

*quaestio inter sicarios*²¹ and of Rutilius in a court *de repetundis*.²²

To turn to the other pair of terms, *absolvo* and *condemno*, we again find that they are used indiscriminately of both *quaestiones* and comitial trials. Of judicial proceedings before the people, *absolvere* appears with great frequency in Valerius Maximus²³ as well as in Cicero and Asconius. A few examples of this usage, which has not been brought to notice, follow. Asconius' enumeration of the *sententiae* in the trial of Scaurus on a religious charge includes: "a tribus tribubus damnaretur, a XXXII absolveretur" (21C). Of the trial of Silanus (100 B.C.) he says, "sed plenissime Silanus absolutus est; nam duae solae tribus eum . . . damnauerunt" (80C); and Cicero (*Brut.* 128) speaks of Opimius as "a populo absolutum." As many scholars have noted, there is much evidence for the use of *absolvere* in a technical sense for trials in the *quaestiones perpetuae*.²⁴ The same is true of *condemnare*. Typical is *CIL* I. 197. 10, *condumnari popul(o)*; and in the *quaestiones* the same term is employed of the trials of Verres and Sestius.²⁵

We can see that, so far as contemporary and reliable sources show, there is no distinction in usage between the two pairs of terms, between *libero-damno* and *absolvo-condemno*. All four words are used of cases before the *quaestiones* and before the *comitia* without distinction.

The two pairs of terms are always assumed to be linked together just as they are coupled on the coin types: *libero* always with *damno* and *absolvo* always with *condemno*. But the

primary source material clearly shows that in common usage this was not always so, for in reference to a single trial *libero* and *condemno* and, especially, *absolvo* and *damno* are often paired. To cite a few of many available examples, Cicero in speaking of the trial of Oppianicus (*Clu.* 69 and 76) couples *absolvo* with *damno*. Asconius uses the same combination of the trial of Catiline (89C): "ut senatorum urna damnaret, equitum et tribunorum absolveret."²⁶ Cicero (*Clu.* 60) also joins *libero* and *condemno*: "hunc, quem condemnatum acceperant, liberarent?"²⁷

Two synonymous terms—such as *condemno* and *damno*—are often used together with one of their antonyms—for example, *absolvo*—in reference to a single trial. Asconius 55C writes of the *sententiae* in a trial: "Condemnaverunt senatores X, absolverunt VIII; condemnauerunt equites Romani VIII, absolverunt VIII; sed ex tribunis aerariis X absolverunt, VI damnauerunt."²⁸

We have seen that in Republican usage the four legal terms *absolvo*, *condemno*, *libero*, and *damno* are not linked together in pairs of inseparable terms, *absolvo-condemno* and *libero-damno*. In addition, there is no distinction in the use of any one of the four terms with respect to the two major judicial bodies in the Roman state. All four terms appear to have been used indiscriminately of trials held in the *quaestiones* and trials held in the judicial assemblies.

JANE M. CODY

UNIVERSITY OF SOUTHERN CALIFORNIA

21. Cic. *Clu.* 21.

22. Ascon. 21C. Also see Cic. *Phil.* 1. 21–23 (of a proposed law that *damnati* should have the right to appeal to the people); *Sest.* 66 (of the Catilinarians under the *lex Plautia de vi*); and *Pis.* 97 (of Piso's trial *de repetundis*).

23. 6. 5. 3; 8. 1 *absol.* 1, 7; etc. Also Liv. 4. 41. 11; 43. 16. 15–16.

24. For example, Cic. *Att.* 1. 2. 1; 1. 4. 2; 1. 16. 9; 4. 15. 4; 4. 18. 1; *Clu.* 103, 104, 108; *CIL* I. 198. LI ff.; Ascon. 53, 55C.

25. Cic. *Verr.* 2. 1. 20 and *Vatin.* 41.

26. Other examples are: Ascon. 21, 55, and 80C; Cic. *Att.* 1. 4. 2 and 4. 18. 1, 3, 4.

27. For additional examples, see n. 28.

28. Other examples are: Cic. *Verr.* 1. 2 with 2. 2. 180 (*absolvo* with *condemno* and *damno*); *De or.* 1. 231–33 (*absolvo* with *condemno* and *damno*); *Cael.* 23, 24 (*libero* with *absolvo*); *Clu.* 69 (*absolvo* with *condemno* and *damno*); *Clu.* 97 (*condemno* with *damno*); *Rab. Post.* 37 (*condemno* with *damno*); Liv. 43. 16. 15–16 (*absolvo* with *condemno* and *damno*); and Ascon. 90–91C (*damno* with Cicero's *condemno*), 89C (*libero* and *absolvo* with *damno*).

