was learned in Greek literature. The second, and more substantial, problem is that *ingenio* lacks a qualifying adjective. When he uses *ingenio* as an ablative of description, Cicero usually qualifies it in some way (e.g. §55 *longe plurimum ingenio valuisse,* §125 *praestantissimo ingenio,* §205 *ingenio praestans*), and one would especially expect an adjective here for the sake of balance with *sermone eleganti*.

To solve this stylistic difficulty, Martha takes *eleganti* with both *ingenio* and *sermone,* and he cites Quint. *Inst.* 5.13.48 (*Vibius Crispus, vir ingenii iucundi et elegantis*) as evidence for the phrase *ingenium elegans*. But, although a person may be described as having a pleasant and elegant character, in *Brut*. 130 *ingenium* clearly denotes ‘talent’, ‘natural aptitude’, and in this sense it does not fit comfortably with *elegans.* We need another adjective to go with *ingenio.* The emendations of Kayser and Friedrich are plausible, but it is best not to meddle with the combination *atque etiam,* which also marks transitions between orators in §§80, 90, and 169. The loss of an adjective is at least as easy as the corruptions postulated by Kayser and Friedrich. The phrase *acre ingenium* is found several times in Cicero, and Hendrickson’s supplement is

attractive. Cf. §204, §282 *ineratque et ingenium satis acre et orationis non inelegans copia*.[120]

131 *de damno iniuria* Peter] *de iustitia* L: *de iniuria* Pisanus: *damni iniuria* Hotman: *DC sestertia* Martha: del. Friedrich. L's *de iustitia* is undoubtedly corrupt. Only one *lex Aquilia* is known from the historical record, a law providing compensation to the victims of wrongful damage (the killing of slaves and quadrupeds, and the vandalism of property).[121] Mommsen (1899: 826 n. 4) suggested that Cicero might have been referring to another *lex Aquilia*. However, the punishment under the attested *lex Aquilia* was the payment of compensation (goods or money) to the wronged party, and the reference to the seeking of a fine (*multam … petivisset*) fits well with this.[122] The similarity between *iustitia* and *iniuria*, a noun which features frequently in connection with the *lex Aquilia*, also tells in favour of the identification of the two laws.

There remains the question of how Cicero would have described the law.[123] Elsewhere, he mentions it explicitly only in *Tull*. He twice defines the law as *de damno* (*Tull*. 9 *cum sciret de damno legem esse Aquiliam*; *Tull*. 42 *lege Aquilia … quae de damno est*), but his argument in *Tull*. 10-12, 41-43 makes it clear that the key phrase in the law was *damnum iniuria* (e.g. *Tull*. 10-11 [*M. Lucullus*] *necesse putavit esse … illam latebram tollere: 'damnum iniuria'*; cf. *QRosc*. 32, 54). This phrase, found also in the jurists' discussions of the *lex Aquilia*,[124] has been construed in two ways: (1) with

[120] Other options are, of course, possible. For a list of adjectives used with *ingenium*, see *TLL* 7.1.1527.79-7.1.1529.21.
[121] For bibliography on the *lex*, see Crook (1984), Rodger (2006).
[122] *Multa* can denote a fine paid to the state or to an individual (*TLL* 8.1580.69-8.1581.37).
[123] Friedrich deletes *de iustitia*, and it is true that Cicero does not always specify the contents of a law, especially when there is only one law sponsored by members of a particular *gens*. But we know of only one *lex Cincia* and one *lex Varia*, and yet see *Sen*. 10 *legis Cinciae de donis et muneribus*, *Corn.* 1 fr. 54 Crawford *lege Varia de maiestate*.
[124] See the passages collected in Crawford (1996: ii.724-725) and Rodger (2006).

iniuria as an adverbial ablative ('wrongfully'), the full phrase being *damnum iniuria datum*;[125] or (2) as an asyndeton bimembre ('loss and unlawful harm').[126] The first interpretation has received almost universal support from scholars, but more recently Alan Rodger (2006) has argued for the latter. In view of Gaius' use of the phrase *damni iniuriae actio* (*Inst*. 3.210; cf. *Inst*. 4.9, 4.37, Justinian *Dig*. 2.12.3.pr),[127] Rodger may well be correct with regard to the classical jurists, but he neglects the testimony of Cicero.[128] Yet throughout *Tull*. Cicero unambiguously uses *iniuria* as an adverbial ablative.[129] Moreover, in *Tull*. 38-43, Cicero is contrasting the *actio* of the praetor Lucullus with the *lex Aquilia*, and he stresses that the absence of *iniuria* from Lucullus' *actio* marks a key difference from the *lex*.[130] Since the word *iniuria* in the *lex Aquilia* is integral to Cicero's argument, *Tull*. provides secure evidence as to his interpretation of the phrase *damnum iniuria* in the law.

What title would Cicero have used for the *lex*? Hotman proposed *damni iniuria*, but Martha and Douglas rightly find his explanation of the corruption unconvincing.[131] Additionally, the construction *de* + abl. is much more frequent with *lex* than the genitive, and there is no reason to suspect the transmitted *de*. Pisanus' *de iniuria* is economical,[132] but the absence of *damnum*, a key identifying word for the law, leaves it unusually vague. If, as I think, Cicero interpreted *iniuria* in the *lex Aquilia* as an adverbial ablative, *de*

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[125] *OLD s.v. iniuria* 1b.
[126] On asyndeton bimembre in legal Latin, see De Meo (2005: 116-120); on the meaning of *iniuria*, Paschalidis (2008).
[127] Mommsen (1899: 826 n. 1) viewed Gaius' *damni iniuriae* as 'eigentlich wohl eine Missform'.
[128] Rodger (2006: 422).
[129] e.g. *Tull*. 39 *recuperatoribus persuaderes non esse iniuria M. Tullio damnum datum*.
[130] *Tull*. 41; cf. Lintott (2008: 69-73).
[131] Hotman suggested that *damni iniuriae* was abbreviated to *d. i.*, and that the contracted form was then incorrectly expanded to *de iustitia*.
[132] This emendation, favoured by Badian (1967: 226) and Kaster (2020), is often attributed to Lambinus, but was first proposed by Victor Pisanus.

iniuria becomes even less tempting. Instead, I prefer Peter's *de* <*damno*> *iniuria*.[133] The difficulty of construing the two successive ablatives probably led to the omission of *damno*, with *iniuria* being corrupted independently to *iustitia*.

136. *vectigali levavit* J] *vectigale levavit* BFJ^{c}Up: *vectigali locavit* Willcock: *vectigali vexavit* Seager: *vectigalem levavit* Douglas: *vectigalem liberavit* Lintott. Because of the historical complexities of the post-Gracchan agrarian legislation, this single sentence on Spurius Thorius has received much critical attention. I do not intend to summarise or evaluate the numerous theories on the relationship between Appian's three agrarian laws (*B Civ*. 1.121-124), Cicero's *lex Thoria* (mentioned in *Brut*. 136 and *De or.* 2.284), and the epigraphic *lex agraria*.[134] The sentence itself (*Sp. Thorius satis ualuit in populari genere dicendi, is qui agrum publicum uitiosa et inutili lege uectigale levavit*) is grammatically ambiguous: after accepting the simple emendation of *vectigale* to *vectigali*, one has to decide whether to take *vectigali* as ablative of separation and *lege* as ablative of means ('he relieved public land from a rent by means of a defective and useless law'), or vice versa ('he relieved public land from a defective and useless law by means of a rent').[135] The first interpretation is illogical: a defective and useless law cannot provide relief.[136] The second, however, remains plausible, and, in my view, no scholar has put forward a persuasive reason why it should not be accepted.[137]

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[133] This emendation occurred to me before I found it in Peter (1839). For the full phrase, see Ulp. *Dig*. 9.2.1.pr.

[134] Noteworthy recent studies are Lintott (1992: 34-58), Crawford (1996: i.57-60, 113-180), De Ligt (2001), Roselaar (2010: 261-271), and Sisani (2015: 230-243).

[135] The fullest examination of the syntactical possibilities remains Badian (1964: 235-242). Badian rightly dismisses the possibility of taking *vectigali* as an adjective; cf. Lintott (1992: 283). Scholars have also taken different views on the meaning of *levavit*: see Sacchi (2006: 21-23).

[136] Badian (1964: 238-239).

[137] For the construction with the two ablatives, Crawford (1996: i.59) compares *De or*. 1.166 *ne is … turpi tutelae iudicio atque omni molestia stultitia adversarii liberaretur*; he further adds, 'Cicero surely could not have imagined the notion that anything could be achieved with a *vitiosa … lex* as an instrument'.

Seager (1967) objected that only the introduction of a new law, not the imposition of a rent, can provide relief from a bad law,[138] but *vectigali* can easily stand as shorthand for 'rent introduced by a law'. Willcock (1982: 474) argued that Cicero's description of Thorius' oratory (*valuit in populari genere dicendi*) implies that Thorius was a popular tribune whose actions Cicero was unlikely to praise. Yet, as Morstein-Marx (2004: 204-240) has shown, ability in speaking before the people was an important tool for both *populares* and *optimates*, and we cannot conclude from *Brut.* 136 that Thorius was a *popularis* or that Cicero disapproved of his law.[139] Willcock further objected that 'there is no parallel instance … of *ager* (or any word like it) being used as an object of *levare*' (1982: 474-475). However, the meaning of *levare* ('relieve') makes it unsurprising that it was used predominantly with a personal object, or with a burden as the direct object and a person in the ablative; this does not preclude Roman writers from using the verb, in special circumstances, with a noun such as *ager* as its object.[140] The liberation of public land from a bad law provides a suitable context for the sense given by *levare*. *Att.* 1.19.4 *liberabam agrum*, where *liberare* is almost synonymous with *levare*, forms an additional reason for confidence in *levare* here.

Hence, there are no compelling linguistic or semantic grounds for emending *levavit*. Nor do the historical data prove that the transmitted description of the *lex Thoria* is inaccurate. Among others, Badian (1964), Johannsen (1971), De Ligt (2001), and Sisani (2015) have found ways of reconciling our text with the other sources without adopting any emendation except *vectigali*. Some, perhaps all, of these accounts can be

[138] With Seager's emendation *vectigali vexavit*, the two instrumental ablatives are awkward. Willcock (1982: 475 n. 8) also objected to the clausula.
[139] Cf. *Brut.* 164-165, 191, 247; *TLL* 10.1.2702.11-29.
[140] Other examples of the use of *levare* with a non-personal object include: Plin. *HN* 17.210 *arbor … adsiduo levata onere*; Tac. *Ann.* 2.23.4 *equi, iumenta … praecipitantur quo levarentur alvei*; Julian *Dig.* 14.2.8 *levandae navis gratia res aliquas proiciunt*.

challenged,[141] but the lack of agreement among historians on the aims and effects of the *lex Thoria* is itself an argument against emendation.

Although change to the vulgate text is unnecessary, two emendations still deserve consideration. Douglas' *vectigalem levavit* is only a little further from the paradosis and removes the ambiguity of the two ablatives. This emendation, however, forces *vectigalem* ('made to bear rent by …') to do too much work.[142] Willcock's *locavit*, with *vectigali* as an ablative of price, is an attractive solution, clarifying the sense without straining the syntax.[143] Nevertheless, Willcock's case against the paradosis is weak, and the historical details of the Thorian law are uncertain.[144] I prefer to retain *levavit*.

141. *cum … consentiens*] del. Bernhardy | *rebus* Schütz] *verbis* L. There are two principal difficulties with the paradosis. Firstly, *cum verbis sententiisque consentiens* repeats what Cicero has already said in *cum sententiis congruens*. Secondly, the assertion that all of Antonius' movements were in harmony with his words as well as his thoughts apparently contradicts the earlier claim that his gestures did not depict his words (*gestus erat non verba exprimens*). These are substantial problems, and it is not surprising that

[141] I find De Ligt's interpretation most persuasive. The grounds for the identification of Appian's second law, introduced by a certain Sp. Borius (who must, of course, be Sp. Thorius), with Cicero's Thorian law are strong; the law's purpose may well have been to make the holdings of the *veteres possessores* their private property, with the damage to the poor mitigated by a rent. De Ligt's explanation of Appian's '15 years' and the consequent dating of the *lex Thoria* to 118 BC are more questionable. However, unless fresh evidence comes to light, the triple forces of the unreliability of Appian, the fragmentary state of the epigraphic *lex agraria*, and the ambiguity of Cic. *Brut*. 136 will continue to make certainty unattainable.

[142] It also compels us to conclude that Appian erred in assigning the second, rather than the third, of the agrarian laws to Sp. Thorius (Douglas (1966: 247-250)). Lintott (1992: 283) criticises the use of *levare* = 'relieve' without a separative ablative, and instead suggests *liberavit*. He thus diverges further from the MSS while not addressing the other problems with Douglas' emendation.

[143] *Pace* Willcock (1982), L's corrupt *vectigale* does not significantly increase the probability of *levavit* also being corrupt: the corruption of the ablative singular of i-stem nouns to *-e* is exceedingly common.

[144] Roselaar (2010: 270 n. 152) further objects that *locavit* is a verb ill suited to a law which prescribed the privatisation of public land.

many editors have followed Bernhardy in deleting *cum … consentiens*. Yet, as Douglas writes (1966: *ad loc.*), 'Deletion of the phrase, leaving *manus umeri*, etc. in loose opposition to *gestus* does not greatly help matters.' The redundancy of the repetition, while unattractive, does not make the text impossible.

The abruptness of the movement from the opposition between *verba* and *sententiae* to their use in tandem is a greater concern. As is clear from the more detailed treatment of the subject in *De or*. 3.220 and Quint. *Inst*. 11.3.88-91,[145] the phrase *verba exprimens* refers to a style of gesticulation in which the speaker mimics the meaning of individual words and phrases through his gestures. The speaker might, for example, imitate a lyre-player by pretending to strike the strings with his hands (*citharoedum formatis ad modum percutientis nervos manibus ostendas* (Quint. *Inst*. 11.3.88)). Cicero regarded this type of gesture as suited to the actor, not the orator. The orator should rather reproduce in his gestures the whole thought which he is trying to express. By saying that Antonius' gestures were in harmony with his words (*cum verbis … consentiens*), Cicero cannot be referring to the theatrical type of gesture, since he has just said that Antonius did not practise that style. If the text is sound, the pair *verbis sententiisque* must refer together to the thought, not the individual words. Cf. *De or*. 3.220 *manus autem minus arguta, digitis subsequens verba, non exprimens* ('but the movements of the hand must be less rapid, following the words and not eliciting them with the fingers' (tr. Rackham)). But it is hard to see why Cicero would write *verbis sententiisque* rather than simply

[145] *De or*. 3.220 *Omnis autem hos motus subsequi debet gestus, non hic verba exprimens scaenicus sed universam rem et sententiam non demonstratione sed significatione declarans, laterum inflexione hac forti ac virili, non ab scaena et histrionibus, sed ab armis aut etiam a palaestra; manus autem minus arguta, digitis subsequens verba, non exprimens*. Quint. *Inst*. 11.3.88-89 *Et hi quidem de quibus sum locutus cum ipsis vocibus naturaliter exeunt gestus: alii sunt qui res imitatione significant, ut si aegrum temptantis venas medici similitudine aut citharoedum formatis ad modum percutientis nervos manibus ostendas, quod est genus quam longissime in actione fugiendum. Abesse enim plurimum a saltatore debet orator, ut sit gestus ad sensus magis quam ad verba accommodatus*.

sententiis. *Non verba exprimens* and *cum verbis sententiisque consentiens* are not totally contradictory, but Schütz's *cum rebus sententiisque consentiens* is an improvement. Cicero often uses *res* ('the subject matter') and *sententiae* ('the ideas') to represent two different aspects of the same concept, the topic of the speech. See, for example, *De or*. 2.56, 2.58 *Timaeus … longe eruditissimus et rerum copia et sententiarum varietate abundantissimus*, 2.145, 3.220 (cited above at n. 145), *Inv. rhet.* 2.49, *Leg*. 2.17. The remembrance of *verba* could have caused the corruption.

142. *in questionibus* BEGO] *in quaestionibus* FJ (*in quę-* MTU): del. Weidner: *in conquestionibus* Lambinus. *Conquestio* is considerably more common than *questio* both in Cicero and in classical Latin as a whole, but the use of *questio* at *Orat*. 135 is sufficient to confirm the paradosis here. In both passages, the proximity of other words with the prefix *con-* (*Brut*. 141-142 *consentiens … convertebat … commovendam*, *Orat*. 135 *corrigimus … commutantur*) may have motivated Cicero's avoidance of *conquestio*. Alternatively, Cicero may have viewed *conquestio* as the more technical term and may have avoided it in his later rhetorical works for that reason.[146]

151. *una*] del. Jahn | *Rhodum ille*] *Rhodi; nam illo* Madvig. '*una* without either *cum* or a plural verb is hard to parallel except in the doubtful passage 81.23.'[147] But cf. *Quinct.* 24 *L. Albius … una profectus est*, 58, *Flac*. 43 *Pari felicitate legatus una venit Nicomedes*, *Att*. 9.13A.2 *quod si una essem*. There is no need for either Jahn's deletion or Madvig's conjecture. The ellipsis of *mecum* is well suited to the informality of the dialogic context. (Compare the colloquial *ain tu?* in §152.)

[146] Most of the occurrences of *conquestio* in Cicero are from *Inv. rhet.* On the use of *conquestio* in rhetoric, see further Lausberg (1998: 207-208); *TLL* 4.352.56-71.
[147] Douglas (1966: *ad loc.*).

151. *at* Martha] *et* L. Martha's emendation produces much better sense. Both Cicero and Sulpicius had energetically pursued rhetorical training, and Sulpicius' return from Rhodes marked an apparent change in his career goals, as he turned to pursue legal expertise rather than oratorical renown; *at* draws attention to this change of direction.[148] The corruption is very easy to explain, especially after *et doctior*.

162. *defensiuncula* Lange] *defensione iuncta* L: *laudatio cum defensione iuncta* Petersen: *defensione senatus iuncta* Sydow: *oratiuncula* Murgia: *defensio* Piderit. Douglas succinctly summarises the two major problems present in the transmitted text: the absence of a subject for the sentence and the poor sense given by the phrase '[a speech] combined with a defence'. Sydow (1932: 240-241) supplied *senatus* as an objective genitive with *defensione*, thus partially resolving the second of these difficulties, but the first remained unaddressed. Petersen's emendation,[149] by contrast, deals with the first issue, but not the second. Rather than attempting to fill a lacuna, however, we could instead consider the possibility that *defensione iuncta* is corrupt. Lange's *defensiuncula* is an excellent emendation. The diminutive fits well with the comment which follows on the speech's brevity, and the corruption of so rare a word would have been easy.

Of course, the rarity of *defensiuncula* is the reason some editors have found it hard to accept (it is unattested elsewhere), but many such diminutives occur only once.[150] Murgia objected that 'one says not *defensio pro*, but *defensio* of (with objective genitive)'

[148] The adversative force in the examples cited at *OLD s.v. et* 14 is less significant than that present here.
[149] Fuchs (1956: 141), following a similar line of reasoning to Petersen, proposed *defensione iuncta* <*oratio*>.
[150] See further Douglas (1966: *ad loc.*). The editors of the *TLL* included *defensiuncula* as a separate lemma on the basis of Lange's emendation.

(2002: 69), and he proposed instead *oratiuncula*. However, *oratiuncula* is not only markedly further from the paradosis and less prone to corruption (given the presence of the word in §§77 and 207), but it is also inept before *ut oratio autem brevis*.

One would indeed expect a genitive with *defensio* (although compare Val. Max. 8.7.1 *defensionem suam pro Hispania opposuit*),[151] but in our passage, as in Valerius, there is a reason for the exception. Cicero has just mentioned Crassus' speech in support of a law proposed by the elder Quintus Servilius Caepio, the consul of 106 BC (§161 *suasit Serviliam legem Crassus*),[152] and he will return to this speech in §164 (*illa in legem Caepionis oratio*). In §162, however, Crassus' speech *in consulatu pro Q. Caepione* is a defence of the younger Quintus Servilius Caepio.[153] The desire to avoid confusion with the more famous speech on the *lex Servilia* may well have motivated Cicero's use of the unusual construction *pro Q. Caepione defensiuncula*. Alternatively, Cicero may merely have wanted to avoid the need to rewrite the first part of the sentence, since he could hardly have written *L. Crassi in consulatu Q. Caepionis defensiuncula*.

166. *potentiam* L] *prudentiam* Campe. The transmitted *potentiam* is confirmed by *Planc*. 51 *potentissimo et clarissimo civi C. Claudio*.

167. *leporum* Simon] *exemplorum* L. Reis adopted Simon's *leporum* (1887: 40), but subsequent editors have preferred to keep the paradosis.[154] Although Cicero, like the

[151] Gertz' emendation, adopted by Shackleton Bailey (2000), would make this parallel irrelevant, but Briscoe (1998, 2019) accepts the transmitted reading.
[152] *RE s.v.* 'Servilius 49'; R 96 in Sumner (1973).
[153] *RE s.v.* 'Servilius 50'; R 162 in Sumner (1973). See further Badian (1964: 34-70).
[154] Malcovati admitted that '[s]enza dubbio alla logica soddisfa più *leporum* che *exemplorum*' (1960: 335), but she argued that *exemplorum* was still possible in the context. However, if an emendation is superior, sometimes we should accept it even when sense can be found in the paradosis. The noun is much more at home in §145 *Q. Scaevolam …* [*Crassus*] *obrueret argumentorum exemplorumque copia*.

author of *Rhet. Her.*, seems to have viewed the *exemplum* as a *figura sententiae* without any argumentative function,[155] the noun is still clearly out of place in a tricolon with *argutiae* and *urbanitas*. Nor are *exempla*/παραδείγματα distinctively Attic, as the following consecutive clause requires.[156] Additionally, the following sentences refer only to the sharpness of Titius' wit, and *easdem argutias*, which picks up the first member of the tricolon, seems to imply that all three members are from the same semantic field. Hence, instead of *exemplorum*, we should expect another noun denoting the shrewd or witty use of language, and *leporum* is an attractive suggestion: 'His speeches were so full of shrewd aphorisms,[157] witty remarks, and humour that they almost seem to have been written by an Attic pen.' Cf. §143 *facetiarum et urbanitatis oratorius, non scurrilis lepos*; §177 *nemo umquam urbanitate, nemo lepore, nemo suavitate conditior*; *De or.* 1.159; and for the plural, *Orat*. 96, *OLD s.v. lepos* 2b. The corruption would have been easy, especially if *leporum* had been mistaken for an abbreviated *exemplorum*.

