Introduction

1. I HAVE now arrived at by far the most important part of the work which I had contemplated. Had I imagined, when I first conceived the idea of it, that its weight would have been so great as that with which I now feel myself pressed, I should have earlier considered whether my strength would be able to bear it. But, at the commencement, the thought of the disgrace that I should incur if I did not perform what I had promised, kept me to my undertaking; and afterwards, though the labour increased at almost every stage, yet I resolved to support myself under all difficulties, that I might not render useless what had been already finished. 2. For the same reason at present, also, though the task grows more burdensome than ever, yet, as I look towards the end, I am determined rather to faint than to despair.

What deceived me, was, that I began with small matters; and though I was subsequently carried onwards, like a mariner by inviting gales, yet, as long as I treated only of what was generally known, and had been the subject of consideration to most writers on rhetoric, I seemed to be still at no great distance from the shore, and had many companions who had ventured to trust themselves to the same breezes. 3. But when I entered upon regions of eloquence but recently discovered, and attempted only by very few, scarcely a navigator was to be seen that had gone so far from the harbour as myself; and now, when the orator whom I have been forming, being released from the teachers of rhetoric, is either carried forward by his own efforts, or desires greater aid from the inmost recesses of philosophy; I begin to feel into how vast an ocean I have sailed, and see that there is

——Caelum undique et undique pontus;
On all sides heaven, and on all sides sea.

I seem to behold, in the vast immensity, only one adventurer besides myself, namely Cicero; and even he himself, though he entered on the deep with so great and so well equipped a vessel, contracts his sails, and lays aside his oars, and contents himself with showing merely what sort of eloquence a consummate orator ought to employ. But my temerity will attempt to define even the orator’s moral character, and to prescribe his duties. Thus, though I cannot overtake the great man that is before me, I must, nevertheless, go farther than he, as my subject shall lead me. However, the desire of what is honourable is always praiseworthy, and it belongs to what we may call cautious daring, to try that for failure in which pardon will readily be granted.

Chapter 1

A great orator must be a good man, according to Cato’s definition, § 1, 2. A bad man cannot be a consummate orator, as he is deficient in wisdom, 3—5. The mind of a bad man is too much distracted with cares and remorse, 6, 7. A bad man will not speak with the same authority and effect on virtue and morality as a good man, 8—13. Objections to this opinion answered, 14—22. A bad man may doubtless speak with great force, but he would make nearer approaches to perfect eloquence if he were a good man, 23—32. Yet we must be able to conceive arguments on either side of a question, 33—36. A good man may sometimes be justified in misleading those whom he addresses, for the attainment of some good object, 36—45.

1. Let the orator, then, whom I propose to form, be such a one as is characterized by the definition of Marcus Cato, a good man skilled in speaking. But the requisite which Cato has placed first in this definition, that an orator should be a good man, is naturally of more estimation and importance than the other. It is of importance that an orator should be good, because, should the power of speaking be a support to evil, nothing
would be more pernicious than eloquence alike to public concerns and private, and I myself, who, as far as is in my power, strive to contribute something to the faculty of the orator, should deserve very ill of the world, since I should furnish arms, not for soldiers, but for robbers. 2. May I not draw an argument from the condition of mankind? Nature herself, in bestowing on man that which she seems to have granted him preeminently, and by which she appears to have distinguished us from all other animals, would have acted, not as a parent, but as a step-mother, if she had designed the faculty of speech to be the promoter of crime, the oppressor of innocence, and the enemy of truth; for it would have been better for us to have been born dumb, and to have been left destitute of reasoning powers, than to have received endowments from providence only to turn them to the destruction of one another.

3. My judgment carries me still further; for I not only say that he who would answer my idea of an orator, must be a good man, but that no man, unless he be good, can ever be an orator. To an orator discernment and prudence are necessary; but we can certainly not allow discernment to those, who, when the ways of virtue and vice are set before them, prefer to follow that of vice; nor can we allow them prudence, since they subject themselves, by the unforeseen consequences of their actions, often to the heaviest penalty of the law, and always to that of an evil conscience.

4. But if it be not only truly said by the wise, but always justly believed by the vulgar, that no man is vicious who is not also foolish, a fool, assuredly, will never become an orator.

