against the purpose of the sentence, for such an argument suggests that they should rest and wait to depart the camp. What the context of contrived justification requires is the opposite argument, namely that the danger would *not* be increased if they were to leave the camp at first light. I therefore propose to emend the text to fit the needed sense and replace *et* with *nec*. This change creates two parallel *nec* clauses that explain how the announced plan to leave at first light is justified: 'All reasons were devised as to why remaining would be not without danger [of attack] and why the danger [of departing at first light] would not be increased by the exhaustion of the soldiers and their wakefulness.'[11]

The unconvincing nature of the claim that marching, when exhausted, does not increase the danger of the march is part of the rhetorical goal of the sentence, for Caesar disapproves of these justifications and is presenting them as elements of the flawed thinking that led these soldiers into a fatal trap. The Roman forces should not have feared danger and sought to escape it, and they should not have trusted Ambiorix. Even if they did have to evacuate, they should not have done so after a night without sleep in a long column laden with baggage. It is possible that the corruption of *nec* to *et* resulted solely from palaeographical confusion,[12] but it could also have arisen through the failure of a copyist to perceive how the irony of the passage emerges through the weak logic of the justifications for departure. However the *et* appeared, a consistent and appropriate understanding of 5.31.5 can best be achieved by negating it.

University of California, Davis REX STEM
srstem@ucdavis.edu
doi:10.1017/S0009838817000076

THREE TEXTUAL PROBLEMS IN CICERO'S *PHILOSOPHICA*

DE FINIBVS 5.80

dixerit hoc idem Epicurus, semper beatum esse sapientem … quem quidem, cum summis doloribus conficiatur, ait dicturum: 'quam suaue est! quam nihil curo!' non pugnem cum homine, cur tantum †habeat† in natura boni …

This text, containing Cicero's oft-repeated canard,[1] is deeply problematic. Both Reynolds and Moreschini resort to daggers here.[2] Madvig's *abeat* for *habeat* has failed

[11] Or, reading *languore* and *uigiliis* as hendiadys, 'owing to the soldiers' sleepless exhaustion'.

[12] For example, the abbreviation for the *–ur* at the end of *maneatur*, often similar in shape to the letter *u* and not always clearly superscript, could have been misread as *u*, after which the initial *n* of *nec* was read as *r* and the *ec* as *et* (confusion of *c* and *t* is itself a common problem). Such a scenario (or others like it) is speculative, but cannot be ruled out. I am grateful to my colleague David Traill for help with this and other arguments in this article.

[1] Also at *Fin.* 2.88, *Tusc.* 2.17 and 5.31. Epicurus' view is not that the sage takes pleasure in being tortured but that he will be happy (*eudaimōn*) even if tortured (fr. 601), because of the memory of prior pleasures.

[2] L.D. Reynolds (ed.), *M. Tulli Ciceronis De finibus bonorum et malorum libri quinque* (Oxford, 1998); C. Moreschini (ed.), *M. Tullius Cicero, Fasc. 43, De finibus bonorum et malorum* (Munich and

https://doi.org/10.1017/S0009838817000040 Published online by Cambridge University Press

to convince, since Cicero appears to use *abeo* metaphorically without specifying the place of origin or destination of movement within a narrowly circumscribed semantic field which does not encompass our passage.[3] C.F.W. Müller, on the other hand, offered *aberret*, which can appear without such specification in the sense 'be deceived' or the like.[4] Editors evidently hesitate, however, because of the difficulty of explaining the corruption. Perhaps one might rather consider the merits of *haereat. haereo* can mean 'be stuck in difficulties',[5] but the usage is uncommon enough that it could easily have been a stumbling block for an inattentive scribe. Moreover, in some scripts where *r* is written with somewhat elongated hasta and an arc curving down, it can be easily confused with *b*; and once *haebeat* appeared, the 'correction' to *habeat* was all but inevitable.

TVSCVLANAE DISPVTATIONES 4.32

inter acutos autem et inter hebetes interest quod … illi in morbum et incidunt tardius et recreantur ocius, hebetes non item. nec uero in omnem morbum ac perturbationem animus ingeniosi cadit; †non enim multa ecferata et immania; quaedam autem humanitatis quoque habent primam speciem ut misericordia aegritudo metus.

Pohlenz's text.[6] To the Stoic definitions and classifications of passions Cicero appends comments on the susceptibility of different character-types to different passions. Here he is painting with broad strokes the distinction between *acuti* and *hebetes*. The passage is a *locus conclamatus* that has elicited many conjectures, none of them convincing; details can be found in Giusta's apparatus.[7] His own conjecture *notat* for *non* is likewise unsatisfying: if the clever man stigmatizes many savage and monstrous things, why not all of them?

I suspect that what Cicero wrote was *non enim multa <ei placent, nedum> ecferata et immania*, 'not many things please him, let alone savage and monstrous ones'.[8] We can thus leave in place every word of the transmitted text and merely assume a saltation error from the *e* of *ei* to that of *ecferata*.