169. *et exercitatus* Bρ] *exercitatus* Fλ. This is one of a handful of places where L's reading is in real doubt. The coincidental omission of *et* by Fλ is somewhat more likely than its addition in Bρ, but L may have contained variants or a scribal correction. *Et* should be retained. Cicero is juxtaposing practice (*exercitatus*) and natural ability (*natura*

[155] On the history of the exemplum in rhetorical theory, see Demoen (1997). Demoen contrasts Aristotle, for whom the exemplum (παράδειγμα) was 'the rhetorical counterpart of logical induction' (133), with Cicero and the *auctor ad Herennium*, for whom its purpose was the adornment of speeches.

[156] Cf. Douglas (1966: *ad loc*.).

[157] For the association of *argutiae* with Greek writers, cf. *Leg*. 1.7 *Nam quid Macrum numerem? Cuius loquacitas habet aliquid argutiarum, nec id tamen ex illa erudita Graecorum copia, sed ex librariolis Latinis*; and for the meaning, see Krostenko (2001: 157 n. 6). In Imperial Latin, *argutiae* sometimes took on the meaning 'humour, wit', but there is no evidence that the noun was so used in the Republican period, and such a sense does not seem appropriate in *Brut.* 167. In saying that Titius was 'not very tragic' (*parum tragice*) in transferring *argutiae* to his tragedies, Cicero probably refers to excessive cleverness and refinement in the use of words, not to humour. (Cf. *Amic*. 45 *sed nihil est quod illi non persequantur argutiis.*)

volubilis), two members of the traditional triad, and the *et … et* construction helps to clarify this.

171. *tu* L] *tum* Weidner: *ibi* Koch. Koch (1861: 485) objected to the word order *audies tu* after *tu … intelleges*, and proposed emending *tu* to *ibi*. Weidner (1879: 70) improved on Koch's emendation with his *tum*, which picks up from the preceding *iam … cum* and stays closer to the transmitted text; Weidner's conjecture has been adopted by most subsequent editors. However, Cicero often places an emphatic *tu quidem* after a second person verb: cf. *Tusc*. 3.82 *de quibus audies tu quidem*, *Att.* 1.20.2 *disputas tu quidem*, *Fin*. 2.80, *Off*. 1.2, *Fam*. 1.9.1, et al.[158] By contrast, the word order with a verb followed by *tum quidem* is unparalleled in Cicero. The structure *tu quidem … sed* is equivalent to *ille quidem … sed* (discussed above at §51 *illi quidem* and §115 *sed*), and has concessive force: 'Although you also will hear certain words not much used in Rome, these can be exchanged and unlearned.'[159] Finally, the purpose of *etiam* is clearer after *tu quidem*: Cicero has already heard speech which lacks the *color urbanitatis*, and in Gaul Brutus will *also* hear words not common in Rome.[160]

171. *retinnit* Ad] *retinuit* Fλρ: *recinuit* B: *recinit* Ab^{c}. The verb *retinnio* ('ring back') is found only here and in Varro *Rust*. 2.pr.2 (of a house 'ringing with many Greek names'), where some editors accept Gesner's *retinniat* in place of the manuscripts' *retineant*. Given the weak attestation of *retinnio*, *recinit* deserves consideration. *Recinit* is not much further from the transmitted *retinuit*: *recino* and *retineo* are easily confused

[158] For discussion of the use of *quidem* with pronouns, see Solodow (1978: 36-42).
[159] Translation adapted from Adams (2007: 133). On the type of words Cicero is thinking of, see Adams (2003: 442-443).
[160] Marchese (2011): 'con le tue orecchie ascolterai parole non usuali a Roma'.

in minuscule scripts.[161] In discussing the orator's voice at *Orat*. 57, Cicero comments: *Est autem etiam in dicendo quidam cantus obscurior … quem significat Demosthenes et Aeschines, cum alter alteri obicit vocis flexiones*.[162] However, in *Brut*. Cicero cannot be talking about the similarity between the orator's vocal modulation and that of a singer, since he goes on to say that the *color urbanitatis* is found not only in the voices of orators, but also in those of other people at Rome (*nec hoc in oratoribus modo apparet, sed etiam in ceteris*). *Recinit* would have to refer rather to pronunciation, and there is no evidence that *recino* was used in this sense. The verb *tinnio* is used to denote shrillness of voice (e.g. Plaut. *Poen.* 33; *OLD s.v. tinnio* 2),[163] and Quintilian employs it to describe the sound of the letter ν at the end of Greek words (Quint. *Inst*. 12.10.31 *At illi ny iucundam et in fine praecipue quasi tinnientem illius loco ponunt*). The more specific use of *retinnio* here with reference to a Roman accent is a natural development, and *resonat* helps to clarify the word's sense.[164] Consequently, although the evidence for *retinnio* is slender, we can be confident that it was used by Cicero here.

172. *Tincam* L] *Tingam* Badian ex Quint. *Inst.* 1.5.12. In the only other extant reference to this man, Quintilian reports how Hortensius criticised *Tinga Placentinus* for saying *precula* instead of *pergula*.[165] Badian (1967: 227) suggested bringing the transmitted *Tinca* in *Brut*. into alignment with Quintilian's spelling.[166] However, even though in Quintilian the interchange of the letters *g* and *c* is central to the anecdote, we cannot be

[161] For some instances of the confusion, see *TLL* 11.2.326.16-18.
[162] On the similarities between the orator's voice and music, see also Quint. *Inst.* 1.10.22-33, especially 24-25.
[163] Cf. Tac. *Dial*. 26.1 *tinnitus Gallionis*.
[164] For *resono* in the context of accents, cf. Quint. *Inst.* 11.3.30 *os … in quo nulla neque rusticitas neque peregrinitas resonet*.
[165] On Tinga's provincial dialect, see further Adams (2007: 134-135).
[166] Badian's proposal was accepted by Sumner (1973). Malcovati, who kept the spelling *Tinca*, suggested (1968: 125) that the name might derive from the fish (*tinca*, 'tench'), which is first mentioned in Auson. *Mos.* 125.

certain that the name is spelled correctly there. But if Hortensius' jibe toward Tinga had been well known at the time, then perhaps Cicero was himself making fun of the man by deliberately misspelling his name. A joke of this kind would fit well within the account of Tinga's *sapor vernaculus*, which apparently cost him in his battle of wit with Granius. Therefore, whether or not *Tinca* was the correct spelling, it should be retained in this passage.

174. *Romanarum*] del. Douglas. Douglas suggests that the memory of Roman history is out of place among the 'traditional rhetorical categories' which structure Cicero's portrayal of Gellius' oratory. By expunging the word, Douglas simplifies the reference to *memoria* and clarifies the antithesis between *res* and *verba*. Nevertheless, in spite of these arguments, one should not be too hasty to delete *Romanarum*. Douglas argues that the emphatic positioning of the adjective before *rerum* implies 'a contrast, e.g. with Greek, here hard to explain'. However, of the 18 instances of the use of *immemor* in Cicero, this is the only one in which a dependent genitive precedes the adjective,[167] and so *rerum*, as well as *Romanarum*, is in an emphatic position; it is difficult to see a reason for this if *Romanarum* is deleted. If *nec … indoctus* looks back to §173 *Graecis doctrinis institutus,* then the word order of *Romanarum rerum immemor* may indeed set up an opposition with Greek: Gellius was both learned in Greek theory and well versed in Roman history.

But more significantly, Cicero alludes several times in *Brut.* to the value of the knowledge of Roman culture and history to the orator. His most explicit comment is found in his lament for the deficiencies of the other orators of his generation: §322 *nemo*

[167] On word order tendencies with regard to *immemor*, see further Devine and Stephens (2006: 391-393).

qui memoriam rerum Romanarum teneret, ex qua, si quando opus esset, ab inferis locupletissimos testis excitaret.[168] Thus, if Gellius had possessed a deep knowledge of Roman history, we should not be surprised that Cicero chose to mention it.

175. *item in iure* E^{c}U] *itam in iure* BGJO^{c}O^{v}U^{c}: [spat. vac. v litt.] *in iure* O^{ac}: *ita m iniure* F: *sitam in iure* DEM | *eminuerat* Prohasel] *et* L; pro *itam in iure et* (L) Reis coniec. *ita eminuerat inter aequalis in iure ut.* Having praised Sextus Pompeius for his knowledge of civil law, Cicero extends his brief digression on jurists with a discussion of two other eminent figures from the field, Marcus Brutus and Gaius Billienus. The correction of L's nonsensical *itam* to *item* (of E^{c}U) is compelling, highlighting the continuation of the legal excursus; the corruption was probably due to perseveration from *scienti<u>am</u>*.

However, *pace* Badian (1967: 227) and Kaster (2020: 108, 278), this simple change is not sufficient to restore the text to a satisfactory condition. Firstly, if *item* is to be construed with both Brutus and Billienus, then *simili ratione* merely reiterates *item in iure* and has no purpose. Secondly, the phrase *homo per se magnus* can apply only to Billienus, since Brutus was not a *novus homo*, and likewise *prope … evaserat* must apply exclusively to Billienus, because the *qui*-clause which follows describes him alone. As a result, the first half of the sentence (*item … Brutus*) should be taken as a separate main clause, and a comma should be placed before *et paulo*. The first clause, though, still lacks a verb.

One might contemplate deleting the sentence's first *et*, or replacing *et* with *fuerat*, but, even though this Marcus Brutus has already been mentioned as an expert in law in

[168] Cf. (on Curio) *Brut*. 214 *Nullum ille poetam noverat, nullum legerat oratorem, nullam memoriam antiquitatis collegerat*, and *Brut.* 205, 267, *De or.* 1.201. See also Gowing (2000: 51).

§130,[169] some further description of his legal abilities is needed. Prohasel's *eminuerat* is an elegant solution. *Eminuerat* corresponds well with *summus evaserat*, leaving *item in iure* in parallel with *simili ratione*. Palaeographically, the similarity of the letter sequences [*it*]*eminiure* and *eminuer*[*at*] could easily have led to the loss of *eminuerat*. If *at* had been the only surviving remnant of *eminuerat*, it might have been corrupted into L's *et*. Cf. *Orat*. 104 *Demosthenes, qui quamquam unus eminet inter omnis in omni genere dicendi, tamen non semper implet auris meas*.

175. *simili ratione prope* Schütz] *prope simili ratione* L: *prope sine ulla oratione* Bake.

'*Prope simili ratione*, c'est-à-dire *scientia juris*, mais sans la géométrie ni la philosophie.'[170] But even if the strange collocation *prope similis* can sometimes make

[169] Two men named Marcus Brutus are mentioned in §130: a son (*M. Brutus, in quo magnum fuit, Brute, dedecus* [Bq^{c}: *genus* L] *generi vestro …*) and a father (*patremque optimum virum … et iuris peritissimum*). Douglas suggested that the jurist of §175 was probably the father, but Sumner (1973: 77, 105) argued that chronology favoured identification with the son. Two factors tell against Sumner's conclusion. Firstly, while Cicero calls the father *iuris peritissimum*, his portrayal of the son (*dedecus generi vestro … accusator vehemens et molestus*) is very unflattering; although there is no necessary contradiction between the son's having been an expert in law and his also having been, in other respects, a blot on the family name, one would at least expect Cicero to have supplied an explanation of these conflicting descriptions. Secondly, there is no indication that any of the three jurists of §175 was also an orator, whereas the younger Brutus of §130 was a frequent prosecutor. And in fact there is no chronological obstacle to Douglas' identification of the jurist Brutus with the father of §130. The son did not hold any magistracies (§130 *is magistratus non petivit*), and his birth-date is consequently hard to pin down: Sumner suggested the range 150-145 BC, but this depends on the son's having been the legal expert mentioned in §175. He may have been born later. Gaius Billienus, who was a little younger than the jurist of §175 (*paulo post eum C. Billienus*), was certainly born by 143, since Cicero states that he would have become consul at some point between 104 and 100, had not the successive consulships of Gaius Marius limited his opportunities (§175 *nisi in Marianos autem consulatus … incidisset*). On this basis, Sumner suggests a birth-date of *c.*147/146 for Billienus, but, as a *novus homo* (*homo per se magnus*), he may have had a slower career, and there is no reason why he cannot have been born some years earlier. (On the retarded careers of *novi homines*, see Wiseman (1971: 166).) Finally, Brutus the father also has uncertain dates: he may have been aedile in 146 and praetor *c.*140, but equally he may not (*MRR* i.466, 480). Hence, I suggest that the following birth-dates are compatible with the available evidence: M. Brutus the father *c.*165, C. Billienus *c.*160-155, M. Brutus the son *c.*140. If these dates are roughly correct, then Brutus senior was indeed a little older than Billienus and can be identified as the jurist of §175.

[170] Martha (1892: *ad loc.*).

sense,[171] here *prope* must modify *summus*, because Billienus failed to reach the consulship and did not become *summus*. We cannot emend, with Bake, to *prope sine ulla oratione*, both because *simili ratione* performs an important function in looking back to *item in iure*, and because this change does not solve the problem of the inconsistency between *summus evaserat* and *qui … incidisset*. The transmitted word order is needlessly unclear, and it is best to follow Schütz and Reis in transposing *prope* and *simili ratione*. For *prope* + superlative, cf. Bibaculus fr. 1 (Courtney) 6-8 *quem tres cauliculi … ad summam prope nutriant senectam*, *De or*. 1.6 *permultos excellentis in quoque genere videbis, non mediocrium artium, sed prope maximarum*, Caes. *BGall*. 2.32.4.

179. *Verginius* Corradus ex Plut. *Sull*. 10.4] *Vergilius* Bλρ: *Virgilius* F. Theoretically, Cicero's greater proximity to the events of 87 BC would give his testimony more weight than Plutarch's. However, the difference between Cicero's *Vergilius* and Plutarch's Οὐεργίνιος is very slight and probably results from a copyist's slip rather than an author's error. Badian (1964: 100 n. 87) remarked that the influence of the poet's name makes corruption of *Verginius* to *Vergilius* more likely than the reverse. On the other hand, none of the many Republican Verginii is known to have had the *praenomen* Marcus, while the name M. Vergilius is found in first-century BC inscriptions.[172] This consideration has less weight than it might, though, since this man, as a tribune of the plebs, must have been a plebeian. Plebeian members of patrician *gentes* often show a wider range of *praenomina* than the noble branches.[173] On the balance of probabilities, Corradus' *Verginius* is to be preferred.

[171] Cf. Livy 2.47.1 *prope similis fortuna est versata*.
[172] e.g. *CIL* 14, 03451; *AE* 1991, 00117. The tribune may be identical with the *monetalis* VER of 86 BC (*RRC* 350A/1a, et al.). The presence of the names VER and GAR on the same coins is interesting, in view of the mention of C. Gargonius in *Brut.* 180, but the coincidence does not prove the identification of either VER or GAR with the figures named by Cicero.
[173] Shackleton Bailey (1976: 59).

181. *superioris aetatis* del. Kayser] post *ignoratione* transp. Mommsen. Martha supposes that *superioris aetatis* is dependent upon *quid*, but it is hard to find much sense in the phrase as a partitive genitive. If the transmitted text is sound, *superioris aetatis* must belong with *de iis*: 'What can be written about those of an earlier age?' However, if Powell's principles concerning the limits of hyperbaton in Cicero's writings are to be trusted,[174] the word order is not just harsh, but in fact impossible. The rhetorical question makes sense without *superioris aetatis*: Cicero has already indicated that he is talking about people of an earlier age (*aliquot ex veteribus*), and the relative clause which follows *de iis* provides further clarity. Mommsen therefore transposed *superioris aetatis* to before *quid* and allowed it to depend on *ignoratione*. However, in so doing Mommsen reduces the pungency of the terse statement *sed hoc quidem ignoratione*.[175] Additionally, while inversions of two or three words are extremely common, larger-scale transpositions of this kind occur much less frequently. The phrase *superioris aetatis* does not improve the text in its transmitted position or in the preceding clause, and I prefer to follow Kayser in deleting the words as a facile gloss (either on *aliquot ex veteribus* or on *de iis*).[176]

187. *sane discipulo* Madvig] *discipulo sane* L. In its transmitted position, *sane* qualifies *frigenti* ('received very coldly'),[177] but Madvig (1884: 105) pointed out that the purpose of *sane*, as often, is to highlight the concessive sense of the subjunctive *dixerit* ('granted

[174] Powell (2010), especially 174-175. On hyperbaton in Latin prose, see further Devine and Stephens (2006: 524-610).
[175] The absolute use of *ignoratio* is unproblematic: cf. *Marcell.* 13 *a plerisque ignoratione … bellum esse susceptum*, *TLL* 7.1.309.38-62. The transmitted *sed hoc quidem ignoratione* is equivalent to the structure *hoc quidem* + adverb, used several times by Cicero without a verb in short sentences and parenthetical remarks: see, e.g., *Phil.* 13.22 *Satis hoc quidem scite*, 13.36, *Fin.* 2.5 *Praeclare hoc quidem*, *Tusc.* 1.40, 1.90.
[176] Kayser bracketed the phrase in his edition (Baiter and Kayser (1860)); the deletion was also proposed by Koch (1861: 485-486).
[177] The unusual construction *frigere ad*, paralleled only in Julius Valerius in the fourth century AD (*Res gestae Alexandri Macedonis* 1.9 *regibus … ad deos tamen potentia frixerit*), is presumably due to a desire for correspondence with *dicenti … apud multitudinem*.

that Antigenidas said to his student …'). Yet, when it performs this function, *sane* is almost always placed next to the verb it modifies,[178] and when it is separated from the verb,[179] the word order does not allow for the kind of ambiguity present in this passage. Some editors have tried to circumvent the difficulty by placing a comma after *sane*, but this step is merely an admission that the word order is confusing. It is better to transpose *sane* and *discipulo*.

188. *pudendum*] *puniendum* Vassis | *mitigatur* Schütz] *miratur* L. With the exception of the trio *misericordiam … pudendum … pigendum*, this list of emotions aroused by the orator is grouped into pairs of opposites (or virtual opposites).[180] In this context, the lack of a connection between *irascitur* and *miratur* is surprising. *Admiretur* is included in a similar list in *Orat*. 131, but *miratur* should not be retained here simply because it is not absurd. Schütz's emendation, *mitigatur*, introduces a precise antithesis with *irascitur*, and is confirmed by *Orat*. 131 *ut irascatur iudex mitigetur*.[181] The corruption to the more common *miratur* would have been easy.

Vassis's conjecture *puniendum* is also motivated by the desire to restore an antithesis, and finds support from *De or.* 2.185 *aut misereantur aut punire velint*. However, the relationship between *misericordiam*, *pudendum*, and *pigendum* is easier to understand than that between *irascitur* and *miratur*. Pity, shame, and regret are related

[178] e.g. *Tusc*. 3.83 *Hanc dicant sane naturalem*; *Cat*. 2.15 *dicatur sane eiectus esse a me*. For further examples, see K-S i.189-190.
[179] e.g. *Tusc*. 5.34 *Quare demus hoc sane Bruto.*
[180] *Contemnit invidet* are almost antithetical: *contemptus* esteems something as worthless, *invidia* esteems it highly and holds a grudge against the possessor. More exact opposites are found in *Orat*. 131: *invideat faveat, contemnat admiretur*.
[181] For an example of the power of oratory to soothe and mollify, see *Brut.* 54 *qui* [i.e. *L. Valerius Potitus*] *post decemviralem invidiam plebem in patres incitatam legibus et contionibus suis mitigaverit*.

sentiments, and two of the three are often found in close association.[182] More significantly, though, Vassis' emendation leaves *ad pigendum* awkwardly placed after the two opposites *misericordiam* and *puniendum*.

190. *optarent*] *opinarentur* Watt. Watt (1996: 374) wanted *de te ipso* to be construed in the same way with both indirect questions. An additional advantage of his emendation is that it produces an opposition between the lay person (*opinari*) and the expert (*iudicare*), anticipating the same contrast in Cicero's reply (*vulgi opinione … intellegentium quoque iudicio*). However, while this contrast is undoubtedly congenial to the wider context, in the immediately preceding paragraph Cicero has been discussing the choice of defence speakers as evidence for the people's opinion of orators. That this is still the theme of Brutus' reply can be seen from the choice of *rei* rather than *vulgus*/*populus*; *optarent*, picking up §189 *optio … optaret*, is therefore necessary.

191. *omnium millium* 'alii' (teste Corrado): *omnium me illum* L: *omnium ne illum* J[2]: *omnium. Merito* Rom: *centum milium* Orelli:[183]** *omnium illorum* Turnebus: *milium* Jahn: *hominum milium* Lennep.** On the basis of *Att.* 2.5.1 *Cato ille noster, qui mihi unus est pro centum milibus*, recent editors have adopted Orelli's *centum milium*. Yet there is no evidence for the idiom 'worth a hundred thousand' outside of *Att.* 2.5.1, and variation in the choice of number is to be expected.[184] Cf. *Att*. 16.11.1 εἷς ἐμοὶ μύριοι, Catull. 9.1-2 *Verani, omnibus e meis amicis / antistans mihi milibus trecentis*. The argument from *Att*. 2.5.1 is further weakened by the fact that Cicero is quoting from

[182] e.g. Plaut. *Trin*. 431 *miseret te aliorum, tui nec miseret nec pudet*; Enn. ap. Cic. *Div*. 1.66; Ter. *Ad*. 392; Fronto *Ep. ad verum imperatorem* 2.1.10.
[183] Malcovati incorrectly cites Camerarius as the source of this conjecture: in fact, Camerarius suggested *multorum milium*, an emendation which yields acceptable sense, but at the cost of a significant departure from the paradosis.
[184] Cf. Otto (1890: 222).