It is to be further considered that the mind cannot be in a condition for pursuing the most noble of studies, unless it be entirely free from vice; not only because there can be no communion of good and evil in the same breast, and to meditate at once on the best things and the worst is no more in the power of the same mind than it is possible for the same man to be at once virtuous and vicious; 5. but also, because a mind intent on so arduous a study should be exempt from all other cares, even such as are unconnected with vice; for then, and then only, when it is free and master of itself, and when no other object harasses and distracts its attention, will it be able to keep in view the end to which it is devoted. 6. But if an inordinate attention to an estate, a too anxious pursuit of wealth, indulgence in the pleasures of the chase, and the devotion of our days to public spectacles, rob our studies of much of our time, (for whatever time is given to one thing is lost to another,) what effect must we suppose that ambition, avarice, and envy will produce, whose excitements are so violent as even to disturb our sleep and our dreams? 7. Nothing indeed is so pre-occupied, so unsettled, so torn and lacerated with such numerous and various passions, as a bad mind; for when it intends evil, it is agitated with hope, care, and anxiety, and when it has attained the object of its wickedness, it is tormented with uneasiness, repentance, and the dread of every kind of punishment. Among such disquietudes, what place is there for study, or any rational pursuit? No more certainly than there is for corn in a field overrun with thorns and brambles.

8. To enable us to sustain the toil of study, is not temperance necessary? What expectations are to be formed, then, from him who is abandoned to licentiousness and luxury? Is not the love of praise one of the greatest incitements to the pursuit of literature? But can we suppose that the love of praise is an object of regard with the unprincipled? Who does not know that a principal part of oratory consists in discoursing on justice and virtue? But will the unjust man and the vicious treat of such subjects with the respect that is due to them?

9. But though we should even concede a great part of the question, and grant, what can by no means be the case, that there is the same portion of ability, diligence, and attainments, in the worst man as in the best, which of the two, even under that supposition, will prove the better orator? He, doubtless, who is the better man. The same person, therefore, can never be a bad man and a perfect orator, for that cannot be perfect to which something else is superior.

Book XII
Quintilian’s Institutes of Oratory

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10. That I may not seem, however, like the writers of Socratic dialogues, to frame answers to suit my own purpose, let us admit that there exists a person so unmoved by the force of truth, as boldly to maintain that a bad man, possessed of the same portion of ability, application, and learning, as a good man, will be an equally good orator, and let us convince even such a person of his folly.

11. No man, certainly, will doubt, that it is the object of all oratory, that what is stated to the judge may appear to him to be true and just; and which of the two, let me ask, will produce such a conviction with the greater ease, the good man or the bad? 12. A good man, doubtless, will speak of what is true and honest with greater frequency; but even if, from being influenced by some call of duty, he endeavours to support what is fallacious, (a case which, as I shall show, may sometimes occur,) he must still be heard with greater credit than a bad man. 13. But with bad men, on the other hand, dissimulation sometimes fails, as well through their contempt for the opinion of mankind, as through their ignorance of what is right; hence they assert without modesty, and maintain their assertions without shame; and, in attempting what evidently cannot be accomplished, there appears in them a repulsive obstinacy and useless perseverance; for bad men, as well in their pleadings as in their lives, entertain dishonest expectations; and it often happens, that even when they speak the truth, belief is not accorded them, and the employment of advocates of such a character is regarded as a proof of the badness of a cause.

14. I must, however, notice those objections to my opinion, which appear to be clamoured forth, as it were, by the general consent of the multitude. Was not then Demosthenes, they ask, a great orator? yet we have heard that he was not a good man. Was not Cicero a great orator? yet many have thrown censure upon his character. To such questions how shall I answer? Great displeasure is likely to be shown at any reply whatever; and the ears of my audience require first to be propitiated. 15. The character of Demosthenes, let me say, does not appear to me deserving of such severe reprehension, that I should believe all the calumnies that are heaped upon him by his enemies, especially when I read his excellent plans for the benefit of his country and the honourable termination of his life. 16. Nor do I see that the feeling of an upright citizen was, in any respect, wanting to Cicero. As proofs of his integrity, may be mentioned his consulship in which he conducted himself with so much honour, his honourable administration of his province; his refusal to be one of the twenty commissioners; and, during the civil wars, which fell with great severity on his times, his uprightness of mind, which was never swayed, either by hope or by fear, from adhering to the better party, or the supporters of the commonwealth. 17. He is thought by some to have been deficient in courage, but he has given an excellent reply to this charge, when he says, that he was timid, not in encountering dangers, but in taking precautions against them; an assertion of which he proved the truth at his death, to which he submitted with the noblest fortitude. 18. But even should the height of virtue have been wanting to these eminent men, I shall reply to those who ask me whether they were orators, as the Stoics reply when they are asked whether Zeno, Cleanthe, and Chrysippus, were wise men; they say that they were great and deserving of veneration, but that they did not attain the highest excellence of which human nature is susceptible.