TVSCVLANAE DISPVTATIONES 4.40

aegre tulisse P. Rupilium fratris repulsam consulatus scriptum apud Fannium est. sed tamen transisse uidetur modum, quippe qui ob eam causam a uita recesserit; moderatius igitur ferre debuit. quid si cum id ferret modice, mors liberorum accessisset? 'nata esset aegritudo noua, sed ea modica.' magna tamen facta esset accessio.

Leipzig, 2005). Reynolds's apparatus criticus should be consulted for further detail. For the textual tradition of Cicero's *philosophica*, see the contributions at L.D. Reynolds (ed.), *Texts and Transmission: A Survey of the Latin Classics* (Oxford, 1983), 112–35.

[3] Cf. *TLL* 1.69.74 ('de mensura'), 1.69.79 ('de tempore'), 1.70.6-7 ('de rebus cum tempore evanescentibus') and 1.70.27 ('de affectibus, sensibus, somno, sim.').

[4] Cf. *OLD aberro* 5a; *TLL* 1.73.42, citing *Off.* 1.100 *quam* [*sc. naturam*] *si sequemur ducem, numquam aberrabimus*.

[5] *OLD* s.v. 8; *TLL* 6.3.2498.25.

[6] Ed. M. Pohlenz (Leipzig, 1918).

[7] Ed. M. Giusta (Turin, 1984).

[8] There is a similar idea at *Att.* 12.46.1: *ex<cul>to* (Victorius) *enim <in>* (Wesenburg) *animo nihil agreste, nihil inhumanum est* (15 May 45, not long before work began on the *Tusculans*).

https://doi.org/10.1017/S0009838817000040 Published online by Cambridge University Press

Cicero is polemicizing against the Peripatetic doctrine that one may entertain emotions, but in moderation. He cites the example of P. Rutilius, said by Fannius (*FRH* 5 = 6 Peter) to have committed suicide upon learning of the defeat of his brother Lucius in consular elections.[9] Conceding that the suicide was an excessive reaction, Cicero proceeds by a *sorites*-style enquiry to determine when such action would be appropriate: what if the death of his children came on top of that event? The answer of the hypothetical Peripatetic is that that would be a new source of depression (*aegritudo*), but a moderate one (*modica*). In Cicero's response, *tamen* concedes his opponent's point per se, but he argues that the loss of the children would be made great 'by addition' (*accessio<ne>*), not that 'a great addition (*accessio*) would have been made', i.e. Cicero is arguing for the cumulative impact of the several events, not for the scale of one individual event. It would be all too easy for a scribe not attending closely to the argument to take *accessio* (rather than *aegritudo*) as the subject and drop the *-ne*.

Los Angeles ANDREW R. DYCK
doi:10.1017/S0009838817000040

TEXTUAL NOTES ON CICERO'S *PHILIPPICS*

(1) qua re flecte te, quaeso, et maiores tuos respice atque ita guberna rem publicam ut natum esse te ciues tui gaudeant: sine quo nec beatus nec c[l]arus nec †unctus† quisquam esse omni<no> potest. (1.35)

The base text cited, here and in the following passages, is P. Fedeli's Teubner.[1] In this case he adopts Clark's *carus* for *clarus* and Muretus's *omnino*. To be happy (*beatus*) is the goal of human life, as ancient philosophers agreed, and so is emphasized as the first predicate, Cicero just having argued from the example of Caesar's assassination that intimidation is no path to happiness. The other two predicates perhaps go back to the 'path of glory' which Cicero has defined this way: *carum esse ciuem, bene de re publica mereri, laudari, coli, diligi gloriosum est* (§33). Hence Clark's *carus*, a quality that necessarily implies a positive valuation by one's fellow-citizens. The problem is the third predicate. One can understand why, in light of the foregoing example of Caesar, Muretus's *tutus* is adopted by recent editors (Shackleton Bailey, Ramsey, Magnaldi). However, for one's fellow-citizens to rejoice that one has been born is no prerequisite for one's safety (merely their willingness to abide by the laws). Surely what one needs is another of the qualities of the person who achieves true glory, viz. *laudatus*.

[9] Pliny, on the other hand, assigns the death to natural causes (*HN* 7.122). F. Münzer, *RE* s.v. 'Rupilius 4' places the elections in 131 or 130; they should in any case be placed shortly before the death of Africanus, whose support for the candidate is attested (*Amic.* 73).

[1] (Leipzig, 1986^2). Other cited editions: A.C. Clark (Oxford, 1918^2); G. Magnaldi (Alessandria, 2008); G. Manuwald (Berlin and New York, 2007); J.T. Ramsey (Cambridge, 2003); D.R. Shackleton Bailey (Chapel Hill, 1986, repr. with slight revisions by J.T. Ramsey and G. Manuwald [Cambridge, MA and London, 2009]).

https://doi.org/10.1017/S0009838817000040 Published online by Cambridge University Press