Antimachus: even if 'worth a hundred thousand' were an established idiom in late Republican Rome, we could not assume that it was also in use in Colophon four centuries earlier. Finally, the corruption of *centum* to *omnium*, while made easier by the preceding *omnes*, is still not very probable.

Of the many other emendations suggested, most do not merit discussion. Lennep's *hominum milium* is palaeographically plausible, but *hominum* is superfluous and unattractive. Jahn instead deletes *omnium*, but it is hard to explain how the word might have entered the text. Turnebus proposed *omnium illorum*, but this turns a hyperbolic exclamation into a rather more mundane comment. Also, a number would contrast better with *unus*.

The most economical emendation, *omnium milium*, was approved by Peter, but has been dismissed as impossible Latin by most subsequent editors. Orelli, for example, comments, 'Hoc certum est: *omnium millium* omnium linguarum indoli repugnare'. In defence of its Latinity, Peter compared *Leg. Man.* 11 *tot milibus civium Romanorum … necatis*; *omnis* is combined with numerals at *B. Alex.* 35.2 *omnes tres legiones* and Gell. *NA* 3.7.16 *quadringenti omnes … cadunt*. None of these passages would sufficiently justify the unusual *omnium milium* here, even in the context of exclamatory hyperbole. However, Cicero is translating a quotation from Antimachus, and so evidence from Greek authors is also relevant. Μυρία πάντα is a widely attested Greek idiom meaning 'a vast number', 'a great abundance': cf., for example, Hdt. 3.74.2 ὑπισχνεύμενοι τὰ πάντα οἱ μυρία δώσειν; Pl. *Leg.* 4.711d3-4 ὅταν δὲ ξυμβῇ, μυρία καὶ πάντ᾽ ἐν πόλει ἀγαθὰ ἀπεργάζεται, ἐν ᾗ ποτ᾽ ἂν ἐγγένηται; Callim. *Hymn* 6.87-88 ἐνδόμυχος δ᾽ἤπειτα πανάμερος εἰλαπιναστὰς / ἤσθιε μυρία πάντα; Aratus *Phaen.* 113.[185] *Instar … omnium*

[185] See further *LSJ s.v.* πᾶς C.

milium would be hard to defend in ordinary circumstances, but as a translation of ἄξιος μυρίων πάντων (*vel sim.*) it is acceptable here.

197. *cum item* Reis] *tum ita* L: tum *Friedrich*: *item* Haupt: *sumpta* Martha: *inventa* Douglas. Ellendt retained L's reading and explained *ita* as an abridgement of *ita ut nosti*. But it is unclear why Brutus should have been familiar with Scaevola's brief and compressed style any more than with his expertise and knowledge, or why Cicero should draw attention to this. *Ita* is surely corrupt, and *tum* is also awkward after a causal *cum*. Most editors rightly emend. Martha and Douglas suggest that a participle may have been corrupted, but what is needed is something to mark the division between the first two adverbs in the list, which refer to Scaevola's legal acumen, and the remaining four, which describe his eloquence. Haupt's *item* is perfectly acceptable, but Reis' *cum item* is closer to the paradosis. For *cum … cum item*, cf. *Clu.* 43, Caes. *BGall*. 3.25.1, Varro *Ling*. 9.67. In these examples, two *cum*-clauses with separate verbs are placed next to each other, but for a resumptive *cum*, cf. *Brut*. 277 *cum pestem capitis sui, cum indicia mortis se comperisse manifesto et manu tenere diceret*, *Fin.* 3.66, *Nat. D.* 1.100. *Cum etiam* would also be possible, but the corruption of *item* to *ita* is simpler to explain.

197. *in illo* del. Douglas] *ille* Rom | *initio*] *initium* Douglas | *consecutis* BMOTγλ (-*qutis* E^{c})] *consecutus* J^{2} (-*quutus* F): *consequti* E: *constituto* Jahn. Martha, followed by Laurand (1908: 448) and Malcovati,[186] translates *hoc … consecutus* as 'ayant poursuivi cette comparaison'. Yet the conjunction of *hoc* and *illo* in this interpretation is strange, as is the sense of *consecutus*. Some editors adopt Rom's *ille*, but there is no particular reason for the pronoun to be present. Douglas' suggestion that *in illo* might

[186] Cf. Peter (1839: *ad loc.*).

have arisen from a dittography of *initio* is attractive. Two considerations, though, tell against Douglas' *hoc initium consecutus*: the agreement of Bλρ confirms that *consecutis* was the reading of L, and the construction *consequor* + acc. + abl., 'to follow X with Y', is doubtful.[187] Badian (1967: 227) answers both of these objections with his proposal, *hoc initium consecutis*. However, I am not convinced that *consecutis* needs an object; the deletion of *in illo* seems to me the only change necessary to produce an acceptable text: 'With this exordium, [and] with many arguments of the same type having been added, he delighted the hearts of all present'.

Another possibility is to combine the deletion of *in illo* with Jahn's *constituto*: 'With this exordium having been established, he delighted the hearts of all present with many arguments of the same type'. For *initium* + *constituo*, cf. *Fin*. 3.20 *Initiis igitur ita constitutis*, *Acad*. 2.24. But *consecutis* fits well in the sentence and should be retained. One might, of course, emend to *hoc initio <constituto>, consecutis* (cf. *Nat. D*. 2.75 *quo constituto sequitur* …), but it is simpler and more economical merely to delete *in illo*.

200. *oratorem* del. Weidner. *Oratorem … orationem* sounds inelegant to the modern ear, but this is not in itself sufficient reason to justify emendation. Weidner (1879: 72) puts a stronger argument for the deletion of *oratorem*: the clause *qui … manum* describes the central skill of an orator, without which he would not be an orator at all. Consequently, *oratorem … qui* cannot mean 'the sort of orator who …', and *oratorem* and *qui … manum* must simply be saying the same thing twice. While the redundancy is possible, the text is improved by Weidner's deletion, and the omission of the antecedent would have made the interpolation of *oratorem* easy.

[187] In the structure *consequor* + acc. + *verbis* (*vel sim.*, 'to express in words'; *OLD s.v. consequor* 6b), the verb is used in a quite different sense.

204. *et lenissimo* BDFGMO$^{\nu}$Tλ] *Edenissimo* O: *et levissimo* E: *et lentissimo* Vogel. Cf. Quint. *Inst*. 2.8.11 *cum de Ephoro atque Theopompo sic iudicaret ut alteri frenis, alteri calcaribus opus esse diceret, aut in illo lentiore tarditatem aut in illo paene praecipiti concitationem adiuuandam docendo existimauit*. But Isocrates' equestrian metaphor has influenced Quintilian's language more than Cicero's, and while *acer* and *lentus* are sometimes opposed (e.g. *Cat.* 2.21), *lenissimo* [sc. *ingenio*] provides a more suitable contrast for *acerrimo ingenio*. Cf. *Brut*. 317 *Cotta et Hortensius: quorum alter remissus et lenis … alter ornatus, acer*; *De or*. 2.212.

207. *scribendis* 'alii' (teste Corrado)] *scriptis* BFJO$^{\nu}$β: *scripsitis* U^{1}: *scripsit eas quibus pro se est usus* U, ut vid.: om. O: *scribentibus* Kraffert. Laughton (1964: 11-12, 94-95) argued persuasively that *his scriptis* cannot mean 'while they were being written'. Martha suggested that, whereas *scribendis* would indicate that Cicero was present while Pompeius was writing the speeches, *scriptis* implies that Pompeius had sent his finished speeches to Aelius, and that Cicero was present when Aelius was correcting them.[188] However, the use of *interesse* with a past participle is unparalleled, and, if Martha's interpretation is what Cicero intended, one would expect a clearer explanation.[189] *Scribendis* is preferable.[190] Laughton thought it unlikely that Cicero was actually present when the speeches were being written, but the rest of the sentence shows why this was the case: not only was Cicero spending time with Aelius then, but he was paying keen attention to his teaching (*eumque audire perstudiose solerem*). We can infer

[188] Cf. Malcovati (1968: 127).
[189] Hendrickson translates, 'I had some knowledge of these compositions', but I can find no evidence that *interesse* was used thus. The rest of the sentence makes clear that *interfui* denotes physical presence; cf. also §190 *saepe enim interfui*.
[190] Douglas compares the phrase *scribendo adesse* ('to be present at drafting'; *OLD s.v. adsum* 7b).

that Cicero would have wanted to see Aelius at work as he helped Pompeius with his speech-writing.

207. *Cotta Sulpiciusque rarius* Reis] *Cotta Sulpicius* L: *Cotta et Sulpicius* Ad: *Cotta tum et Sulpicius* Malcovati: *dein Cotta et Sulpicius* ego: *rarius Cotta et Sulpicius* A. Eberhard: *parum Cotta et Sulpicius* Sauppe. Asyndeton bimembre can occur with names, and James Adams informs me (*per litteras*) that there are two main kinds: official totalities (e.g. the two consuls) and illustrative pairs. In the latter type, the two names serve only as examples, and others could be added.[191] The transmitted *Cotta Sulpicius* fits into neither category: the two men constitute a totality, the last of the three pairs of principal orators (cf. §207 *Ita ab his sex patronis causae illustres agebantur*), and they are not named in any official capacity. This fact does not itself prove that a conjunction has been omitted: the asyndeton bimembre at §154 (*L. Lucilio Balbo C. Aquilio Gallo*), for example, seems also to fit into neither group. Yet in our passage the lack of an adverb, which leaves the clause without an explicit connection to the previous one, is an additional ground for suspicion.

Malcovati simply adds *tum et*, and in the same vein, one might consider *dein Cotta et Sulpicius*: *dein* could easily have dropped out after *-rem*, and cf. 301 *dein Philippo*. However, *tum* or *dein* would imply that defendants usually pursued the rather mechanical approach of first asking Antonius and Crassus, then Philippus or Caesar, and finally Cotta or Sulpicius. Cicero is probably referring primarily to the frequency with which these men spoke *in maximis causis*. This is implied by *fere* ('generally'), and Eberhard's *rarius* gives a better contrast with *fere* than *tum* or *dein*. On transcriptional

[191] e.g. *Att*. 6.1.13 *Thermum Silium uere audis laudari*; *Att*. 6.3.5 *amicos habet meras nugas, Ma<ti>nium Scaptium*; *Off*. 2.59. See further Adams (forthcoming).

grounds, Reis's *Cotta Sulpiciusque rarius* is an improvement on Eberhard's emendation: *-que rarius* could have been omitted through *saut du même au même*.

213. *atque inluminatam*] del. Kayser | *inluminatam* FU (*ill-* BEGJMOTW)] *illuminatum* D (ut vid.) Q: *inseminatam* Koch: *illigatam* Ernesti: *inoculatam* Schütz: *innatam* Cuiaccius. In her first edition, Malcovati was content to accept the transmitted *inluminatam*, and after obelising the word in the second edition, she later reverted to her original view (1975: 160-161). The passages cited by Malcovati in which *illuminare* is used in rhetorical contexts ('to brighten with stylistic adornments') do not help here, though, where the sense would be more straightforwardly that of bringing glory to the house of Scipio.[192] A synonym for *insitam* ('grafted') is required. Because Cicero uses *insitus* in conjunction with *innatus* in six other places,[193] Cuiaccius' *innatam* has tempted many critics. Yet, as Douglas has pointed out, in none of those passages does *innatus* mean 'engrafted', and the meaning 'born into' would conflict with the context. Additionally, the corruption of *innatam* to *inluminatam* is unlikely. The popularity of *innatam* illustrates well the danger of a careless use of parallels.

Schütz was the first to suggest *inoculatam*:[194] *inoculare* is the only attested synonym of *inserere* = 'graft' in classical Latin (*TLL* 7.1.1734.28-41, and cf. especially Plin. *HN* 17.133 *inoculare et inserere*). However, *inoculatam* is not very close to the paradosis, and the verb is not found in Cicero, or in any author before Columella. Prompted by Verg. *G*. 2.76-77 *huc aliena ex arbore germen / includunt udoque docent inolescere libro,* I have considered *inolitam*.[195] Yet the past participle is not attested until

[192] Gowers (2019: 14) accepts *inluminatam* and translates, 'on that house was grafted and shone out the wisdom of many ancestors'.
[193] *Verr*. 2.4.106, 2.5.139, *Top*. 69, *Fin.* 4.4, *Nat. D*. 1.44, *Tim*. 45.
[194] Della Corte (1971), apparently unaware of Schütz's emendation, also proposed *inoculatam*.
[195] Cf. Paulinus of Nola, *Ep.* 23.41 *in arborem vestrae stirpis inolevimus*.

Julius Valerius (although cf. *adolescere*, *adultus*; *exolescere*, *exoletus*), and this emendation also labours under the disadvantage of the word's absence from extant Republican Latin. In support of Ernesti's *illigatam*, Schütz compares Colum. *Rust*. 5.11, where forms of *ligare* and *alligare* are used to describe the action of binding a graft onto a tree.[196] I am not convinced, however, that a reference to one particular aspect of grafting is desirable here.

Koch's *inseminatam* (1861: 486) is very close to the paradosis, and would seem a natural synonym for *insitam*, given that *inserere* = 'graft' is an extension of the basic meaning 'sow, plant'. Cf. Varro, *Rust*. 1.39.3 *semina quae inseruntur ex arboribus in arbores*. However, there is no evidence that *inseminare* ever meant 'graft'. Moreover, although Cicero did use the rare verbs *disseminare* and *proseminare* (as well as the more common *seminare*),[197] *inseminare* is not attested before the Imperial period. Consequently, while I judge *inseminatam* the most plausible of the proposed emendations, I prefer to obelise.

216. *instruendo* Bλρ] *struendo* F. This reading may be compared with §215 *erant* Bλρ] *erantque* F. Malcovati, who believed that F sometimes preserves the reading of the archetype on its own, even against the agreement of BGOU,[198] accepted F's text in both places. However, the agreement of three of the four branches of the stemma (Bλρ) proves that F's readings are innovations.[199] Cicero uses *struere* and *instruere* to signify 'arrange' or 'construct', both in the field of rhetoric and in a range of other spheres. But when discussing speech-writing, he employs *struere* only in the specific sense of the rhythmical

[196] Cf. also Varro *Rust*. 1.40.5 *quem ad modum obligetur*.
[197] *Leg*. 1.1 *nullius autem agricolae cultu stirps tam diuturna quam poetae versu seminari potest*.
[198] Malcovati (1959: 179), (1968: 127).
[199] In §215 *erant* is the superior reading as well as the text of the archetype. Having assessed the strengths of Antonius' oratory, Cicero turns to compare Antonius with Crassus. Hence, *erant* marks a change of direction, and it should not be joined to the preceding clause with *-que*.

arrangement of words, not in describing *dispositio*, one of the five divisions of oratory.[200] He does use *instruere*, though, with reference to *dispositio*. Cf., for example, *De or.* 2.145 *eam materiem orationis … omnibus locis discriptam, instructam ornatamque*, 2.315, 2.318. Since he is evidently structuring his account of Curio's oratory under the five traditional headings, *in instruendo dissipatus fuit* must refer to *dispositio*. Therefore, *instruendo* is not only the transmitted reading, but also conforms better to Cicero's practice elsewhere.

216. *irrisionemque audientium* scripsi] *inridentium* B^{c}Fλ (*irr-* BJ^{c}ρ). The combination *cachinnos irridentium* is very awkward, and *cachinnos* already makes clear that the audience is laughing. I have considered simply emending *irridentium* to *audientium*. But Quintilian's use of the verb *irridere* in *Inst.* 11.3.129 (*quam in Curione patre inrisit et Iulius*), a passage in which he is evidently drawing on *Brut*. 216, may be an indication that a related word was present. Consequently, I emend instead to *irrisionemque audientium*. Cf. *Off.* 1.137 *cum irrisione audientium*, and for the pairing of two words from the semantic field of amusement, *Brut*. 322 *hilaritatem risumque*, *De or*. 2.221 *hilaritate quadam et ioco*, *Orat*. 138. *Cachinnos* denotes 'guffaws, loud laughter', and *irrisionem* indicates that this laughter arose from a scornful attitude on the part of the audience. For the species of corruption, cf. *Brut*. 316 *supra fluentis*] *suprates* Cc, 321 *exercitationis tum*] *exercitatum* Br.

218. *ductus*] *ductus est* Bf: *ductus esset* Lambinus: *ducitur* vulg. According to Pinkster (2015: 198), the omission of finite forms of *esse* in periphrastic tenses is rare in Cicero; *est* could easily have dropped out here before *e percontatione*. But one can compare §16

[200] e.g. *De or*. 3.171, *Brut*. 33, 274, and see Douglas' note on *Brut*. 216 *struendo.*

repressus, §110 *versatus*, §174 *coniunctus*, and §225 *Quos Sex. Titius consecutus*, and also the following places where some editors have added an auxiliary *est*: *Mur*. 59 *nam traditum memoriae <est>*, *Font*. 44, *Dom*. 101, *Rab*. *Post*. 7, 38, *Sull*. 56, *Har*. *resp*. 49, *Balb*. 28, *Caec*. 22, *Tusc*. 4.75, *Att*. 16.11.4.[201] Of course, in many of these passages, the absence of *est* from the paradosis may be due to a scribal error, but on the other hand, the process of transmission tends to lead to the removal of oddities such as missing auxiliary verbs. I suspect that Cicero omitted auxiliary *est* more often than we realise.

220. *vivis eius*] *vivis eius aetatis* Friedrich: *vivis etiam* Stangl: *a suis* Piderit: *visus est* Watt. Many critics have judged L's reading corrupt,[202] but, in my view, unfairly so. At the end of a lengthy passage censuring many aspects of Curio's oratory, Cicero now admits that, as a public speaker, Curio was counted as next to the very best (*proximus optimis*) on account of his language and the fluency of his speech. The ablative absolute *vivis eius aequalibus* provides an important qualification: it was only while his contemporaries were alive that Curio was counted as *proximus optimis*.[203] Curio's generation had produced a rich crop of orators (§182 *nec ulla aetate uberior oratorum fetus fuit*), but many had died during the turbulence of the 80s (§227 *vivebat e reliquis patronis eius aetatis nemo praeter Carbonem et Pomponium*). Cotta lived on until 74/73 BC, but Curio survived through most of the careers of Hortensius and Cicero, only dying in 53 BC; long before his death, though, Cicero implies, Curio had been outshone by the younger generations, and he certainly would not have been considered *proximus optimis*

[201] For examples from other authors, see Pinkster (2015: 198-199).
[202] Most recently, Watt (1996: 374-375) and Kaster (2020: *ad loc*.).
[203] Cf. Martha (1892: *ad loc*.).

in Cicero's heyday.[204] For the use of an ablative absolute with *vivus* to designate a period of time, cf. §80 *Catone vivo*, §230 *Crasso vivo … et magis iam etiam vigebat Antonio.*

None of the emendations improves the text. Stangl replaces *eius* with *etiam* ('while his contemporaries were *still* alive'), but the pronoun is useful in clarifying the generation to which Cicero refers. Friedrich's *aetatis* merely duplicates the sense of *aequalibus*, which is already perspicuous. Watt's *visus est* is abrupt: it obscures the link between *orator* and *proximus optimis*, and the verb is unnecessary before *numerabatur*. Finally, Piderit misses the point with his *a suis*: it was not that Curio was approved only by those of his generation, but that he was approved by everyone for a brief period of time. As Cicero has already set forth at length (§§184-200), the prestige of orators was the same among the whole people.

221. *fortis … auderes*. Some scholars, including Kaster (2020), take these words as further description of Quintus Varius, but they belong rather with Gnaeus Pomponius. Firstly, the repetition of *verbis* would be unattractive if both instances were part of the same account of Varius. Secondly, the characterisation of Pomponius would be left abrupt and unconnected to its context. Thirdly, the description *fortis vero actor ac vehemens* agrees well with what we are told of Pomponius (*lateribus pugnans, incitans animos, acer acerbus criminosus*). The external evidence is less clear, but also leans in favour of taking these words with Pomponius. Cicero is not complimentary towards either man in *De or*. The significant qualification present in the description of Varius' oratorical abilities (*De or*. 1.117 *illa ipsa facultate, quamcumque habet*) does not cohere

[204] Cicero may have been thinking especially of 90 BC as the date when Curio's reputation began to wane: while serving as tribune of the plebs, Curio was abandoned by the whole assembly during a speech, and he temporarily stopped speaking in public in that year (§305 *is quidem silebat, ut erat semel a contione universa relictus*; cf. §192, *MRR* ii.26).

very well with the wholehearted praise given in *Brut*. in the clause *quem plane oratorem dicere auderes*. Neither, though, does *De or*. 3.50, in which Cicero characterises the speech of Pomponius and Fufius as *confusa* and *perturbata*. However, Cicero goes on to say that Pomponius and Fufius use 'a flood of out-of-the-way words' (*tantaque insolentia ac turba verborum*, tr. Rackham), a description which readily accords with our passage's *verbis nec inops nec abiectus*. More significantly, we know from *Brut*. 207 (*His duobus eiusdem aetatis adnumerabatur nemo tertius, sed mihi placebat Pomponius maxime, vel dicam, minime displicebat*) that Cicero regarded Pomponius more highly than Varius,[205] and indeed more highly than any other orator of his generation except Cotta and Sulpicius.

224. *is*] *at is* ego: *igitur* Stangl. The absence of a connecting particle is a little abrupt. Stangl's *igitur* is unattractive in sense, but *at* would draw the reader's attention to the fact that it was Glaucia's death that prevented him from eventually translating his popularity into a successful bid for the consulship. The word could have been lost through haplography. However, the clause *si … esset* has already supplied the reason why Glaucia failed in his attempt to be elected consul during his praetorship, and Cicero may simply be completing the account of Glaucia's praetorship with the observation that he died at the same time as his ally Saturninus.