19. Pythagoras desired to be called, not wise, like those who preceded him, but a lover of wisdom. I, however, in speaking of Cicero, have often said, according to the common mode of speech, and shall continue to say, that he was a perfect orator, as we term our friends, in ordinary discourse, good and prudent men, though such epithets can be justly given only to the perfectly wise. 20. But when I have to speak precisely, and in conformity with the exactness of truth, I shall express myself as longing to see such an orator as he himself also longed to see; for though I acknowledge that Cicero stood at the head of eloquence, and that I can scarcely find a passage
in his speeches to which anything can be added, however many I might find which I may imagine that he would have pruned, (for the learned have in general been of opinion that he had *numerous excellences* and *some faults*, and he himself says that he had cut off most of his *juvenile exuberance*, 10) yet, since he did not claim to himself, though he had no mean opinion of his merits, the praise of perfection, and since he might certainly have spoken better if a longer life had been granted him, and a more tranquil season for composition, I may not unreasonably believe that the summit of excellence was not attained by him, to which, notwithstanding, no man made nearer approaches. 21. If I had thought otherwise, I might have maintained my opinion with still greater determination and freedom. Did Marcus Antonius declare that *he had seen no man truly eloquent*, 11 though to be eloquent is much less than to be a perfect orator; does Cicero himself say that *he is still seeking for an orator*, and merely conceives and imagines one; and shall I fear to say that in that portion of eternity which is yet to come something may arise still more excellent than what has yet been seen? 22. I take no advantage of the opinion of those who refuse to allow great merit to Cicero and Demosthenes even in eloquence; though Demosthenes, indeed, does not appear sufficiently near perfection even to Cicero himself, who says that he *sometimes nods*; nor does Cicero appear so to Brutus and Calvus, 12 who certainly find fault with his language even in addressing himself, or to either of the Asini, 13 who attack the blemishes in his style with virulence in various places.

23. Let us grant, however, what nature herself by no means brings to pass, that a bad man has been found endowed with consummate eloquence, I should nevertheless refuse to concede to him the name of orator, as I should not allow the merit of fortitude to all who have been active in the field, because fortitude cannot be conceived as unaccompanied with virtue. 24. Has not he who is employed to defend causes need of integrity which covetousness cannot pervert, or partiality corrupt, or terror abash, and shall we honour the traitor, the renegade, the prevaricating, with the sacred name of orator? And if that quality, which is commonly called *goodness*, is found even in moderate pleaders, why should not that great orator, who has not yet appeared, but who may hereafter appear, be as consummate in goodness as in eloquence? 25. It is not a plodder in the forum, or a mercenary pleader, or, to use no stronger term, 14 a not unprofitable advocate, (such as he whom they generally term a *causidicus*) that I desire to form, but a man who, being possessed of the highest natural genius, stores his mind thoroughly with the most valuable kinds of knowledge; a man sent by the gods to do honour to the world, and such as no preceding age has known; a man in every way eminent and excellent, a thinker of the best thoughts and a speaker of the best language. 26. For such a man’s ability how small a scope will there be in the defence of innocence or the repression of guilt in the forum, or in supporting truth against falsehood in litigations about money? He will appear great, indeed, even in such inferior employments, but his powers will shine with the highest lustre on greater occasions, when the counsels of the senate are to be directed, and the people to be guided from error into rectitude.

27. Is it not such an orator that Virgil appears to have imagined, representing him as a calmer of the populace in a sedition, when they were hurling firebrands and stones?

*Tum pietate gravem et meritis si forte virum quem
Consperexere, silent, arrectisque auribus adstant;* 15
Then if perchance a sage they see, rever’d
For piety and worth, they hush their noise,
And stand with ears attentive.

We see that he first makes him *a good man*, and then adds that he is *skilled in speaking*:
28. Would not the orator whom I am trying to form, too, if he were in the field of battle, and his soldiers required to be encouraged to engage, draw the materials for an exhortation from the most profound precepts of philosophy? for how could all the terrors of toil, pain, and even death, be banished from their breasts, unless vivid feelings of piety, fortitude, and honour, be substituted in their place? 29. He, doubtless, will best implant such feelings in the breasts of others who has first implanted them in his own; for simulation, however guarded it be, always betrays itself, nor was there ever such power of eloquence in any man that he would not falter and hesitate whenever his words were at variance with his thoughts. 30. But a bad man must of necessity utter words at variance with his thoughts; while to good men, on the contrary, a virtuous sincerity of language will never be wanting, nor (for good men will also be wise) a power of producing the most excellent thoughts, which, though they may be destitute of showy charms, will be sufficiently adorned by their own natural qualities, since whatever is said with honest feeling will also be said with eloquence.