226. *iacuisset* Baehrens] *tacuisset* BCFλρ, pler. edd. In the transmitted text, the first part of the *cum*-clause (*multos cum tacuisset annos*) tells us that Publius Antistius was silent for many years, and the second (*neque contemni solum sed irrideri etiam solitus esset*) that he was subjected to scorn and ridicule. Reconciling these two parts is not easy:

[205] Both men are included among the *diserti* in §305.

they seem to refer to the same time period, and yet it is difficult to understand how Antistius' oratorical silence could have provoked scorn and ridicule. Baehrens' *iacuisset* is a good solution to this problem: 'After being at the bottom of the heap for many years, during which he was accustomed to scorn and even ridicule, …'. Cicero uses *iaceo* to refer to a poor reputation at *Att.* 2.17.3 *iacet enim ille sic ut 'Phocis' Curiana stare videatur*, *Att.* 6.1.18.[206] The corruption would have been easy in both majuscule and minuscule scripts.

227. *videbat*] *dividebat* Fuchs. The striking similarity between this passage and §303 (*rem complectebatur memoriter, dividebat acute*) makes Fuchs' emendation (1956: 141) tempting, but the paradosis should be retained. Cicero has arranged his analysis of Antistius' strengths and weaknesses according to the five 'parts' of oratory, and the description of his skill in *inventio* (*rem videbat acute*) should not be sacrificed for another allusion to *dispositio*.[207] Forms of *acutus* often feature in references to *inventio* (e.g. §35 *nihil acute inveniri potuit … quod ille non viderit*, §202 *inveniebat igitur acute Cotta*, §221). Most importantly, though, *rem videre* = 'to see the points at issue' is paralleled at §239 *rem prudenter videbat*.[208]

[206] See further *TLL* 7.1.29.25-36.

[207] Douglas suggested that the text of §303 might instead be brought into line with this passage, but there too the context tells against the emendation. At §303, a reference to *inventio* is already present in *nec praetermittebat fere quicquam, quod esset in causa aut ad confirmandum aut ad refellendum*, whereas the only remark about Hortensius' *dispositio* is *rem … dividebat acute*. (The *partitiones … et collectiones* ('divisions and summaries') mentioned in §302 were quite distinct from *dispositio*: they were not techniques used in an orator's preparation, but rather were employed for rhetorical effect in previewing material to be covered later in a speech, and in recapitulating what had already been said.) This sole reference to *dispositio* in §303 should not be removed.

[208] Douglas also compares Quint. *Inst.* 8.pr.17 *neque enim Asiani … res non viderunt*. *Prudens* and *acutus* are sometimes almost synonymous: cf. §104, §108 *valde prudenter et acute*, §246 *prudens acutus*, §291.

230. *se exercuit* Douglas] *exercuit* L. Douglas rightly rejects attempts to take *me* as the object of *exercuit* ('he harassed me' or 'he trained me'), but he does not consider the possibility that *multos annos* might instead be its object ('he spent many years'). The first prose examples of this use of *exercere* are from Seneca the Elder (e.g. *Con. ex.* 8.5 *ille annos suos exercuit*; see further *TLL* 5.1377.50-60), but it is a natural extension of *OLD s.v. exerceo* 3 'to put (instruments, materials, resources, etc.) to use, employ, work', of which there are instances in Republican Latin, although not in Cicero. Nevertheless, because it remains doubtful whether Cicero would have used *exercere* in this way, and because the addition of *se* is only a small change, especially between *laudis* and *exercuit*, I accept Douglas' emendation.

234. *admirando inridebat calebat* BFλ (*a. irr- c.* β; *a. irr- callebat* O)] *admiranda dignitate valebat* Kayser (*valebat* Ernesti): *admirando ore dicebat, calebat* Friedrich: *admirantes irretiebat et sic calebat* Schütz: *admirando irridendo latebat* Lambinus: [*admirando inridebat*] *valebat* Douglas: *admirando ardore calebat* vel *admirando ardebat calore* ego. Cicero recounts how Gnaeus Lentulus' delivery secured for him a better reputation than his oratory deserved. He mentions Lentulus' use of pauses and exclamations (*intervallis, exclamationibus*), as well as the sweetness of his voice (*voce suavi et canora*). References to wonder (*admirando*) and mockery (*inridebat*) are out of place in this list. Santini (1979: 50-54), who prefers Lambinus' *admirando irridendo* (but with *calebat* rather than the inept *latebat*), argues that *irridendo* denotes irony, but the link he attempts to draw between irony and *actio* is unconvincing.

Of the three words which editors have suspected (*admirando inridebat calebat*), *inridebat* is indefensible and must be emended or obelised. However, both *admirando* and *calebat* may be sound. Rather than being a gerund, *admirando* could be a gerundive

('admirable') whose noun has been omitted or corrupted. (For this use of *admirandus*, cf. *Rep*. 3.44 *admiranda opera Phidiae, Deiot*. 26.) The use of *calere* is not paralleled in rhetorical contexts, but Douglas is wrong to claim that Cicero employs the verb only of situations and activities, and not of people: see *Att.* 7.20.2, 15.6.2.[209] Therefore, *calebat in agendo* is conceivably Ciceronian, although Ernesti's *valebat* remains attractive.

The series of ablatives *intervallis exclamationibus …* is introduced by *sic*, which signals that a consecutive clause (*ut … desiderarentur*) will follow. The syntax would be simpler if one of the two verbs *inridebat calebat* were removed.[210] One way to achieve this would be to follow Douglas and delete *admirando inridebat*. Douglas suggests that these words could be a gloss on *exclamationibus*, but it would be a strange gloss to add. More probably, one of *inridebat* and *calebat* conceals a noun referring to another feature of Lentulus' delivery. The influence of the other word would provide a ready explanation for the corruption. I find Kayser's *admiranda dignitate valebat* the most tempting of the proposed emendations, although one must admit that the corruption of *dignitate* to *inridebat*, even before *valebat/calebat*, is unlikely. I have considered instead *admirando ardore calebat* (or, alternatively, *admirando ardebat calore*). *Vox canora et suavis* does not conflict with a vigorous style of delivery: Cicero uses the same phrase to describe Hortensius (§303), who certainly did not lack ardour in his oratory (§317). For *ardor* in connection with *actio*, cf. *Brut*. 276 *actioque esset ardentior*, *QFr.* 3.9.3 *Hortensi calor multum valebit*, *De or.* 2.188. Nevertheless, *ardor*/*calor* would be more general in scope than the other elements of Lentulus' delivery mentioned by Cicero, and although I do not think this is a fatal objection to the emendation, it is best to obelise.

[209] Santini (1979: 52). Santini also compares the use of *frigidus*: e.g. *Rhet. Her*. 4.21 *in re frigidissima cales, in ferventissima friges* (cf. *OLD s.v. frigidus* 8b).
[210] For this reason, as well as because of the poor sense and deficient style of the Latin, the emendations of Friedrich and Schütz, together with other similar suggestions, should be rejected.

250. *sententiis et* Jahn] *et* L: *sententiis* Martha | *vocis*] *vocis et* vulg. The second Asiatic style of §325 exemplifies the type of oratory characterised by a flood of words (*non tam sententiis frequentatum quam verbis volucre atque incitatum*) but without the elegant structuring of thoughts and sentences (*ornata sententiarum concinnitas non erat*). If *frequentibus* is to be taken with *verbis*, Brutus would be indicating something similar to this Asiatic style. Yet in other respects, the picture of Marcellus' oratory is markedly different from that described in §325: *lectis verbis … splendore vocis dignitate motus*. In particular, *lectis* suggests almost the opposite of *frequentibus*. Additionally, outside of *Brut*. 325 *frequentia verborum* is something to be avoided, not praised (e.g. *De or.* 1.149, *Rhet. Her*. 4.27): it implies a superfluity of words, verbiage. By contrast, *frequentia rerum* ('a wealth of ideas'; cf. *De or*. 2.56) is a positive quality in an orator. *Frequens* is almost synonymous with *creber*, which is often used in conjunction with *sententia*: e.g. *Brut*. 29, 173, 264 *verbis aptiorem … sententiis crebriorem*, 280, 326, 327.[211] *Frequentibus sententiis* combines well with *lectis verbis* to signify the concise expression of many ideas. Jahn's supplement is an excellent solution to the textual problem.[212]

Some editors delete the *et* before *splendore*, and others supply another *et* after *vocis*. However, there is no problem with the asyndeton between *splendore vocis* and *dignitate motus*, and the *et* before *splendore* helps the reader to divide the sentence correctly. There are three clauses, each with its own verb (*utitur … fit … suppetunt*). The first contains an *et … et* construction ('both … and') within it, and then two further conjunctions (*et splendore … omniaque*) serve to join the clauses together.

[211] Cf. *De or.* 2.93 *sententiisque magis quam verbis abundantes*.
[212] Piderit suggests that *sententiis* might have been abbreviated and then lost. However, although *sententia* certainly was often contracted, the lack of abbreviations in the Cremona fragment and the general rarity of such abbreviations in MSS from before the ninth century tell against this possibility (both here and elsewhere in texts transmitted by L). *Sententiis* was probably simply omitted.

251. *veritus*] *veritus es* vulg., edd. As noted above (on §218 *ductus*), Pinkster (2015: 198) states that the omission of finite forms of auxiliary *sum* is rare in Cicero. While *est* is the form most easily omitted, Pinkster notes that, 'If the context is clear enough, other forms may be absent as well.' Here, the second person singular verb *voluisti* occurs almost immediately before *veritus,* and the reader can supply *es* after the participle. A similar example is *Scaur*. 49 *atque utinam, sicut mihi tota in hac causa versatus ante oculos* (<*es*> edd.), *sic nunc horum te offeras mentibus et in horum animis adhaerescas!*, although the distance between *versatus* and *offeras* provides greater justification for the editors' supplement in that passage.[213]

253. *facilem* Aa] *facile* L | *nunc*] *num* Lallemand | *relicto*] *delicto* Schütz. This passage is the longest extant quotation from Caesar's *De analogia*. Garcea (2012: 87), who adopts only the necessary emendation of *facile* to *facilem*, translates the clause *hunc ... habendum* as a rhetorical question: 'Are we now to consider that the knowledge of this easy and everyday speech may be neglected?' Yet the translation 'may be neglected' is unwarranted. *Pro relicto habere* means 'to regard as neglected',[214] and so, if the clause is to be taken as a question, a more accurate translation would be: 'Is knowledge of this easy and everyday speech now to be regarded as neglected?' There is no indication, however, that the clause is a question.[215] Caesar is not suggesting that knowledge of everyday speech should be neglected (*relinquendum est*), or that it should not be

[213] The addition seems necessary at *Flac*. 78 *reprehensurus* <*es*>; cf. also *Dom*. 47 and *Pro Rabirio perduellionis reo* 28, where the paradosis lacks a copulative *es*.
[214] *OLD s.v. habere* 24, *TLL* 6.2445.65-6.2446.8. Garcea reports Papke's suggestion that *pro relicto habere* is a military idiom (Papke (1988: 81): 'der Feldherr betrachtet einen Ort als verloren'). The only other instance of the phrase in classical Latin is *Att*. 8.1.1 *accepi haec oppida atque oram maritimam illum pro relicto habere*, which does support Papke's case. But one need not conclude that Caesar intended to signify that knowledge of the *sermo cotidianus* was irreversibly lost. (*Att*. 8.1.1 helps to show that Schütz's *delicto* is unnecessary.)
[215] Some editors print Lallemand's *num,* but *nunc* serves an important function and should not be emended away.

neglected (*num relinquendum est?*); he is simply stating that the knowledge is now neglected (*pro relicto est habendum*). In the protasis of the conditional, Caesar granted that some people have mastered the art of *cogitata praeclare eloqui* ('expressing their thoughts with distinction', tr. Kaster), but now in the apodosis he indicates that everyone has stopped pursuing the knowledge of everyday speech. This sentiment makes sense at the start of a work in which Caesar will aim to enable his readers to gain mastery of the *sermo cotidianus*. Thus Willi (2010: 241) comments of *De analogia*, 'Its dedicatory sentence … presents Cicero as the inventor of a new Latin style, whereas Caesar himself acts as the advocate of an almost forgotten one.'

256. *imperatorum sapientia* del. Lambinus. The deletion of *imperatorum sapientia* as a gloss on *divinis consiliis* was first proposed by Lambinus (1584), and then suggested again, apparently independently, by Wetzel and Fuchs (1956: 143). It is motivated by two considerations: the awkwardness of the two ablatives *quibus* and *sapientia* in the same clause, and the difficulty of understanding how the wisdom of generals could bring about the safety of the city 'at home' (*domi*). Ellendt defends the two ablatives by comparing §213 *patrio fuisse instituto puro sermone adsuefactam domum*, but there the different uses of the ablatives are much more easily distinguished. In order to deal with the second difficulty, Garcea (2012: 92) proposed that *imperatores* 'refers not only to the generals who crushed foreign aggressors or defended the vital interests of the state, but also to the magistrates who prevented Republican institutions from being overthrown'. If Garcea is correct, Cicero could be alluding to his self-characterisation as *dux togatus* in the Catilinarian orations: *Cat*. 2.28, 3.23 *togati me uno togato duce et imperatore*

vicistis.[216] But the broadened meaning of *imperator* is ruled out by the context. In the final clause of the sentence, *multo magnus orator praestat minutis imperatoribus*, *imperatores* is opposed to *orator* and must denote merely 'generals'. This opposition between the orator and the general is retained throughout §§255-256.

With *imperatorum sapientia* removed, the *divina consilia* can be applied without difficulty not only to major triumphs in battle (*belli*), but also to significant interventions in domestic political life (*domi*), such as Cicero's suppression of Catiline's conspiracy.[217] Orelli objected that the deletion of *imperatorum sapientia* obscures the meaning of *divinis consiliis*, but the phrase's very vagueness allows for the use of an appropriate range of talents (military, oratorical, etc.) in the protection of the city. At first sight, the following contrast between the great orator and the minor generals (*multo magnus orator praestat minutis imperatoribus*) creates a more substantial problem for those who would delete *imperatorum sapientia*, since the contrast seems to indicate that the best generals have been removed from the picture, but that the best orators have been left. However, Cicero's meaning becomes clear in the subsequent comparison of Crassus' speech in the *causa Curiana* (*L. Crassi unam pro M'. Curio dictionem*) with inconsequential military victories (*castellanos triumphos duo*). Cicero is claiming that forensic oratory, not political oratory, is more valuable to the city than the achievements of minor generals.[218]

258. *Philum* Heraeus] *pilum* BFOλ: *publium* E^{c}G^{vl}M (*p.* F^{c}): *publium* post *Scipionem* E: om. DG: *L. Philum P.* Reis. Even after Heraeus (1934) argued for the presence of

[216] On the *dux togatus* motif, see further Nicolet (1960), Hall (2013: 217). For the importance of *sapientia* to the establishment of the state, cf. *Leg. agr*. 2.10 *Gracchos … quorum consiliis, sapientia, legibus multas esse video rei publicae partis constitutas*; *De or*. 2.154 *Pythagoras … illam sapientiam constituendae civitatis … cognovit*.
[217] Cf. Douglas (1966: *ad loc*.).
[218] On the weight given by Cicero to forensic oratory in *Brut.*, see Douglas (1966: xxix).

Lucius Furius Philus in this passage,[219] most editors have continued to adopt the reading *C. Laelium P. Scipionem*. Yet the case for *Philum* is incontrovertible. (1) The agreement of BF^{ac}Oλ leaves no room for doubt that *pilum* was the reading of L. (2) In the only other place where *Philus* is mentioned in *Brut*. (§108), the paradosis gives his name as *pilus*, and hence the reading *Philum* here hardly even counts as an emendation. (3) In §108, it is Philus' Latinity that is stressed (*L. Furius Philus perbene Latine loqui putabatur*), and in §258 Cicero is again discussing the Latinity of Laelius, Scipio, and their contemporaries. (4) Philus was a close associate of Scipio and Laelius, and he is frequently mentioned in connection with them, both by Cicero and by other authors. See, for example, *Rep.* 3.5 *aut quid P. Scipione, quid C. Laelio, quid L. Philo perfectius cogitari potest?*; *De or.* 2.154 *P. Africano, C. Laelio, L. Furio*; Porcius Licinus fr. 3 (Courtney) 8-10.[220] Needless to say, the corruption of *publium* to *pilum* is highly unlikely.

Malcovati objected to Heraeus' suggestion on the ground that Cicero never places another name between Scipio and Laelius. But cf. *Att.* 4.16.2 *in Africani personam et Phili et Laeli*; *Fin*. 5.2 *Scipionem, Catonem, Laelium*. Reis found the absence of *praenomina* before *Philum* and *Scipionem* problematic, but his conjecture <*L.*> *Philum* <*P.*> is unnecessary. Cicero omits the *praenomen* more often with Scipio than with Laelius (e.g. *Sen*. 77 *tu Scipio tuque C. Laeli*; *Arch*. 16 *ex hoc … Africanum, ex hoc C. Laelium, L. Furium*; *Off*. 1.108), and once Laelius has been named, Philus and Scipio are readily identifiable whether or not their *praenomina* are stated.[221]

[219] Heraeus is usually cited as the source of the emendation *Philum*, although he actually argued for the transmitted spelling *Pilum*. For further details concerning the man, see Sumner (1973: 61), *RE s.v.* 'Furius 78'.
[220] For a fuller list of examples, see Heraeus (1934: 55-56), and add *Att*. 2.19.5, Apul. *Apol*. 20.5.
[221] On naming conventions in Cicero, see further Adams (1978).

258. *barbaria* Ad] *barbari* BDFGMOU: *barbaries* G^{vl}JO^{c}: *barbarie* E | *domestica* G^{vl}] *indomestica* OO^{v}λ: *in domestica* BFβ. The reading *barbaries domestica* is printed by most editors, but L read *barbari indomestica*. *Barbaria* is the form always used by Cicero, and it is to be preferred here. *Barbaries* is a later form.[222]

259. *levis* BEFGQWλ] *lenis* J^{2}MO. Choosing between *lēvis* and *lēnis* is difficult, since both denote smoothness,[223] and each could easily be corrupted into the other. In a similar situation at Quint. *Inst*. 10.1.44, Russell (2002: 274-275) translates the transmitted *lenis* as 'smooth', and comments, 'This would translate either *lēnis* or *lēvis*; but *lēnis* is a quality of movement, *lēvis* of surface. If the underlying Greek term is λεῖος, Meyer's *lēvis* is perhaps more probable'. In our passage, *levis* was the reading of the archetype (a fact of which previous editors were apparently unaware). *Levis* was largely replaced by *lenis* in late antiquity,[224] and so one might expect many instances of *levis* to be corrupted to *lenis* in the process of transmission. Nevertheless, if one excludes passages referring to smoothness of style and delivery, focusing only on those which refer to smoothness of voice and sound, *levis*/*levitas* is consistently the earliest recoverable reading in the texts of Cicero and Quintilian: *De or*. 3.43 *levitate* R^{v}UV Non.] *lenitate* OPR^{n}U^{m};[225] 3.45 *leviter* R^{v}V] *leniter* OPR^{n}U; 3.171 *levis* MPR^{v}UV] *lenis* OP^{2}R^{n}U^{2}; 3.216 *leve* LM] *lene* U^{2}; *Part. or*. 17 *leviora*; 21 *levium* pler. codd.] *lenium* W: *lenum* N;[226] *Nat. D*. 2.146 *leve*;

[222] *TLL* 2.1729.5-22.
[223] For *lenis*, see *TLL* 7.2.1144.25-48, and for *levis*, *TLL* 7.2.1222.80-7.2.1223.48. Note, though, that the readings of the MSS are not reported reliably in these entries. (The same is true of some passages cited in *OLD* s.vv. *lenis, levis*.) Cf. also Walldén (1943), a diachronic study of the uses of *lenis* and *levis*. Walldén, however, devotes his attention to the trends in later medical texts, and his findings do not shed much light on the question here.
[224] *Lēvis* did not become extinct in medieval Latin: see the passages cited in *DMLBS s.v. lēvis*.
[225] For these sigla, see Kumaniecki (1969); and for further discussion, Kumaniecki (1965: 202-203). Leeman et al. (1981-2008: *ad loc*.) report that the MSS of Nonius have *levitate*, not *lenitate*, printed by his editors.
[226] For these sigla, see Giomini (1996).

Quint. *Inst*. 11.3.15 *levis*.[227] This pattern may be an accident of transmission, but it may alternatively reveal a preference of Cicero and Quintilian for *levis* in describing smoothness of sound. Further investigation would be necessary to show whether this preference was shared by other authors, but there is certainly no reason to diverge from the paradosis in *Brut*. 259.

259. *Graecae*] *rectae* Simon. There is no need to emend. Catulus' close links to Greek culture and literature were well known, and his imitation of Hellenistic epigram was an innovation in Rome.[228] His proficiency in the Greek language was also highly regarded (*De or*. 2.28 *Catulus … cui non solum nos Latini sermonis, sed etiam Graeci ipsi solent suae linguae subtilitatem elegantiamque concedere*), and we can infer that his *suavitas vocis et levis appellatio litterarum* were perceived as *similis Graecae locutionis*.[229] By contrast, Cotta's broad vowels (*dilatandis litteris*) sounded rustic and quite different from Catulus' 'Greek' pronunciation. Cotta's accent may also have sounded harsh, as Douglas suggests, but it is the breadth of his vowels that Cicero emphasises, both here and elsewhere (*De or.* 2.91 *verborum latitudinem*, 3.46).[230] For a similar description of the differences in vocal delivery between Catulus and his *sodalis* Cotta, see *De or*. 3.42.

260. *C. Hirtilium* Müller] *Chirtilium* L: *C. Hirtuleium* Ellendt. Friedrich Münzer, although aware of the transmitted spelling of this man's name, nevertheless includes him

[227] At *De or*. 2.58 (*Xenophon leviore*/*leniore quodam sono est usus*) *leviore* (M) and *leniore* (L) are variants; but the reference there is to the tone of Xenophon's writing, not of his speech.
[228] *De or*. 2.28, 2.151, 2.154-156; Courtney (1993: 75). Cicero describes Catulus' autobiographical work as written *molli et Xenophonteo genere sermonis* (*Brut.* 132).
[229] Interestingly, though, this did not compromise his reputation as a speaker of pure Latin (*Brut*. 132 *incorrupta quaedam Latini sermonis integritas*).
[230] For discussion of vowel lengths in Latin and Greek, and of the meaning of *similitudo Graecae locutionis*, see Büttner (1893: 161-164) and Adams (2003: 109-110); cf. Adams (2007: 139-140).

in a list of four men named Hirtuleius.[231] In defence of the name Hirtilius, Ellendt (1836: 261) tentatively suggested analogy with the names Sextilius and Quintilius, and in fact Hirtilii are found in the epigraphic record just as frequently as Hirtuleii.[232] The name Hirtuleius is more familiar to the modern world because there happened to be members of the *gens* among the supporters of Quintus Sertorius,[233] but *C. Hirtilium* should be accepted here.

269. *T.*] *L.* Corradus: *C.* Sumner | *Postumius* F] *Postumus* BCλρ. Emendation of the *cognomen* Postumus to the *nomen* Postumius seems advisable. Adams has demonstrated (1978: 154) that 'the formal method of naming by the two names *praenomen* + *cognomen* … was rarely accorded to those of low status in upper-class society', and consequently we should expect a man introduced simply as T. Postumus to be a figure of some eminence. However, the only notable T. Postumus we know of from this period, T. Furfanus Postumus, cannot be the man mentioned here, because the orator of *Brut*. 269 had died by the first half of 46 BC, whereas Furfanus was proconsul in Sicily in 45.[234]

But emending *Postumus* to *Postumius* creates a different problem, because, as Sumner observes (1973: 144), 'no T. Postumii occur in the whole era of the Republic'. For this reason, scholars have suggested that the *praenomen* should also be emended, and that this man might be identified with a Postumius mentioned elsewhere. Four men are relevant to the discussion:[235]

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[231] *RE s.v.* 'Hirtuleius'.
[232] For Hirtilii from Rome and Tusculum, see *CIL* 14, 02711; *CIL* 06, 07780; *CIL* 06, 17688; and *AE* 1996, 00220. For other comparable names, see Schulze (1904: 457-459).
[233] e.g. Livy, *Per*. 90-91; Frontin. *Str*. 1.5.8.
[234] *MRR* ii.309.
[235] A Postumius mentioned in *Att*. 5.21.9 has also drawn some attention in this connection, but the reference is too fleeting to be of any use here.

Postumius (1): C. Postumius, a *monetalis c.*74 BC.[236]

Postumius (2): A candidate for the praetorship in 63, who joined Cato in the prosecution of Lucius Murena and is mentioned five times in *Mur*. (54, 56, 57 (twice), 69).[237] The transmitted text of *Mur*. nowhere supplies a *praenomen* for this Postumius. In *Mur*. 54, a *praenomen* has presumably been lost, because in the same sentence the other prosecutors, Ser. Sulpicius and M. Cato, are given their *praenomina*. At *Mur*. 56, the name *Postum<i>us* is preceded by the word *tum*, which is very probably a corruption of the *praenomen*. The corrupt *tum* is the only evidence as to this Postumius' first name. Of the three *praenomina* suggested (*C.* Zumpt (accepted by Clark), *P*. Halm, *T*. Nohl), *tum* would be emended most economically to *T*., although the corruption of *C.* would not have been much more difficult.

Postumius (3): A man to whom the senate entrusted the defence of Sicily against Caesar in 49 BC, and who refused to go without Cato (*Att*. 7.15.2).[238] No *praenomen* is given.[239]

Postumius (4): L. Postumius, mentioned by (the manuscripts of) Pseudo-Sallust (*Ad Caes. sen.* 2.9.4) as a member of the anti-Caesarian faction.[240]

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[236] *RRC* 394/1a, 394/1b. Because of similarities in typology between his coins and those of *monetales* from the Postumii Albini, Sumner initially suggested (1973: 144) that C. Postumius was a member of this family, and therefore a *nobilis*, but he later gave up this suggestion (1978: 161), persuaded by Shackleton Bailey (1976: 60).

[237] With the exception of the ambiguous *Postumi* at *Mur*. 57, the transmitted name is Postumus, not Postumius. Clark (1905) retained the *cognomen*, but Sumner (1971: 254), Fantham (2013: 160), and others believe the man had a *nomen* Postumius, not a *cognomen* Postumus, and would emend the text accordingly. This person is certainly not to be identified with C. Rabirius Postumus, defended by Cicero in *Rab. Post.* (as suggested by Broughton in *MRR* ii.481), because Rabirius Postumus was only an *eques Romanus* in 54/53, whereas the prosecutor of Murena was candidate for praetor in 63 (Sumner (1971: 254 n. 26)).

[238] Here too *Postumus* is the transmitted reading, but it must be emended to *Postumius*: T. Furfanus, whose authority in Sicily was being handed over to this man, is mentioned just a few words later, and consequently, since Furfanus' *cognomen* was Postumus, it would have been intolerably confusing for Cicero to have referred to him as Furfanus and to his proposed successor as Postumus.

[239] Kaster's note (2020: *ad loc.*) incorrectly implies that we know that Postumius (3) had the *praenomen* Gaius.

[240] Shackleton Bailey (1960: 256-257) infers from Ps.-Sall. that L. Postumius was not a *nobilis*, but Syme (1962: 177-179) rightly resists this conclusion. The author is claiming that Postumius

Which of these men should be identified with each other? The connection with Cato ties together Postumii (2) and (3), and since Postumii (3) and (4) were both active opponents of Caesar, they too are probably the same person. The Postumius of *Brut*. 269 is included in a list of men who died fighting against Caesar, and so he should be identified with Postumii (2), (3), and (4). Since Postumius (1) is the only man whose *praenomen* is certain, Sumner proposed that Postumii (2-4) and our Postumius are all to be identified with him, and that the praenomen *C.* should be adopted in *Brut*. 269, *Mur*. 54, 56, and Ps.-Sall. *Ad Caes. sen.* 2.9.4.[241] Yet there is no evidence to connect the Postumius of *Brut*. 269 and Postumii (2-4) with C. Postumius the *monetalis*, and if Sumner's solution, which involves emending the *praenomen* in both Pseudo-Sallust and in *Brut*., can be avoided, it should be. In my view, in spite of the fact that the *praenomen* Lucius is common among the Postumii, while Titus is unattested, the combined evidence of *Mur*. 56 *tum Postumius* and *Brut*. 269 *T. quidem Postumius* outweighs the testimony of Pseudo-Sallust's *L. Postumii*, and *T. quidem Postumius* should be accepted.[242]

271. *praeteribo* addidi] *omittam* hic add. Kayser, post *Romanos* Hertz. Hendrickson retained the paradosis, believing that readers could supply the verb from §269 *praeterisse*. The intervening sentence, however, is too lengthy to allow this; rather, a verb

was in fact a *nobilis*, but given the uncertainty surrounding the letter's date and authorship, and the fact that Ps.-Sall. was certainly wrong in thinking that M. Favonius, mentioned in conjunction with L. Postumius, was a *nobilis*, this counts for little. On the provenance of the letter, see Syme (1958, 1962), Santangelo (2012).

[241] Shackleton Bailey (1976: 58-60) argued for the identification of Postumii (1) and (2) as one man, and of Postumii (3) and (4), as well as our Postumius, as another; but he neglects to take into account the evidence of *Mur.* 56 *tum Postumius* or of the Catonian link between Postumii (2) and (3).

[242] The name Gaius Postumius is also rare: there are no patricians of the *gens Postumia* with this *praenomen*, and only two others are attested in the history of Republican Rome (Livy 45.6.9 (a military tribune), *Div.* 1.72 (Sulla's *haruspex*)).

of omitting must have been lost. In view of §269 *praeterisse* and §273 *praetereundum*, I prefer *praeteribo* to the usual supplement *omittam*.

273. *quam*] *iniquam* Hendrickson: *scaenicam* Weidner: *quamvis molestam* Barwick: *quamvis miram* Busche: *antiquam* Hertz: *nimiam* A. Eberhard: *nequam* Della Corte | *quam eius*] *cuius* Ag^{c}υ | *actionem*] *dictionem* Martha. The parallel §240 *huius actio non satis commendabat orationem* serves to show that *eius actionem* is not corrupt,[243] and confirms that the verb *commendo* is being used in the sense 'to make attractive'.[244] Malcovati at one time believed that the paradosis could be defended if *actio* was taken to mean 'political activity',[245] but the contrast with *oratio* and the use of the word elsewhere in *Brut*. tell firmly in favour of its meaning 'delivery'.[246] Since no reference to Caelius' delivery precedes, *quam* cannot be a connecting relative and must be corrupt. *Quam* could easily have been added after the comparative *constantius*, but simply deleting it would leave *actionem* under-defined.[247] Some adjective describing Caelius' *actio* has either been omitted, or has been corrupted into *quam*.[248]

Because Cicero adds little of substance to our knowledge of Caelius' oratorical style outside this passage,[249] editors have looked to later testimony to furnish a suitable adjective. Tacitus' description of Caelius' oratory as antiquated has tempted some to

[243] *Pace* Kaster (2020).
[244] Cf. §261 *nulla re una magis oratorem commendari quam uerborum splendore et copia*, and for further examples see *OLD s.v. commendo* 6.
[245] Malcovati (1965: *ad loc*.); in her second edition, she obelises *quam eius actionem*.
[246] Badian (1967: 226).
[247] *Cuius actionem*, which may have been conjectured independently by the 'Puccini' scribe (in Ag) and by Leonardo Bruni (in υ), would achieve the same effect as the deletion of *quam*.
[248] Less economically, one might postulate a lacuna of a clause or sentence, in which reference was made to Caelius' *actio*.
[249] Cicero's complimentary portrait of Caelius in *Cael*. 45 is largely conventional, and the other references in *Cael*. (*ORF*^{4} 480-481) merely reinforce the account given here of an orator known more as a prosecutor than as a defence speaker.

accept Hertz's *antiquam*,[250] but Douglas rightly points out both that the speaker in Tacitus is referring to *elocutio*, not to *actio*, and that there is no implication that Caelius was more antiquated than his contemporaries.[251] The only substantial piece of evidence which is concerned specifically with Caelius' delivery is an excerpt from a defence speech quoted by Quintilian: *ne cui vestrum atque etiam omnium qui ad rem agendam adsunt meus aut vultus molestior aut vox inmoderatior aliqua aut denique, quod minimum est, iactantior gestus fuisse videatur* (Quint. *Inst*. 11.1.51). This quotation prompted several of the emendations which have been proposed in our passage. However, Caelius' apology for his oratorical foibles in a speech in his own defence is unreliable evidence for his actual practice; one should be careful not to lean too heavily on this quotation. Other passages which help to build up a picture of Caelius' oratory include: Sen. *De ira* 3.8.6 *Caelium oratorem fuisse iracundissimum constat*; Tac. *Dial*. 25.4 *Astrictior Calvus, nervosior Asinius, splendidior Caesar, amarior Caelius, gravior Brutus*; Quint. *Inst*. 10.1.115 *Multum ingenii in Caelio et praecipue in accusando multa urbanitas*; 10.2.25 *vim Caesaris, asperitatem Caeli, diligentiam Pollionis, iudicium Calvi*.

The contrast implied by *tamen* indicates that Cicero's evaluation of Caelius' *actio* was not complimentary, but, as Busche (1919: 312) helpfully observes, *multum … commendabat oratio* tells against an excessively negative description. Thus, for example, Della Corte's *nequam* (1971) is excessive in its condemnation of Caelius. Of the other proposed emendations, Busche's *miram* is bizarre, and Eberhard's coupling of the adjective *nimius* with *actio* is questionable and unsatisfactory. Weidner's *scaenicam* is

[250] *Sordes autem illae verborum et hians compositio et inconditi sensus redolent antiquitatem; nec quemquam adeo antiquarium puto, ut Caelium ex ea parte laudet qua antiquus est* (Tac. *Dial*. 21.4; cf. *Dial*. 18.1).

[251] To obviate the first of these difficulties, Martha also emended *actionem* to *dictionem*, but the contrast between *actio* and *oratio* should be retained (cf. §§240, 276). *Dictio* is a synonym for *oratio*: see §325 *genus erat orationis Asiaticum adulescentiae magis concessum quam senectuti. Genera autem Asiaticae dictionis duo sunt.*

possible,[252] although it might be more suitable in describing an orator such as Hortensius, rather than the *iracundissimus* and *asper* Caelius. Better are Barwick's *molestam* (improved by the removal of *quamvis*, which is redundant before *tamen*) and Hendrickson's *iniquam*. One might also consider *ardentem* (cf. *Brut*. 276), *immoderatam*, or perhaps *invenustam* (*Brut*. 237). Since none of these is especially compelling, *quam* should be obelised.

283. *fuit cum* Corradus] *fuisset cum* L: *cum esset* Piderit | <*erat*> *eruditior* Marggraff. The pluperfect subjunctive *fuisset* is out of place in this *cum ... tum* construction. Piderit emends *fuisset cum* to *cum esset*, but Corradus' *fuit cum* is simpler. Marggraff (1855: 24-25) would punctuate after *fuisset* and add *erat* before *eruditior*, thus producing the sense, 'he would have been an orator – he had certain very commendable qualities – but by excessive self-criticism he lost his true vitality'. However, although Cicero's portrayal of the Atticists is tendentious and polemical, he could hardly claim that Calvus was not an orator, given the man's reputation: Sen. *Controv.* 7.4.6 *Calvus, qui diu cum Cicerone iniquissimam litem de principatu eloquentiae habuit*, Quint. *Inst.* 10.1.115 *inveni qui Calvum praeferrent omnibus*.[253] For this use of *orator* ('as an orator, …'), cf. *Brut.* 220 *orator autem.*

283. *non devorabatur* Leeman] *devorabatur* L: *deserebatur* Purgold. Editors explain *devorabatur* as meaning 'gulped down without tasting'.[254] Yet, as Leeman (1969: 94) saw, this sense of *devoro* is unparalleled; in such contexts the verb can mean only

[252] Or *tragicam*? Cf. *Orat.* 86 *actio non tragica nec scaenae*.
[253] Cf. Leeman (1969: 94-95).
[254] Thus, e.g., Piderit (1875), Martha (1892), Jahn-Kroll-Kytzler (1962), Douglas (1966).

'swallow eagerly' or 'put up with'.[255] (It is used in the latter sense in §236.) Here, though, the first of these senses is obviously inappropriate, and the second is too weak: Cicero surely means that the crowd did not put up with the Atticists' style of speaking (cf. §289 *cum isti Attici dicunt, non modo a corona, quod est ipsum miserabile, sed etiam ab advocatis relinquuntur.*). That Kaster felt compelled to translate *devorabatur* as 'had no taste for' reveals the strangeness of the traditional interpretation. Purgold suggested emending to *deserebatur*, but while the crowd could desert Calvus, the image of the forum (*a foro*) deserting him is odd. In view of *Tusc.* 2.3 *Atticorum … qui iam conticuerunt paene ab ipso foro irrisi*, I have wondered about *deridebatur*, but this is probably too harsh for the tone of this passage. Leeman's addition of *non* is the best solution.

285. *alia aliis* Bake] *alia* L: *aliis alia* Piderit.[256] Malcovati shows intelligent critical judgement in resisting her conservative inclinations here. Hendrickson had retained the paradosis, translating the sentence thus: 'But because there are in the category of Attic other qualities better than these, one must beware not to overlook the gradations and dissimilarities, the force and variety of Attic orators.' In §285, however, Cicero is not trying to argue that a more forceful style of oratory is better than the plain style imitated by the Atticists, but only that there are different styles within the corpus of Attic oratory. The addition of *aliis* allows the clause to fit better into the flow of the passage: 'But because, in the category of Attic, some qualities are better than others, …'.[257]

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[255] *OLD s.v. devoro* 1b, 4.

[256] Piderit (1860: 12); editors attribute the emendation to Friedrich, but I cannot find it in Friedrich's writings on *Brut.*

[257] Whether *aliis* is added before or after *alia*, it should be taken as an ablative of comparison. Kaster translates, 'But since some Attic orators are superior in some respects, others in others, …', but the word order would seem to prohibit taking *aliis* with *Atticis*. (For this sense, we might expect instead, e.g., *alia aliis in Atticis*; cf. *Nat. D.* 2.130 *opportunitates … aliae aliis in locis*

The order *alia aliis* is preferred by prose authors: there are 29 instances of *alia aliis* in prose before the fourth century AD, and six of *aliis alia* (three in Livy, three in Quintilian).[258] Only 2 of the 29 are from Cicero (*Fin.* 4.67 *vitia alia* [*in*] *aliis esse maiora*, 4.68 *vitia alia aliis maiora non sunt*), but the presence of the comparative in both makes them a close parallel to *Brut*. 285. Malcovati objects that the order *alia aliis* results in a heroic clausula, but this consideration would only have significant weight at a sense-break.

292. *ratione* scripsi] *oratione* L. At §307 *haec etsi videntur esse a proposita* (*proposito* L) *ratione diversa*, Ascensius, motivated by the similarity with this passage, emended *ratione* to *oratione*. One of the two passages should be brought into line with the other, and L's *proposito* at §307 tells in favour of printing *oratione* in both places. However, while Cicero sometimes writes that his speech is wandering from its course, or that he is bringing it back to his stated topic (e.g. *Tusc*. 4.5 *Sed ut ad propositum redeat oratio*; *Tusc*. 5.66 *redeat unde aberravit oratio*; *TLL* 9.2.886.58-79), in *Brut*. 292 and 307 *oratio* would have to mean not simply 'speech, discussion', but rather 'plan' or 'topic of discussion'. *Ratio* is therefore more suitable. Cf. *Fin*. 3.74 *Sed iam sentio me esse longius provectum quam proposita ratio postularet*; *Fin.* 5.46 *Et adhuc quidem ita nobis progressa ratio est ut …*; *Orat*. 162 *longius autem quam instituta ratio postulabat*.[259] Additionally, the subject matter of *Brut*. makes corruption of *ratio* to *oratio* more likely

reperiuntur.) There is apparently a slight shift in focus from this sentence to the next: here Cicero is concentrating his attention on the different styles within the Attic corpus, and in the following sentence he will turn to the differences between individual Attic orators.

[258] Sen. *Ep.* 19.5 *ex aliis alia* is irrelevant. Cf. above on §87 *alii aliud*.

[259] Other instances of *rationem proponere* include *Verr*. 2.4.140, *Font.* 19, *Planc*. 5, and *Rab. Post*. 28.

than the reverse.[260] The corruption *proposito* at §307 may have arisen through familiarity with the common phrase *a proposito* (cf. §82).

293. *politius* Beier] *pictius* L: *perfectius* Sarpe. One might see in *pictius* a reference to the vivid narratives which were a feature of Lysias' speeches (cf. *QFr*. 2.13.2 *Britanniam quam pingam coloribus tuis, penicillo meo*).[261] However, elsewhere in rhetorical contexts, the metaphor of 'painting' or 'colouring' one's speech is used by Cicero to denote embellishment and ornamentation,[262] and *pictius* should have this sense here. Hence, since *quo … pictius* is manifestly inappropriate as a description of Lysias, the phrase must either be taken as a rhetorical question applied to Cato, or it must be considered corrupt. Martha and Douglas opt for the former solution and appeal to §69 *non veri simile quam sit in utroque genere et creber et distinctus Cato* (cf. also §66 *iam vero Origines eius quem florem aut quod lumen eloquentiae non habent?*). Yet this interpretation involves a distortion of Cicero's contentions concerning Cato. Cicero had not claimed that Cato had reached perfection in the adornment of his speeches. Rather, he made clear that something better still remained to be discovered: §69 *nec vero ignoro nondum esse satis politum hunc oratorem et quaerendum esse aliquid perfectius* (cf. §66).

Quo … pictius reads more naturally as a description of Lysias, and we should therefore emend *pictius* to some more suitable adjective. Sarpe (1819: 48-49) and Reid (1905: 356) independently conjectured *perfectius*.[263] Sarpe cites Quint. *Inst*. 10.1.78 *Lysias … quo nihil, si oratori satis sit docere, quaeras perfectius,* and Reid compares

[260] Cf. §163 *ratione* Bλρ] *oratione* F.
[261] So Kaster (2020): 'Lysias, whose vividness could not be bettered'.
[262] *OLD s.v. pingo* 5.
[263] This emendation is commended by Watt (1983: 230).

Brut. 35 *Lysias … quem prope audeas oratorem perfectum*. In both places, though, Lysias' 'perfection' is subject to a significant caveat. Quintilian's *si oratori satis sit docere* effectively constitutes a denial that Lysias was the perfect orator, because the orator was expected to do much more than merely inform, and in *Brut*. 35 Cicero follows his comment that Lysias was *prope perfectus* by stating that Demosthenes, not Lysias, was in fact the perfect orator (*nam plane quidem perfectum et cui nihil admodum desit Demosthenem facile dixeris*). Cicero's caveat in §35 would not necessarily have prevented him from allotting to the character Atticus the view that Lysias was unsurpassed in his perfection (whether as a representation of Atticus' actual opinion or as hyperbole), but for this reason I nevertheless prefer Beier's *politius*.[264] Cicero often connects the adjective *politus* with the plain style (e.g. *Brut*. 115, 194, 285, *De optimo genere oratorum* 12 *dicant se quiddam subtile et politum velle, grande ornatumque contemnere*), and cf. *Orat*. 29 *venustissimus ille scriptor ac politissimus Lysias*.

297. *attulisti* Lambinus] *depulisti* L: *intulisti* Schütz: *protulisti* Watt: *detulisti* Manutius: *pepulisti* vulg., pler. edd. L's *depulisti* produces nonsense ('You have pushed down(?) the beginning of a long conversation'), but Watt (1983: 230-231) is justifiably suspicious of the commonly accepted correction *pepulisti*. It results in a heroic clausula,[265] and there is no parallel for the use of *pello* in this context. The most economical alternative, Manutius' *detulisti*, is also unsatisfactory: *defero* can be used of reporting information (*OLD s.v. defero* 8; even this sense is not close to that required here), but it is almost always *ad aliquem*, because it retains the core meaning of 'bringing

[264] Cf. §294 *significant enim formam quandam ingeni, sed admodum impolitam et plane rudem*.
[265] The unit may not end before *inquam*, however: Gregory Hutchinson suggests comparison with §292 *Tu vero, inquam, Tite*. On postpositive vocatives and the division of cola, see Murgia (1981: 306-307).

something to somewhere'. Watt could not decide between *attulisti*, *intulisti*, and *protulisti*. However, Ciceronian practice favours *attulisti*, since only *affero* is used with *initium* + gen. to give the sense 'initiate': *Att.* 12.7.1 *cogitationis initium tu mihi attulisti*, *Acad.* 2.26 *quaerendi initium ratio attulit*, *Tusc.* 1.91, *Marcell.* 1. Confusion of *a* and *d*, and of *p* and *t*, is easy in some uncial scripts.