31. Let youth, therefore, or rather let all of us, of every age, (for no time is too late for resolving on what is right,) direct our whole faculties, and our whole exertions, to this object, and perhaps to some it may be granted to attain it; for if nature does not interdict a man from being good, or from being eloquent, why should not some one among mankind be able to attain eminence in both goodness and eloquence? And why should not each hope that he himself may be the fortunate aspirant? 32. If our powers of mind are insufficient to reach the summit, yet in proportion to the advances that we make towards it will be our improvement in both eloquence and virtue. At least, let the notion be wholly banished from our thoughts, that perfect eloquence, the noblest of human attainments, can be united with a vicious character of mind. Talent in speaking, if it falls to the lot of the vicious, must be regarded as being itself a vice, since it makes those more mischievous with whom it allies itself.

33. But I fancy that I hear some (for there will never be wanting men who would rather be eloquent than good) saying “Why then is there so much art devoted to eloquence? Why have you given precepts on rhetorical colouring, and the defence of difficult causes, and some even on the acknowledgment of guilt, unless, at times, the force and ingenuity of eloquence overpowers even truth itself? for a good man advocates only good causes, and truth itself supports them sufficiently without the aid of learning.” 34. These objectors I shall endeavour to satisfy, by answering them, first, concerning my own work, and, secondly, concerning the duty of a good man, if occasion ever calls him to the defence of the guilty.

To consider how we may speak in defence of what is false, or even what is unjust, is not without its use, if for no other reason than that we may expose and refute fallacious arguments with the greater ease; as that physician will apply remedies with the greater effect to whom that which is hurtful is known. 35. The Academicians, when they have disputed on both sides of a point of morality, will not live according to either side at hazard; nor was the well known Carneades, who is said to have argued at Rome, in the hearing of Cato the Censor, with no less force against the observance of justice than he had argued the day before in favour of it, an unjust man. But vice, which is opposed to virtue, shows more clearly what virtue is; justice becomes more manifest from the contemplation of injustice; and many things are proved by their contraries. The devices of his adversaries, accordingly, should be as well known to the orator, as the stratagem of an enemy in the field to a commander.
36. Even that which appears, when it is first stated, of so objectionable a character, that a good man, in defending a cause, may sometimes incline to withhold the truth from the judge, reason may find cause to justify. If any one feels surprised that I advance this opinion, (though this is not mine in particular, but that of those whom antiquity acknowledged as the greatest masters of wisdom,) let him consider that there are many things which are rendered honourable or dishonourable, not by their own nature, but by the causes which give rise to them. 37. For if to kill a man is often an act of virtue, and to put to death one’s children is sometimes a noble sacrifice; and if it is allowable to do things of a still more repulsive nature when the good of our country demands them, we must not consider merely what cause a good man defends, but from what motive, and with what object he defends it. 38. In the first place, every one must grant me, what the most rigid of the Stoics do not deny, that a good man may sometimes think proper to tell a lie, and occasionally even in matters of small moment, as, when children are sick, we make them believe many things with a view to promote their health, and promise them many which we do not intend to perform; 39. and much less, is it forbidden to tell a falsehood when an assassin is to be prevented from killing a man, or an enemy to be deceived for the benefit of our country; so that what is at one time reprehensible in a slave is at another laudable even in the wisest of men. If this be admitted, I see that many causes may occur for which an orator may justly undertake a case of such a nature, as, in the absence of any honourable motive, he would not undertake. 40. Nor do I say this only with reference to a father, a brother, or a friend, who may be in danger, (because even in such a case I would allow only what is strictly lawful), though there is then sufficient ground for hesitation, when the image of justice presents itself on one side, and that of natural affection on the other; but let us set the point beyond all doubt. Let us suppose that a man has attempted the life of a tyrant, and is brought to trial for the deed; will such an orator as is described by us, be unwilling that his life should be saved? and, if he undertake to defend him, will he not support his cause before the judge by the same kind of misrepresentation as he who advocates a bad cause? 41. Or what if a judge would condemn a man for something that was done with justice, unless we convince him that it was not done; would not an orator, by producing such conviction, save the life of a fellow-citizen, when he is not only innocent but deserving of praise? Or what if we know that certain political measures are in contemplation, which, though just in themselves, are rendered detrimental to the commonwealth by the state of the times, shall we not adopt artifices of eloquence to set them aside, artifices which, though well-intended, are nevertheless similar to those of an immoral character?