304. *utique* Jahn] *uterque* L. Kaster, prompted by Malcovati's punctuation, translates *sed … Philippo* as, 'yet they both deserved the name "orator", at least according to the eloquent Philippus'. This interpretation of *teste* is untenable: in the context of the trials of Memmius and Pompeius, and especially in view of the following *cuius in testimonio*, *teste … Philippo* must mean 'with Philippus as witness'. To make this clear, a comma should be placed after *tamen*.

However, altering the punctuation is not sufficient to resolve the historical problem raised by this sentence. The transmitted *teste diserto uterque Philippo* would seem to suggest that Philippus gave testimony in the defence of both Memmius and Pompeius. However, the following relative clause (*cuius … copiam*) reveals that Philippus, although only acting as a witness, had all the force and abundance of a prosecutor. This description of Philippus' testimony does not prove that he was a witness for the prosecution rather than the defence,[266] but it is suggestive. More significant is the historical evidence. The *lex Varia*, under which Memmius and Pompeius were tried, involved the prosecution of many of those who had supported M. Livius Drusus, the tribune of 91,[267] in his programme of reform. The identity of the L. Memmius mentioned

[266] *Pace* Gruen (1965: 65 n. 84), Badian (1967: 226).
[267] Badian (1964: 34-70), Gruen (1965: 61-62), *MRR* ii.21-22.

here is uncertain,[268] but Q. Pompeius is Quintus Pompeius Rufus (praetor 91, consul 88).[269] Rufus was closely associated with the Metelli,[270] who had been among Drusus' principal supporters. L. Philippus, consul in 91, had been a vehement opponent of Drusus, and was even suspected of his murder.[271] Hence, Philippus, although known to history as a survivor rather than for his loyalty to a particular cause,[272] is unlikely to have acted as a defence witness for Pompeius in 90. We may legitimately conclude that Philippus was a witness for the prosecution.

One could still defend the paradosis by arguing that *teste diserto uterque Philippo* means only that Philippus was a witness in the trials of both Memmius and Pompeius, and does not imply that he testified in their defence.[273] This seems to me to resist the natural interpretation of the phrase, but in any case there is an additional point in favour of Jahn's *utique*. Cicero has described Memmius and Pompeius as *non illi quidem principes … sed oratores tamen* ('not leading orators, but orators nonetheless'), and he contrasts them with the genuinely eloquent Philippus. *Utique* ('certainly') serves an important purpose in highlighting this contrast.[274]

307. *eodem … magistro*] del. Wetzel. Molo's two visits to Rome (cf. §312) are not in themselves problematic,[275] although only the second is attested elsewhere. Nevertheless, there are significant grounds for suspicion concerning this passage: (1) the similarity

[268] Douglas (1966: *ad loc.*), Wiseman (1967), Sumner (1973: 85-90). Wiseman praises Biedl's transposition of *sed oratores tamen* to before *L. Memmius* (Biedl (1930: 100-101)), but Hamilton (1968) rightly rejects this idea. Biedl had misunderstood the Ciceronian idiom *non illi quidem … sed … tamen* (cf. above on §51 *illi quidem*).
[269] *MRR* ii.20.
[270] Gruen (1965: 65).
[271] *MRR* ii.20; *De vir. ill.* 66.13.
[272] For a brief biography, see *RE s.v.* 'Marcius 75'.
[273] So Badian (1967: 226).
[274] *Utique* is commonly used in this way: see *OLD s.v. utique* 4.
[275] Douglas plausibly suggests that Molo might have joined Posidonius' embassy to Rome, mentioned in Plut. *Mar.* 45.7.

between §307 *eodem anno etiam Moloni Rhodio Romae dedimus operam* and §312 *eodem tempore Moloni dedimus operam*; (2) the absence, in §312, of an *iterum* or other acknowledgement that Cicero has already mentioned Molo;[276] (3) the fact that the reference to Molo in §312 interrupts the flow of the passage, especially the obvious connection between §311 *tum primum nos ad causas … adire coepimus* and §312 *itaque prima causa publica pro Sex. Roscio …*; (4) the repetition of §307 *actori summo causarum et magistro* in §316 *cum actorem … prudentissimum*.

Taken together, these problems are too substantial to be attributed merely to careless writing. However, Wetzel's deletion of §307 *eodem … magistro* is unconvincing. Throughout this account, Cicero has been juxtaposing the significant events in politics and in the careers of other orators in each year with details of his own life, and one would expect some such detail to follow the mention of the deaths of Catulus, Antonius, and Caesar Strabo in 87 BC.[277] Additionally, it is hard to see any motivation for an interpolator to add a sentence about Molo here, given the lack of any other surviving evidence that Molo visited Rome in 87.

There are two main possibilities.[278] Cicero may initially have erred in including the reference to Molo's visit to Rome in §307, and then he may subsequently have realised his mistake and transferred part of the sentence to §312 in order to restore the correct chronological order. He may also have expanded his description of Molo in §316 by transferring, and developing, *actori … magistro* from §307. This first hypothesis would explain the similarities between the three passages, and it would provide a reason why the mention of Molo in §312 interrupts the flow of the text. One would have to

[276] Cf. Norden (1913: 3).
[277] The remarks which follow (*haec etsi videntur …*) fit well immediately after some autobiographical detail.
[278] For further discussion, see Norden (1913: 2-6), Gudeman (1915), Fuchs (1956: 123-124), Douglas (1966: *ad loc*.).

assume, though, that Cicero forgot to remove, or was unsuccessful in removing, the reference to Molo from §307. Alternatively, a later reader, aware of Molo's visit to Rome in 81 BC, may have added the sentence in §312.[279] This reader may also have added *cum … prudentissimum* in §316, although Cicero could have included the words to remind his audience of Molo's credentials. I prefer the first explanation, because in my judgement §312 *eodem … venerat* is more likely to have been written by Cicero than by a later author.[280]

315. *cum*] *fuique cum* Kayser: *referta tum* Friedrich. Many editors have found unbelievable the idea of Cicero travelling through Asia with some of the foremost orators of the day, but Douglas is right to dismiss these suspicions: 'the itinerant public speaker … [was] a feature of Greek life from the fifth-century sophists onwards'. In any case, the text is secured by §316 *Adsiduissime autem mecum fuit Dionysius Magnes*.

319. *oratorum* Bg^{2vl}] *oratoriam* L. Orelli and Martha argue that *oratoriam* is sound, and that Cicero preferred it to *oratorum* because he intended the adjective also to be taken with *praecepta quaedam*. However, *praecepta* will obviously denote 'rhetorical precepts' whether or not *oratoriam* is retained. Apart from in its use as a technical term of rhetoric, *enumeratio* is always used, by Cicero and all other classical writers, with a defining genitive.[281] Corruption of *oratorum* to *oratoriam* would have been easy.

[279] If this theory is correct, then Molo did come to Rome twice, but Cicero only chose to mention the first visit.
[280] In particular, compare the use of the phrase *dictatore enim Sulla* in giving the date for Molo's visit with §328 *a Sulla dictatore ad eosdem fere consules*.
[281] *TLL* 5.617.13-38. The absolute use by a few late writers (*TLL* 5.617.39-44) is irrelevant.

320. *cognoscere* vulg.] *magnum scelus* L: *cognoscere magnum scelus* F[1]: *agnoscere* Orelli. *Cognoscere* is used of the acquisition of new knowledge, *agnoscere* of the recognition of something that was already familiar.[282] The experts had not already seen Hortensius' decline, and so *cognoscere* is more suitable here. The corruption of *cognoscere* to *magnum scelus* would have been made easier in some scripts by the similarity between *co* and open *a*.

322. *incluso*] *illuso* Schütz. The paradosis ('with the opponent briefly and cleverly shut in') is at first sight strange, and several editors have been tempted by Schütz's *illuso* (perhaps written in the unassimilated form *inluso* at some point in the text's transmission). However, Martha compares §178 *callidus et in capiendo adversario versutus*, and also relevant is *De or.* 2.236, where Cicero, in listing the advantages afforded to the orator by humour, writes that it can 'obstruct the opponent' (*vel quod frangit adversarium, quod impedit, quod elevat, quod deterret, quod refutat*). The image is apparently military in origin: see *OLD s.v. includo* 2b ('*(of hostile forces)* to hem in, blockade, etc.'); *Phil.* 13.35 *militibus inclusis opem fertis. Incluso adversario* is a plausible description of the effect of humour on the opponent.

324. *decem*] *sedecim* Nipperdey. Most scholars now agree that L's text is sound and that Brutus was born *c.*85 BC. The primary piece of evidence to the contrary is Vell. Pat. 2.72.1, where the paradosis gives his age at death as 37: this would imply a date of birth of *c.*78. Brutus' praetorship in 44 is of little help in establishing his birthdate, since Caesar often bypassed the statutory age requirements during this period.[283] But Brutus'

[282] *TLL* 1.1354.19-28, 3.1501.33-47.
[283] Sumner (1971), especially 364-366.

quaestorship in 54/53, securely attested by *De vir. ill.* 82.3-4,[284] cannot be so easily disregarded.

Douglas cites two further passages in support of Velleius' date: Plut. *Brut*. 3.1, where Brutus is described as a μειράκιον in 58, and Cic. *Brut*. 248, where Brutus claims that he was not old enough to form a judgement of Caesar's oratory before his departure for Gaul in 58. Neither does much to strengthen the case. μειράκιον is usually applied to those under 20, but Plutarch uses it of men significantly older in age.[285] *Brut*. 248, as Badian observes (1967: 229), 'has no real bearing on Brutus' age; it shows Cicero eager not to put a judgment on Caesar's oratory in Brutus' mouth'; in any case, Caesar had probably not delivered a forensic speech since 63. In summary, then, there are only three substantial pieces of evidence on Brutus' birthdate, and the *cursus* and *Brut*. 324 outweigh the testimony of Velleius.[286]

325. *faceto*] *facto* I. Lucarini (2015: 11 n. 2) argued for Ruhnken's *facto* (found also in the manuscript I) on the basis of the correspondence between, on the one hand, §325 *genus … volucre atque incitatum* and §326 *cum incitata et vibrans*, and, on the other, §325 *exornato et fac*[*e*]*to genere verborum* and §326 *tum etiam accurata et polita*. However, *facetus* can act as a suitable parallel for *politus*. Cicero usually uses *facetus* to mean 'witty', 'humorous', but, in a looser sense, the adjective can signify 'clever' or 'adept'.[287] See, for example, *Orat*. 20 *concinniores, id est faceti, florentes etiam et leviter ornati*, 99, *Brut*. 63 *acuti sunt, elegantes faceti breves*.[288]

[284] See further Pina Polo and Díaz Fernández (2019: 268-269).
[285] Moles (2017: 77-78).
[286] Woodman (1983) and Watt (1998) both conclude that Velleius' *XXXVII* is corrupt.
[287] *OLD s.v. facetus* 1; Krostenko (2001: 90-94), and see also pp. 59-64 (on pre-Ciceronian usage).
[288] Jahn-Kroll-Kytzler (1962: *ad loc.*): '*faceto* müßte etwa = *eleganti* sein, gewählt'.

The use of *factus* suggested by Ruhnken is not well attested in Cicero. Cicero employs forms of *facere* in the sense 'mould' or 'craft' (e.g. *De or*. 1.63 *ignarusque sit faciundae ac poliendae orationis*, *Orat*. 172),[289] but in both places where the past participle is used thus (*Brut*. 30 *accurata et facta quodammodo oratio*, *De or*. 3.184 *orationem, quae quidem sit polita atque facta quodammodo*), the addition of *quodammodo* ('constructed in a certain way') is important. The unproblematic *faceto* is to be preferred.

327. *quod et* BFO] *quod* βλ | *lucebat*] *elucebat* Lambinus | *et exercitatione* BDEFGOλ] *ex exercitatione* Y: *et exercitatio* Rom: *exercitatione* Schütz: *usu et exercitatione* Malcovati: *et studio et exercitatione* Barwick | *erat verborumque erat* Be] *erat verborum eratque* L: *eratque verborum* vulg.: *verborum erat atque* Sydow: *verborumque erat arte* Hendrickson: *erat verborum* Kaster: *verborum erat* Douglas | *comprehensio* ρ (*comprensio* Fλ)] *comprensa* B: *comprehensione* Martha | *excitabat* $F^{c}J^{c}$ρ] *exercitabat* BFλ. This sentence has been the subject of many emendations, but most are of little value, being based on the incorrect citation of L's reading as *verborum eratque*, rather than *erat verborum eratque*.[290] Malcovati was aware of the transmitted text of the sentence, but she still chose to adopt three emendations: her own addition of *usu* before *et exercitatione*, the vulgate *eratque verborum* (for *erat verborum eratque*), and *excitabat* (for L's *exercitabat*). This final emendation is necessary, but with the other alterations Malcovati diverges quite far from the paradosis.

[289] Lucarini cites *Orat*. 68, but there *faciendorum … verborum* refers to the coining of new words (cf. Sandys (1885: *ad loc.*), *Part*. *or*. 72, *OLD s.v. factus* 4b).

[290] Friedrich did not independently conjecture the reading *erat verborum eratque*, as some have believed (e.g. Wilkins (1903), Jahn-Kroll-Kytzler (1962)); he was aware that this was L's reading (see Piderit-Friedrich (1889: 304-305), Friedrich (1902: *ad loc.*)). His own conjecture, *erat verborum exornatio atque*, interferes unhelpfully with the phrase *comprehensio verborum*.

The first two textual issues in the sentence can be dealt with briefly. *Quod et* was almost certainly the reading of L and should stand. (Just possibly, the agreement of βλ might indicate that L had variants (or a correction), but even then the reading of BFO would be superior.) The transmitted *lucebat* is sufficient to convey the sense 'was evident', 'was conspicuous' (cf. *Att.* 3.15.4 *meaque officia et studia, quae parum antea luxerunt*; *OLD s.v. luceo* 3); there is no need for Lambinus' *elucebat*.

The only other instance of *forma ingeni* in Cicero is *Brut.* 294 *orationes* [*Catonis*] *… significant enim formam quandam ingeni, sed admodum impolitam et plane rudem*. In both passages the phrase apparently denotes a rough and uncultivated 'outline' of oratorical talent, unrefined by *ars* and *exercitatio*.[291] With this understood, the second element of the causal clause (*et exercitatione perfecta erat*) follows very naturally from the first (*et ingeni quaedam forma lucebat*): the undeveloped shape of Hortensius' talent was visible, and was brought to perfection through practice. In view of the frequent occurrence of the triad of *ingenium*, *exercitatio*, and *ars* in *Brut.*,[292] we should expect the third element (*verborum eratque astricta comprehensio*) to refer to the role of *ars* in the refinement of Hortensius' natural talent. A single change, the emendation of *verborum eratque* to *verborumque erat*, allows *verborum* to be taken with *comprehensio*, not with *exercitatione*,[293] and provides the suitable reference to *ars*: 'because the outline of his talent was conspicuous and had been brought to perfection through practice, and because his words were put compactly into periods'.[294] I have considered adopting Martha's *comprehensio<ne>* as well,[295] which would enable *forma* to remain the subject.

[291] Cf. §70, Douglas' note at §294, and *OLD s.v. forma* 3.
[292] For a list of passages, see Douglas (1966: xxviii).
[293] Peter, with some others, takes *verborum* with *exercitatione*; but *comprehensio verborum* is used several times by Cicero to denote a periodic sentence structure (*Brut*. 34, 96, 162, 274, *Orat*. 199), whereas *exercitatio verborum* is unattested and obscure.
[294] Translation partially adapted from Hendrickson (1962).
[295] Martha suggested this emendation as part of a different, and much more radical, intervention.

However, one would expect Hortensius' *oratio,* rather than his *forma ingeni*, to be 'bound' (*astricta*) in a periodic structure. The desire to retain the same structure in all three elements of the tricolon might explain the incongruity, but there is no need to introduce the difficulty.

The solutions proposed by other editors, of which I list only a selection above, are much less economical. Additionally, many of them obscure the allusion to the traditional rhetorical triad. Attempts to make *perfecta* qualify *exercitatione*, whether as an ablative absolute or through emending *exercitatione* to *exercitatio*,[296] are especially unappealing: practice makes perfect, but it is not itself in need of perfecting.

330. *mortuoque viverent* vulg.] *mortuo viverentque* L: *mortuo viverent* Ar: *viverentque mortuo* Stangl: *mortuoque me viverent* Ernesti. In cases such as this, the search for objective criteria on which to make a decision is not always successful. Douglas objected to *mortuoque viverent* and *viverentque mortuo* on the grounds of rhythm, but, as Hutchinson (1995: 485-486) has shown, trochee + cretic should be regarded as a rhythmical clausula, and in Cicero another trochee often precedes this pattern. The paradosis (cretic + double trochee), Hendrickson's deletion of *-que* (double cretic), and Ernesti's *mortuoque me viverent* (double cretic) also involve acceptable clausulae, and so prose rhythm cannot help with this question. Similarly, with the exception of Ernesti's emendation, transcriptional reasons do not particularly favour one emendation over another (although the addition of *-que* before *quae* is perhaps marginally easier than the two transpositions). Consequently, we are left with our own stylistic preferences.[297] I

[296] Thus, e.g., Martha (1892), Wilkins (1903), Reis (1934).
[297] This is well evidenced by the brief discussions of Badian (1967: 224) and Malcovati (1968: 128). Badian considers the transposition *viverentque mortuo* 'weak on all grounds', but provides no reasons. Malcovati finds the vulgate *mortuoque viverent* 'meno felice' than Stangl's emendation, but she too does not elaborate.

tend to agree with Malcovati that the asyndetic *mortuo viverent* is not very well suited to Ciceronian style,[298] but I prefer the vulgate solution to Stangl's *viverentque mortuo*. All the emendations improve on the transmitted reading, which leaves *-que* in manifestly the wrong place.

331. *angit* Ba] *tangit* L. Cf. Ov. *Am.* 2.4.45 *me nova sollicitat, me tangit serior aetas*. Corradus' *angit* (first found in Ba) has not enjoyed much popularity, but Ciceronian usage favours the conjecture. Firstly, Cicero never combines *sollicitare* with *tangere*, whereas there are many examples with *angere*: *Fin*. 1.41 *aut sollicitare possit aut angere*, *Att*. 1.18.1 *multa sunt enim quae me sollicitant anguntque*, *QFr*. 3.3.1 *sed me illa cura sollicitat angitque*, *Sen*. 66, et al. Secondly, there are no examples of the use of *dolor* in conjunction with *tangere*, whereas there are several instances with *angere*: *Att*. 4.18.2 *nullus dolor me angit*, *Clu*. 13, *Fam*. 4.3.1. (Examples with related forms of *dol-* and *ang-* include *Fin*. 1.67 *amicorum … pariter dolemus angoribus*, *Marcell*. 2, *Tusc*. 1.30, *Amic*. 59, and *Fam*. 5.14.2.)

Additionally, *angit* is better suited to the context of the sentence. *Dolor* is a stronger word than *cura*, and only *angit* ('pains', 'distresses') conveys the appropriate emotional force. *Tangit* ('touches', 'concerns') is weaker than *sollicitat*. Finally, the concluding paragraphs of *Brut*. contain various echoes of the prologue, and the use of *angere* would secure a verbal connection to the three occurrences of the word in §§5, 7 and (above all) 10 *omnis quae me angebat de re publica cura consederit*.

[298] *Mil*. 97 (*gloriam … quae efficeret ut absentes adessemus, mortui viveremus*) would be a close parallel, but in *Brut.* 330 the asyndeton would probably result in too strong a stop before *quae …*. (Cf. also *Amic*. 23 *Quocirca et absentes adsunt et egentes abundant et imbecilli valent et, quod difficilius dictu est, mortui vivunt*.)