42. No man, again, will doubt, that if guilty persons can by any means be turned to a right course of life, and it is allowed that they sometimes may, it will be more for the advantage of the state that their lives should be spared than that they should be put to death. If, then, it appear certain to an orator, that a person against whom true accusations are brought, will, if acquitted, become a good member of society, will he not exert himself that he may be acquitted?

43. Suppose again, that a man who is an excellent general, and without whose aid his country would be unable to overcome her enemies, is accused of a crime of which he is evidently guilty, will not the public good call upon an orator to plead his cause? It is certain that Fabricius made Cornelius Rufinus, who was in other respects a bad citizen, and his personal enemy, consul, by voting for him when a war threatened the state, because he knew him to be a good general; and when some expressed their surprise at what he had done, he replied, that he had rather be robbed by a citizen than sold for a slave by the enemy. Had Fabricius, therefore, been an orator, would he not have pleaded for Rufinus even though he had been manifestly guilty of robbing his country?
44. Many similar cases might be supposed, but even any one of them is sufficient; for I do not insinuate that the orator whom I would form should often undertake such causes, I only wish to show that if such a motive as I have mentioned should induce him to do so, the definition of an orator, that he is a good man skilled in speaking, would still be true.

45. It is necessary, too, for the master to teach, and for the pupil to learn, how difficult cases are to be treated in attempting to establish them; for very often even the best causes resemble bad ones, and an innocent person under accusation may be urged by many probabilities against him; and he must then be defended by the same process of pleading as if he were guilty. There are also innumerable particulars common alike to good and bad causes; as oral and written evidence, and suspicions and prejudices to be overcome. But what is probable is established or refuted by the same methods as what is true. The speech of the orator, therefore, will be modelled as circumstances shall require, uprightness of intention being always maintained.

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77. But the orator must do all that I have mentioned not only in the best manner, but also with the greatest ease; for the utmost power of eloquence will deserve no admiration if unhappy anxiety perpetually attends it, and harasses and wears out the orator, while he is laboriously altering his words, and wasting his life in weighing and putting them together. 78. The true orator, elegant, sublime, and rich, commands copious materials of eloquence pouring in upon him from all sides. He that has reached the summit, ceases to struggle up the steep. 79. Difficulty is for him who is making his way and is not far from the bottom; but the more he advances, the easier will be the ascent, and the more verdant the soil; and if, with persevering efforts, he pass also these gentler slopes, fruits will spontaneously present themselves, and all kinds of flowers will spring up before him, which however, unless they are daily plucked, will be sure to wither. Yet even copiousness should be under the control of judgment, without which nothing will be either praiseworthy or beneficial; elegance should have a certain manly air, and good taste should attend on invention. 80. Thus what the orator produces will be great, without extravagance; sublime, without audacity; energetic, without rashness, severe, without repulsiveness; grave, without dulness; plenteous, without exuberance; pleasing, without meretriciousness; grand, without turbidity. Such judgment will be shown with regard to other qualities; and the path in the middle is generally the safest, because error lies on either side.

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28. Even though there be no hope of excelling the greatest masters of eloquence, it is yet a great honour to follow closely behind them. Did Pollio and Messala, who began to plead when Cicero held the highest place in eloquence, attain but little estimation during their lives, or transmit but little reputation to posterity? The advancement of the arts to the highest possible excellence would be but an unhappy service to mankind, if what was best at any particular moment was to be the last. 29. It may be added, that moderate attainments in eloquence are productive of great profit; and, if an orator estimates his studies merely by the advantage to be derived from them, the gain from inferior oratory is almost equal to that from the best. It would be no difficult matter to show, as well from ancient as from modern instances, that from no other pursuit has greater wealth, honour, and friendship, greater present and future fame, resulted to those engaged in it, than from that of the orator, were it not dishonourable to learning to look for such inferior recompence from one of the noblest of studies, of which the mere pursuit and acquirement confer on us an ample reward for our labour; for to be thus mercenary would be to resemble those philosophers, who say that virtue; is not the object of their pursuit, but the pleasure that arises from virtue.
30. Let us then pursue, with our whole powers, the true dignity of eloquence, than which the immortal gods have given nothing better to mankind, and without which all nature would be mute, and all our acts would be deprived alike of present honour and of commemoration among posterity; and let us aspire to the highest excellence, for, by this means, we shall either attain the summit, or at least see many below us.