331. *haec* Fλρ] *haec me* B. In view of the following *et hunc … socium*, most editors accept the reading of B. However, L did not contain this second *me*, and there is insufficient reason to add it. *Mecum* helps to clarify the syntax, and would be redundant if B's conjecture were accepted.[299]

[299] Similar is §254 *Graecis* Fλρ] *illis* B, where again B's reading is adopted in most editions. L's *Graecis* is to be preferred: as Peter observed, the contrast with *nobis* is made less emphatic by *illis.*

APPENDIX 1: DIFFERENCES FROM MALCOVATI (1970)

Para.	**Malcovati (1970)**	**My text**
10	*venerat* (L)	*venit* (ζ)
15	*qua* (F^1ρ)	*quae* (CgDa)
16	*veteris ubertatis* (L)	[*veteris ubertatis*] (A. Eberhard)
17	*incommodo* (L)	*incommodo <tuo>* (Cv)
31	* *verbis* (Malcovati)	*†verbis†* (Barwick)
38	[*et*] (Manutius)	*et* (L)
39	*vel* (Heusinger)	*ut* (L)
41	*Graecia* (L)	*Graeca* (Jahn)
46	*descripte* (Ar)	*de scripto* (L)
51	*quidem* (L)	*<illi> quidem* (Lambinus)
54	*M.* (L)	*M'.* (Thomas; cf. *RE s.v.* 'Valerius 243', *MRR* i.14)
58	*dictust ollis popularibus olim* (Gronovius)	*dictus popularibus ollis* (Merula; *dictus* L)
59	*Suadai* (F^1)	*Suadai<que>* (Mariotti)
62	*eae* (F^1U^{ac})	*hae* (Lambinus)
64	[*et*] (Lambinus)	*eo* (Manutius)
66	*officit* (L)	*offecit* (Wetzel)
70	*pulchriora* (β)	*pulchriora etiam* (L)
71	*sic* [*in*] (vulg.)	[*sic in*] (Ellendt)
79	*triumvir* (Ad)	*triumvirum* (L)

82	*aut permoveret* (L)	*ut permoveret* (G^c)
86	*ardentior* (Corradus)	*adornatior* (Cz^c, ut vid.)
88	*die quaestione* (O^c)	*disquisitione* (Thomas)
89	*Rutili* (Orelli)	*Rutiliana* (An)
89	[*an*] (Pareus)	*an* (L)
110	*et <est>* (Stangl)	*et* (L)
111	*recti* (BF^c)	*tecti* (L)
112	*tamen* (L)	[*tamen*] (D)
115	*et* (Bake)	*sed* (L)
121	*videtur* (L)	*videatur* (Ernesti)
128	*bonis* (L)	*<a> bonis* (Müller)
128	[*Mamilia quaestio*] (Peter)	[*Manilia quaestio*]
130	*etiam* (L)	*etiam <acri>* (Hendrickson)
131	*Sabellio* (vulg.)	*Salevio* (Badian)
131	*†de iustitia†* (L)	*de <damno> iniuria* (Peter)
140	*proprie* (L)	*propria* (Lambinus)
141	*in genere* (error, ut vid.)	*genere* (L)
141	*verbis* (L)	*rebus* (Schütz)
150	*possit* (L)	*posset* (δ)
151	*et* (L)	*at* (Martha)
156	*<et> invidia* (Manutius)	*invidia<que>* (B^2)
161	*his* (L)	*iis* (Corradus)
167	*exemplorum* (L)	*leporum* (Simon)

175	*†itam in iure et* (L)	*Item in iure <eminuer>at* (Prohasel; *item* $E^{c}U^{ac}$)
175	*prope simili ratione* (L)	*simili ratione prope* (Schütz)
179	*Vergilius* (Bλρ)	*Verginius* (Corradus ex Plut. *Sull*. 10.4)
181	*superioris aetatis* (L)	[*superioris aetatis*] (Kayser)
183	*<a> multitudine* (Ad)	*multitudini* (Ströbel)
187	*discipulo sane* (L)	*sane discipulo* (Madvig)
188	*miratur* (L)	*mitigatur* (Schütz)
191	*centum milium* (Orelli)	*omnium milium* (‘alii’, teste Corrado)
193	*ornatus* (error, ut vid.)	*ornatus orationis* (L)
197	*item* (Haupt)	*cum item* (Reis)
197	*in illo initio consecutus* (F)	[*in illo*] *initio, consecutis* (*in illo* del. Douglas, *initio consecutis* L)
200	*oratorem* (L)	[*oratorem*] (Weidner)
203	*omnium vel maxume* (B^{2})	*vel maxime <omnium>* (Ad)
206	*<Q.> f.* (Badian)	** f.* (Jahn)
207	*scriptis* (L)	*scribendis* (‘alii’, teste Corrado)
207	*<tum et> Sulpicius* (Malcovati; *et* Ad)	*Sulpicius<que rarius>* (Reis)
212	*filii* (L)	*<illi> filii* (Jahn)
213	*his* (L)	*iis* (Ad)
215	*erantque* (F)	*Erant* (L)
216	*struendo* (F)	*instruendo* (L)
216	*inridentium* (L)	*irri<sionemque au>dientium* (Thomas)

218	*ductus* <*est*> (Bf)	*ductus* (L)
218	*a percontatione* (error, ut vid.)	*e percontatione* (L)
226	*tacuisset* (L)	*iacuisset* (Baehrens)
230	*laudis* (L)	*laudis* <*se*> (Douglas)
234	*admirando †inridebat calebat* (Malcovati)	*†admirando inridebat calebat†* (Douglas)
250	<*sententiis*> (Jahn; *et* del. Martha)	<*sententiis*> *et* (Jahn)
250	*et ei* (error, ut vid.)	*ut ei* (L)
251	*veritus* <*es*> (vulg.)	*veritus* (L)
253	*cogitata praeclare eloqui* <*ut*> (Ernesti)	<*ut*> *cogitata praeclare eloqui* (Aa)
254	*illis* (B)	*Graecis* (L)
256	*imperatorum sapientia* (L)	[*imperatorum sapientia*] (Lambinus)
258	*P*. (F^c)	*Philum* (Heraeus)
259	*lenis* (J^2MO)	*levis* (L)
262	*volent illa* (*volent* ex Suet.; *volunt illa* L)	*illa volent* (J^2 Suet.)
266	*ne* (BF)	*nec* (Cλρ)
268	*ut* (BCFλρ)	*** *ut* (Hendrickson)
271	*sunt* <*omittam*> (Kayser)	*sunt* <*praeteribo*> (Thomas)
271	*Accium* (F)	*Attium* (BCλρ)
273	*†quam eius actionem†*	*†Quam† eius actionem*
276	*posset* (L)	*nosset* (Friedrich)

283	*devorabatur* (L)	*<non> devorabatur* (Leeman)
285	*<aliis> alia* (Piderit)	*alia <aliis>* (Bake)
290	*ut de Aeschine* (B)	*<de> Aeschine* (Rom)
292	*oratione* (L)	*ratione* (Thomas)
293	*pictius* (L)	*politius* (Beier)
297	*pepulisti* (vulg.)	*attulisti* (Lambinus)
298	[*ut*] *tu* (U^{ac})	*tute* (Stangl)
299	*in* (L)	[*in*] (Barwick)
302	*memor et* (L)	*eorum* (Jahn)
304	*uterque* (L)	*utique* (Jahn)
319	*oratoriam* (L)	*oratorum* (Bg^{2vl})
323	*superiores videremur* (L)	*superior viderer* (Lambinus)
327	*<usu> et exercitatione* (Malcovati)	*et exercitatione* (L)
327	*eratque verborum* (vulg.)	*erat verborumque erat* (Be)
330	*viverentque mortuo* (Stangl)	*mortuoque viverent* (vulg.)
331	*tangit* (L)	*angit* (Ba)
331	*me cura* (B)	*cura* (L)

APPENDIX 2: ALPHABETICAL LIST OF SIGLA

A = Barcelona, Biblioteca de Reserva de la Universitat de Barcelona, 12

B = Vatican City, BAV, Ott. lat. 1592

C = Cremona, Archivio di Stato, Fragm. Com. 81 (ex 295)

D = Dresden, Sächsische Landesbibliothek – Staats- und Universitätsbibliothek, Dc. 108

E = San Lorenzo de El Escorial, Real Biblioteca del Monasterio, T. III. 23

F = Florence, Biblioteca Nazionale Centrale, Conv. Soppr. J. I. 14

G = Naples, Biblioteca Nazionale, IV A 44

H = Berlin, Staatsbibliothek zu Berlin, Hamilton 164

I = Bologna, Archivio Storico della Provincia di Cristo Re dei Frati Minori dell'Emilia Romagna, 11

J = Vatican City, BAV, Vat. lat. 1709

K = Bologna, Biblioteca comunale dell'Archiginnasio, A. 85

L = *Codex Laudensis*

M = Montpellier, Bibliothèque Interuniversitaire, Section Médecine, H 214

N = Brescia, Biblioteca Queriniana, E. II. 10

O = Vatican City, BAV, Ott. lat. 2057

P = Cambridge, Cambridge University Library, Mm.2.4

Q = Paris, BnF, lat. 7705

R = Cambridge, St John's College Library, I.12

S = Vienna, Österreichische Nationalbibliothek, Cod. 3090

T = Milan, Biblioteca Ambrosiana, C 75 sup.

U = Ithaca, NY, Cornell University Library, 4600 Bd. Ms. 123 +

V = Florence, BML, Plut. 50.4

W = Wolfenbüttel, Herzog August Bibliothek, 12. 13. Aug. 4^{o}

X = Milan, Biblioteca Ambrosiana, H 22 inf.

Y = New Haven, Yale University, Beinecke Rare Book and Manuscript Library, Marston 6

Z = Florence, BML, Plut. 50.18

Aa = Florence, BML, Plut. 50.19

Ab = Florence, BML, Plut. 50.22

Ac = Florence, BML, Plut. 50.25

Ad = Florence, BML, Plut. 50.31

Ae = Florence, BML, Plut. 50.36

Af = Florence, BML, Plut. 50.38

Ag = Florence, BML, Plut. 90 sup. 88

Ah = Florence, BML, Plut. 91 inf. 8

Ai = Florence, BML, Acquisti e Doni 125

Aj = Florence, BML, Ashb. 252

Ak = Florence, BML, Edili 207

Al = Florence, BML, Fiesole 186

Am = Florence, Biblioteca Nazionale Centrale, II. IX. 131

An = Florence, Biblioteca Riccardiana, 557

Ao = Genoa, Biblioteca Universitaria, E. V. 12

Ap = Glasgow, University of Glasgow Library, Gen. 334

Aq = Glasgow, University of Glasgow Library, Hunter 65 (T.3.3)

Ar = Holkham, Holkham Hall Library, 376

As = London, BL, Additional 10383

At = London, BL, Additional 11922

Au = London, BL, Harley 2733

Av = London, BL, Harley 2771

Aw = London, BL, Harley 4790

Ax = London, BL, Harley 7400

Ay = Lund, Universitetsbiblioteket, Medeltidshandskrift 42

Az = Madrid, Biblioteca Nacional de España, 10060

Ba = Milan, Biblioteca Ambrosiana, A 73 inf.

Bb = Milan, Biblioteca Ambrosiana, B 125 sup.

Bc = Milan, Biblioteca Ambrosiana, H 197 inf.

Bd = Milan, Biblioteca Ambrosiana, L 21 sup.

Be = Milan, Biblioteca Ambrosiana, L 86 sup.

Bf = Milan, Biblioteca Ambrosiana, O 158 sup.

Bg = Modena, Biblioteca Estense Universitaria, Lat. 244 = α.O.5.17

Bh = Modena, Biblioteca Estense Universitaria, Lat. 257 = α.H.8.4

Bi = Modena, Biblioteca Estense Universitaria, Lat. 261 = α.Q.8.25

Bj = Munich, Bayerische Staatsbibliothek, Clm 796

Bk = Munich, Bayerische Staatsbibliothek, Clm 28882

Bl = Naples, Biblioteca Nazionale, IV A 40

Bm = Naples, Biblioteca Nazionale, IV B 36

Bn = Oxford, Balliol College Library, 248E

Bo = Oxford, Bodleian Library, D'Orville 82

Bp = Oxford, Bodleian Library, Canon. Class. Lat. 214

Bq = Paris, BnF, lat. 7703

Br = Paris, BnF, lat. 7704

Bs = Paris, BnF, lat. 7708

Bt = Paris, BnF, lat. 11288

Bu = Paris, BnF, lat. 17154

Bv = Parma, Biblioteca Palatina, Parm. 895

Bw = Reims, Bibliothèque municipal, 1109 (N. Fonds)

Bx = Rome, Biblioteca Angelica, 1768

By = Rome, Biblioteca Casanatense, 1912

Bz = San Daniele del Friuli, Biblioteca Guarneriana, 63

Ca = San Daniele del Friuli, Biblioteca Guarneriana, 246 (Fontanini LIX)

Cb = San Lorenzo de El Escorial, Real Biblioteca del Monasterio de San Lorenzo de El Escorial, T. III. 18

Cc = Berlin, Staatsbibliothek zu Berlin, Hamilton 162

Cd = San Lorenzo de El Escorial, Real Biblioteca del Monasterio, V. III. 8

Ce = San Lorenzo de El Escorial, Real Biblioteca del Monasterio, V. III. 17

Cf = Stockholm, Kungliga Biblioteket, Va 11

Cg = Vatican City, BAV, Chig. H. V. 148

Ch = Vatican City, BAV, Ott. lat. 1171

Ci = Vatican City, BAV, Ott. lat. 1449

Cj = Vatican City, BAV, Ott. lat. 1994

Ck = Vatican City, BAV, Pal. lat. 1465

Cl = Vatican City, BAV, Pal. lat. 1471

Cm = Vatican City, BAV, Reg. lat. 1841

Cn = Vatican City, BAV, Reg. lat. 2046

Co = Vatican City, BAV, Urb. lat. 311

Cp = Vatican City, BAV, Vat. lat. 1701

Cq = Vatican City, BAV, Vat. lat. 1702

Cr = Vatican City, BAV, Vat. lat. 1712

Cs = Vatican City, BAV, Vat. lat. 1720

Ct = Vatican City, BAV, Vat. lat. 1721 + Vat. lat. 4533

Cu = Vatican City, BAV, Vat. lat. 3238

Cv = Vatican City, BAV, Vat. lat. 6871

Cw = Vatican City, BAV, Vat. lat. 11491

Cx = Venice, Biblioteca Nazionale Marciana, Lat. Z. 419 (1508)

Cy = Venice, Biblioteca Nazionale Marciana, Lat. Z. 420 (1509)

Cz = Venice, Biblioteca Nazionale Marciana, Lat. XI. 67 (3859)

Da = Verona, Biblioteca Capitolare, CLV (143)

Db = Viterbo, Centro diocesano di documentazione – Biblioteca Capitolare, Sezione manoscritti, d 9

Dc = Vienna, Österreichische Nationalbibliothek, Cod. 3093

Dd = Wolfenbüttel, Herzog August Bibliothek, 38 Gud. Lat. 2º

TABLES AND FIGURES

Table 1: Chapter Divisions in ρ

Text Ref.	**Chapter Division**	**Manuscripts**
10.10	*Nam cum inambularem*	BDEGMOQSTWYAr
25.23	*Hic ego laudare*	BDEGMOQSTWYAr
39.17	*Videsne igitur vel*	BGOT
44.5	*Sed tum fere*	EGMOTYAr
49.17	*Et Graeciae quidem*	BEGMOSTYAr
52.14	*Sed de Graecis*	EGOS; at 52.16 *Tum Brutus ista* M(T)YAr
74.13	*Haec si minus*	EGOT
91.26	*Cum haec dixissem*	EGOTAr
106.8	*Isque et orationes*	T, apparently accidentally (f.192^{v})
118.19	*Tum Brutus quam*	BDEGMOQTWYAr
122.19	*Nunc reliquorum oratorum*	BDEGMOQTWYAr
147.27	*Tum Brutus etsi*	DEGMOQTWY
150.16	*Tum Brutus cum*	DEGMOQTWY
157.23	*Hic Atticus dixeram*	EGOT
163.16	*Hoc loco Brutus*	EGOT
170.17	*Tum Brutus quid*	EGOT
173.12	*Duobus igitur summis*	DEGMOQTWY
176.16	*Iam ad oratores*	GOT
183.18	*Hic Atticus quo*	EGOT

201.29	*Cum haec disseruissem*	GOT
201.2	*Quoniam ergo oratorum*	DEGMOQTWY
210.25	*Sed magni interest*	EGOT
219.17	*Tum Brutus admirans*	EGMOTY
220.9	*Sed ad instituta*	DEGMOQTWY
225.23	*Sed ad paulo*	EGMOTY
248.4	*Hoc loco Brutus*	EGMOTY
254.8	*Tum Brutus amice*	EGMOTY
262.10	*Sed ad eos*	GOT; 262.4 *Valde quidem inquam* E
266.10	*Tum Brutus Torquati*	EGMOTY
269.15	*Hoc loco Atticus*	EGMOTY
279.28	*Tum Brutus atque*	GMOTY
291.14	*Sed redeamus rursus*	EGOT
297.18	*Haec cum ille*	EGMOTY
300.12	*Sed iam ad*	EGOT
303.7	*Hoc igitur florescente*	DEGMOQTWY
328.11	*Tum Brutus ego*	EGOTY

N.B. I have not checked which of these chapter divisions are present in X.

Figure 1

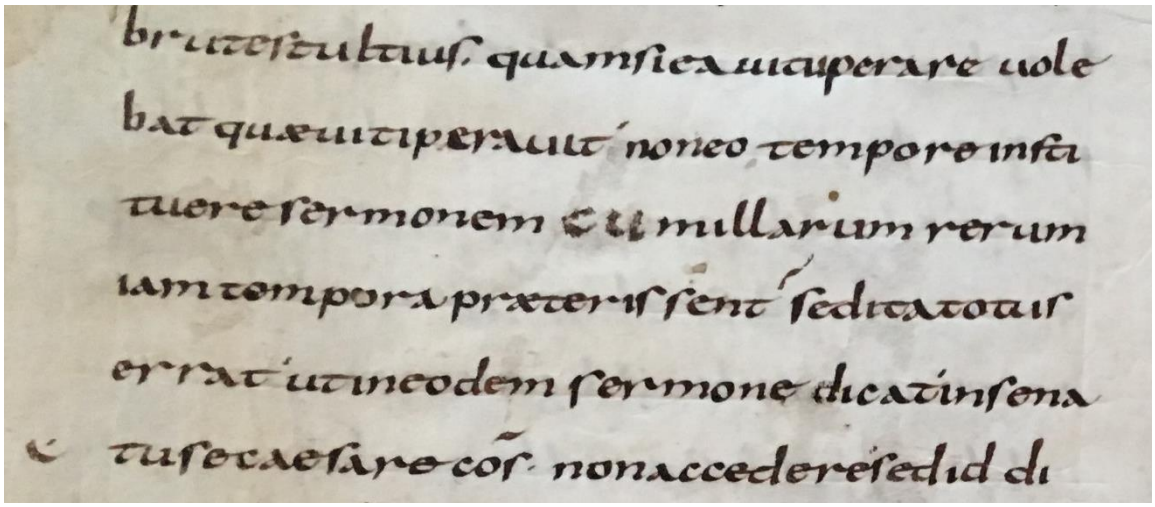


Figure 2

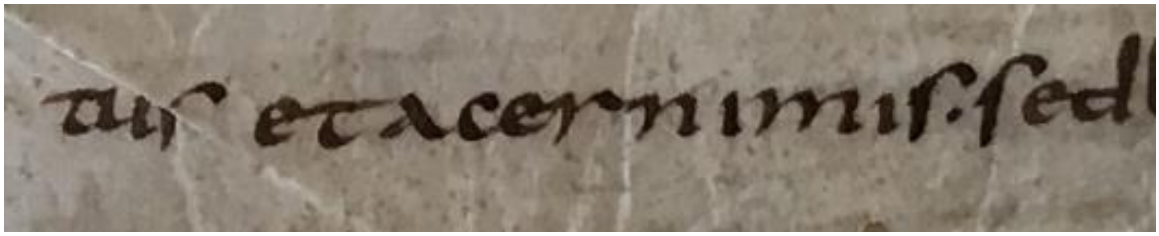


Figure 3

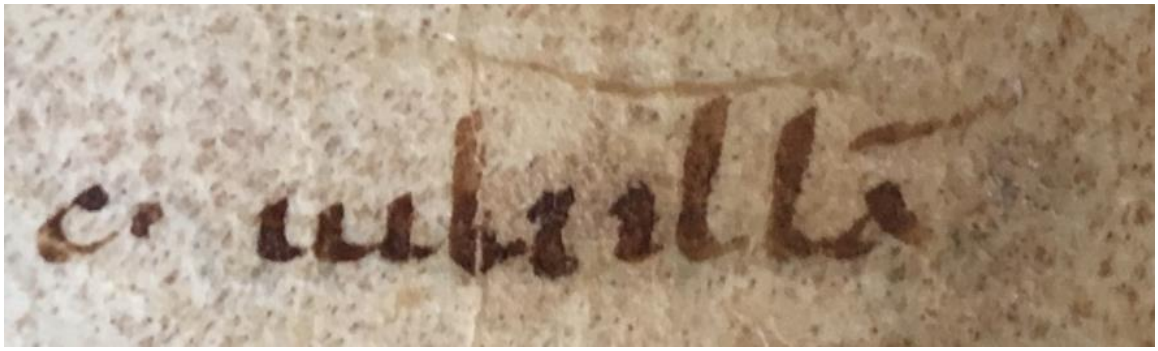


Figure 4

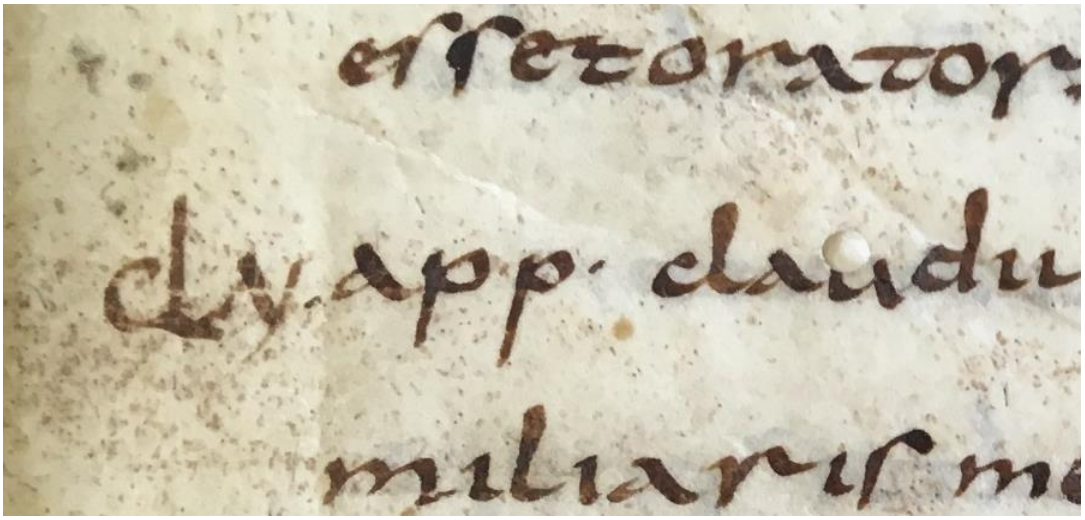


Figure 5: The Independent Descendants of L

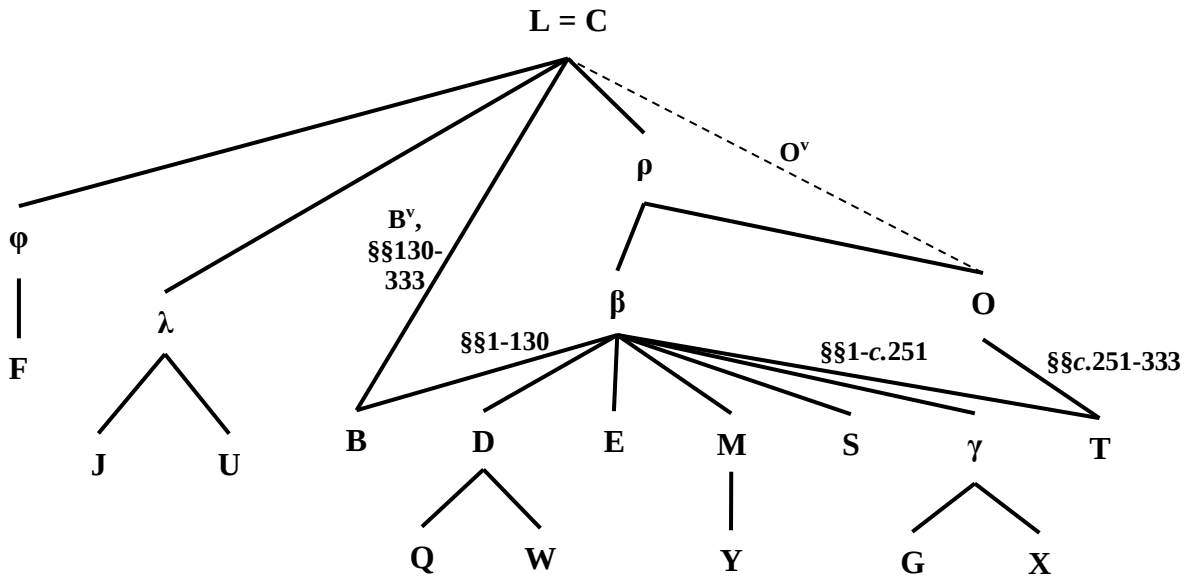


Figure 6: Reis' Stemma

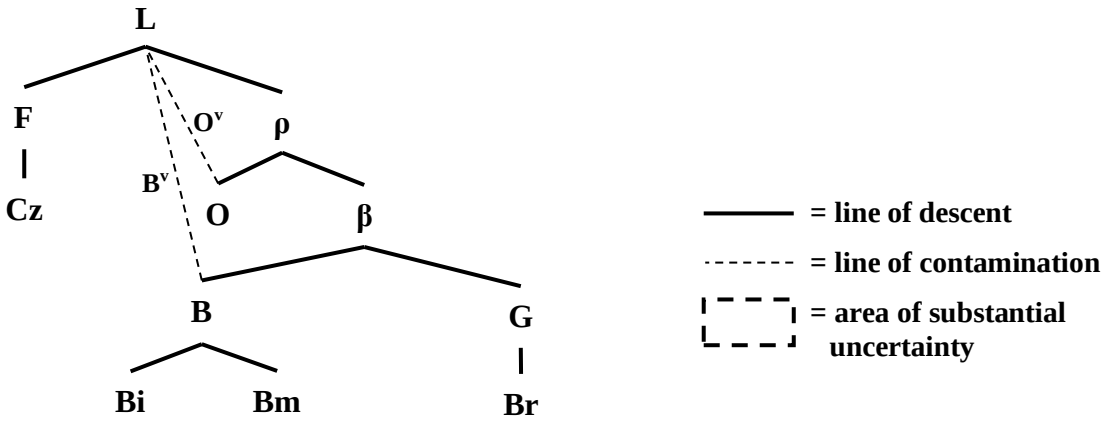
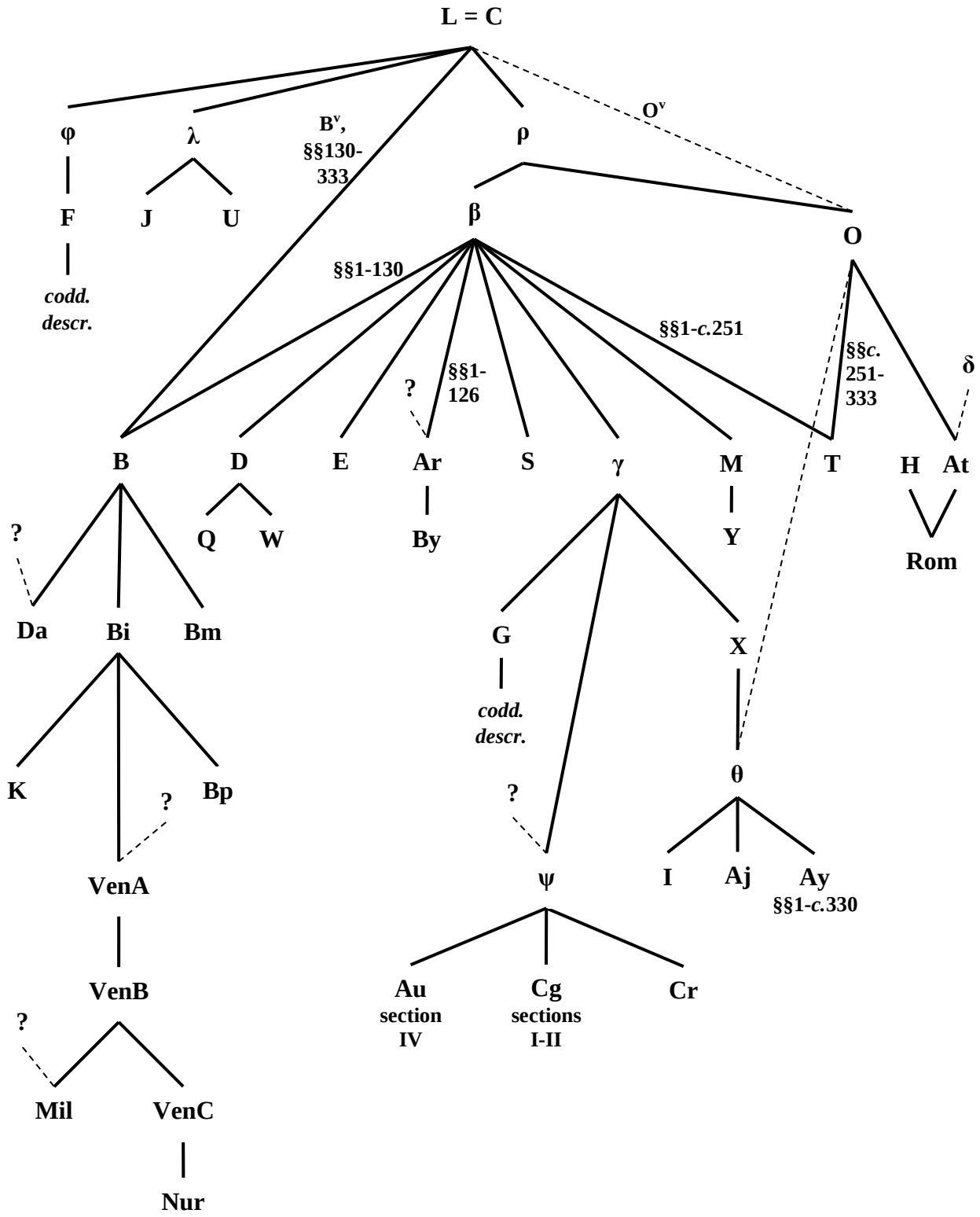


Figure 7: The Descendants of B, O, γ, and X



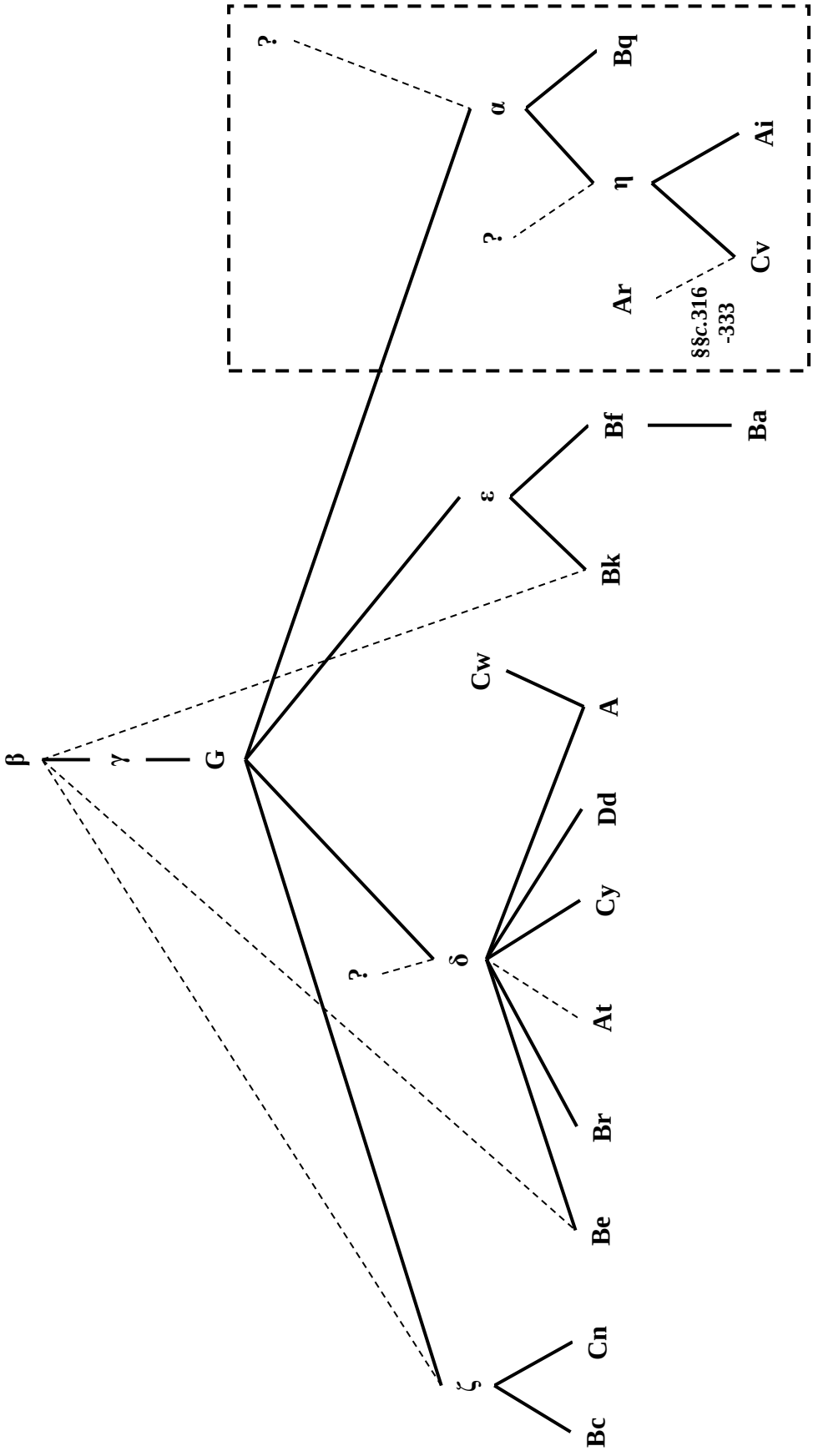


Figure 8: The Descendants of G

Figure 9: The Descendants of F

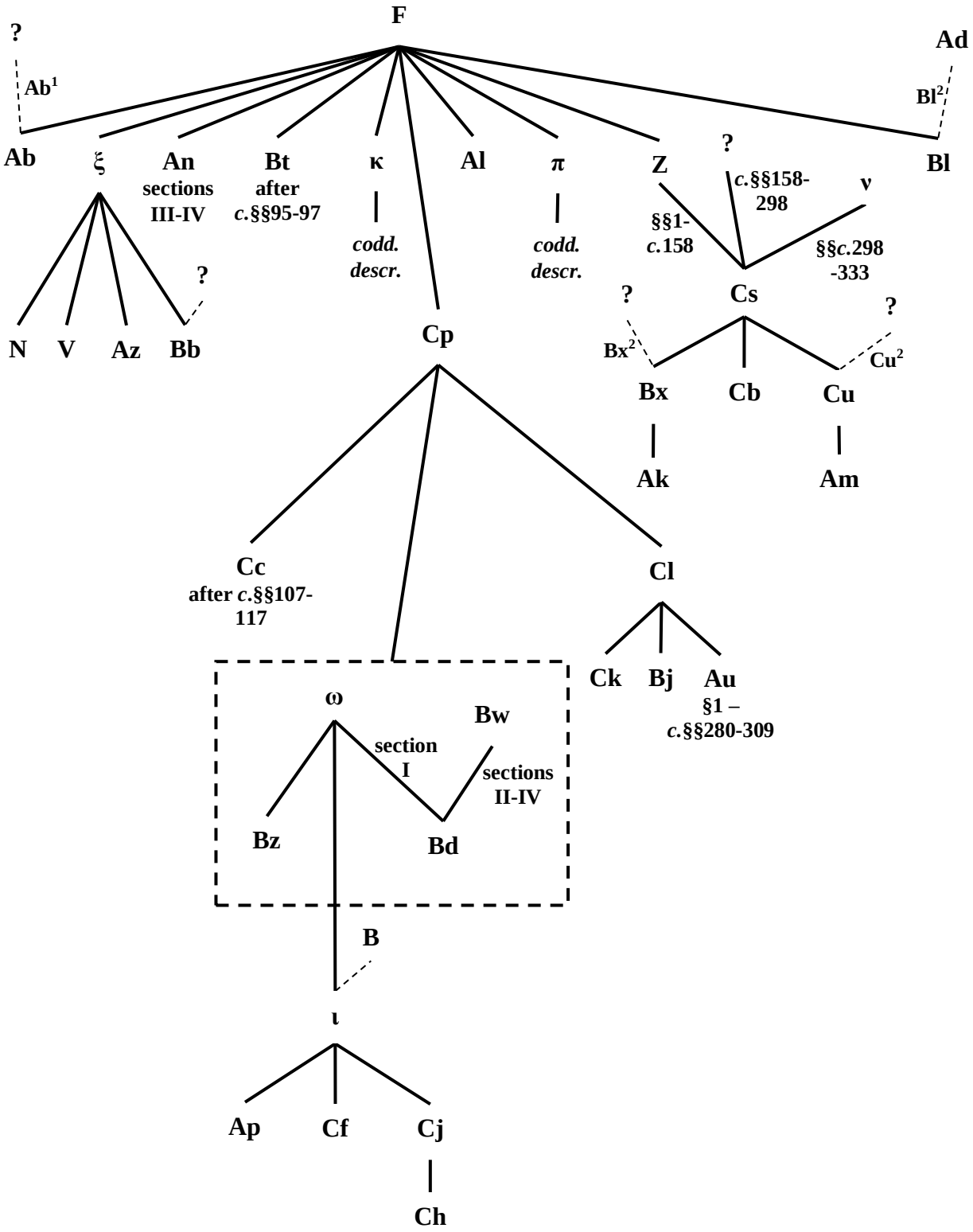
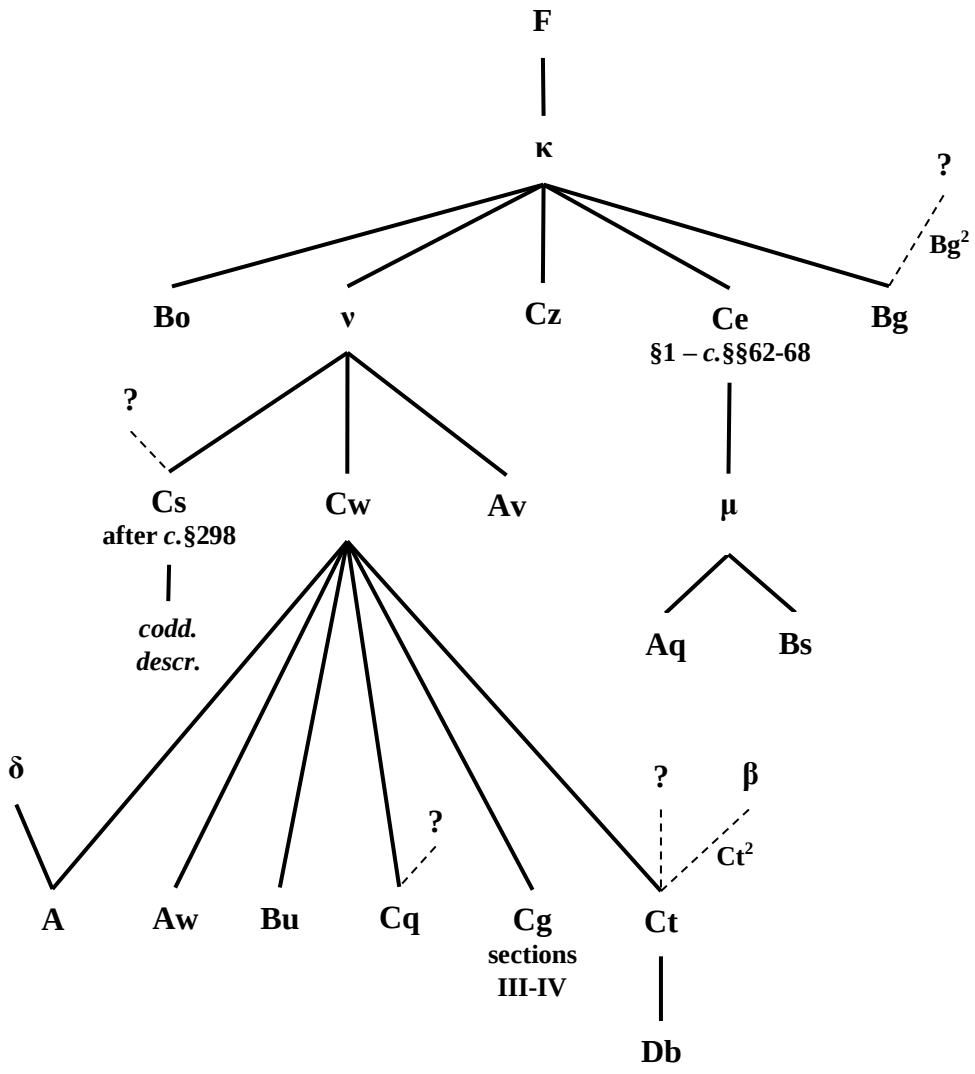


Figure 10: The Descendants of κ



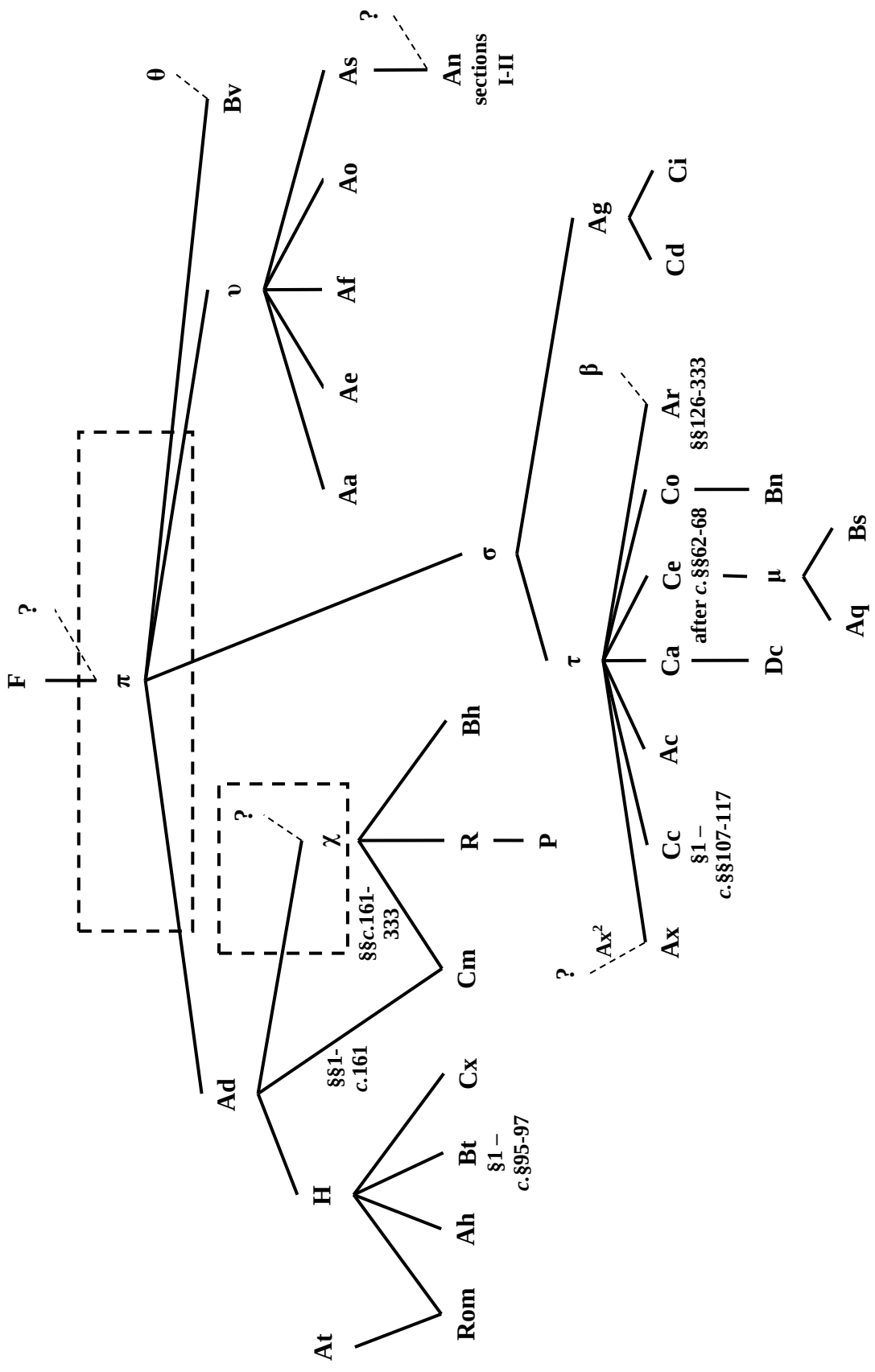


Figure 11: The Descendants of π

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