31. Such were the observations, Marcellus Victor, from which thought that the art of oratory might, as far as was in my power, derive some assistance from me; and attention to what I have said, if it does not bring great advantage to studious youth, will at least excite in them, what I desire even more, a love for doing well.

Notes to Book XII
Chapter 1
Because this ancient orators used but a rude kind of language, not having discovered that regular and numerous composition which was afterwards adopted by Thrasmachus and Gorgias, and brought to such a height of excellence by Isocrates. Turnebus.

2 En. v. 9.
3 See note on ii. 15, 1.
4 Id non eo tantum, quod, &c.] Buttmann justly decides that eò is for propterea, as in iv. 2, 80. But there is an anocoluthon, as he observes, in what follows, for Quintilian, instead of adding sed etiam, as might have been expected, and proceeding regularly, breaks off into Quid de nobis loquor? &c.
5 See ii. 16, 16, seq.
6 Compare i. 12, 18. Spalding.
7 For dividing the lands of Campania. See Vell. Pat. ii. 45; Dion Cass. xxxviii. 1; Cicero ad Att. ix. 2.
8 I have not been able to find these words in Cicero, nor have any of the commentators pointed them out. The sentiment Cicero often expresses; when, for example, he complains of the rashness of the party of Pompey; as in Ad Fam. vi. 21, and in many other passages. Spalding.
9 Orat. c. 2; De Orat. iii. 22.
10 See c. 6, sect. 4; Cic. Brut. c. 91.
11 Cic. Orat. c. 5; De Orat. iii. 22.
12 Gesner refers to the Dial. de Orat. c. 18, where Calvus is said to have called Cicerosolatus and evervis; Brutus, fractus and elumbis. See ix. 4, 1; xii. 10, 12.
13 Father and son. The son wrote a book in which he compared his father with Cicero; Pliny, Ep. vii. 4, 4, says that he had read it. It was answered by the Emperor Claudius according to Sueton. c. 41 and Aul. Gell. xvii. 1. Gesner. That Asinius Pollio criticized Cicero with great illiberality appears from Senec. Suasor. Spalding.
14 Ut asperioribus verbis parcamus.] He forbears from using the word rabula. Turnebus. Comp c. 9, sect. 12.
15 Æn. i. 148.
16 The attainment of virtue and eloquence.
17 IV. 2. 68—75; xi. 1, 76.
18 This is related more a length by Lactantius, Div. Inst. v. 13, 16. Compare Quint. ii. 15, 23. Spalding.
19 See iv. 5, 6.
20 Among these we must number Panetius, as appears from Cicero Off. ii. 14. Compare Quint. ii. 17, 26. Spalding.
21 The examples of Ahala, Scipio Nasica, Brutus, and Manlius, will at once occur to the reader. Spalding.
22 See ii. 17, 27. Examples of well-intended concealment of truth are given also by Plato, Rep. ii. p. 382 Steph. Spalding.
23 Nedum.] With this word we must understand ut sit vetitum mentiri, or something to that effect. Spalding.
24 Nec hoc dico, quia severiores sequi placet leges, pro patre, fratre, amico periclitantibus; tametsi &c.] This is a passage of which the sense is very doubtful. Buttmann not finding it settled by Spalding, and not being able to satisfy himself about it, applied to Boechk, who said that the words nec hoc dico pro patre, fratre, amico periclitantibus, must all be taken together, and quia severiores sequi placet leges separately and subsequently. Of this explanation Buttmann approves. I subjoin Boechk's Latin: ‘Neque hoc ita dico, quasi pro patre, fratre, amico periclitantibus reveraque noxis contra veritatem et justitiam dicere liceat; severiorem enim in talibus legem sequi mihi etiam placet; tametsi non mediocris hesitatio sit, ipsâ pietae contra justitiam nitente; ut facile fortasse sit in hoc etiam genere causam fingere, quae plerisque ad demonstranda illa satisfaciat. Sed ponamus exemplun extra omnem dubitationis ansam positum.”

Chapter 2
26 All the texts have si, quod optimum fuisse, defuisse. My translation is in conformity with the emendation proposed by Buttmann, si, quod optimum, idem ultimum fuisse.
27 As the followers of Aristippus and Epicurus; Cicero de CHECK. iii. 33.