PRUDENTIUS, SHAKESPEARE, AND THE SEVEN AGES OF MAN: A NOTE

C. Witke in a valuable paper ("Prudentius and the Tradition of Latin Poetry," *TAPA*, XCIX [1968], 509–25) has provided a sympa-

thetic analysis of the artistry and literary background of Prudentius' *praefatio* (pp. 3–4 in J. Bergman's edition, *CSEL*, LXI [Leipzig,

1926]; pp. 1–2 in that of M. P. Cunningham, CC, Latin ser., CXXXVI [Turnhout, 1966]). This note is intended to supplement his observations by showing the astrological symbolism which underlies Prudentius' bitter-sweet survey of his life.

It is necessary first to examine Ptolemy *Tetrabiblos* 4. 10. 204–207 (pp. 442 ff. in the Loeb edition by F. E. Robbins, from whom the English translations in this note will be derived). In this passage, Ptolemy expounds the astrological view that the earthly life of man is divisible into seven distinct ages, each of which is governed by one of the planets. According to his scheme, these may be summarized as follows: (1) infancy, governed by the moon; (2) childhood, governed by Mercury; (3) adolescence, governed by Venus; (4) young manhood, governed by the sun; (5) maturity, governed by Mars; (6) post-maturity or senescence, governed by Jupiter; (7) senility, governed by Saturn. Ptolemy provides a brief statement of the human activities occurring in each of these subdivisions of life.

That a Christian writer like Prudentius should have made use of this astrological system in constructing his poetic autobiography is not at all surprising, for the Church, like the Stoics before it, never completely escaped from the influence of astrology in late antiquity or in the middle ages (cf. J. Seznec, *The Survival of the Pagan Gods* [New York, 1953], pp. 124 ff.; C. S. Lewis, *The Discarded Image* [Cambridge, 1967], pp. 102 ff.). Furthermore, the idea of the seven ages was by the fourth century more or less a convention. To demonstrate the remarkable continuity of this idea, I shall also discuss—out of many available examples—Shakespeare's famous exposition of the seven ages in *As You Like It*, Act 2, Scene 7.

(1) *Infancy*: the moon was traditionally associated with childbirth and parturition. Ptolemy (204 *ad fin.*) says that the period of the moon's influence extends "up to about the fourth year"; during this time, the infant learns to feed himself and begins to walk and to talk. Shakespeare summarizes the age pithily: "At first the infant / Mewling and puking in the nurse's arms." Prudentius does not describe his infancy; this is natural, as he is

dealing with the periods which he can personally remember in answer to the question, "quid nos utile tanti spatio temporis egimus?" (6). He does, however, fix his age with care (1–3), and he specifies the year of his birth (24).

(2) *Childhood*: Ptolemy defines this as extending to the age of fourteen (i.e., when the *toga virilis* was adopted). It is above all the period of primary education, when the child "begins to articulate and fashion the intelligent and logical part of the soul, to implant certain seeds and rudiments of learning . . . awaking the soul at this stage by instruction, tutelage and the first gymnastic exercises" (Robbins, p. 443). Mercury governs this age because he is the planet particularly associated with children (Ptolemy 4. 6), with intelligence (3. 13), and with the development of the soul (*ibid.*). Prudentius makes this his *aetas prima* and in his view it extends somewhat longer than in Ptolemy's system: "aetas prima crepantibus / flevit sub ferulis, mox docuit toga / infectum vitiis falsa loqui non sine crimine" (7–9): the last sentence is interesting, for Mercury was of course the prototype and patron of liars. This age is *prima* because it is the first that Prudentius remembers and the first in which he did anything *utile*. In Shakespeare, the emphasis is again on education: "And then the whining schoolboy with his satchel / And shining morning face, creeping, like a snail, / Unwillingly to school."

(3) *Adolescence*: Ptolemy allows eight years for this stage in human development. It is governed by Venus and so the young men become obsessed with sexual desires: "at this time particularly a kind of frenzy (λύσσα) enters the soul, incontinence, desire for any chance sexual gratification, burning passion, guile, and the blindness of the impetuous lover" (Robbins, p. 445). Prudentius takes a sternly moralistic attitude to himself in this hot-blooded and libertine period: "tum lasciva protervitas / et luxus petulans—heu pudet ac piget— / foedavit iuvenem nequitiae sordibus et luto" (10–13). Shakespeare deals with it more light-heartedly: "And then the lover / Sighing like a furnace, with a woeful ballad / Made to his mistress' eyebrow."

(4) *Young manhood*: Ptolemy maintains that

this age is ruled by the sun, and the fifth by Mars. These attributions should clearly be reversed. What Ptolemy says about Mars here has caused difficulty (cf. A. Bouché-Leclercq, *L'astrologie grecque* [Paris, 1899], p. 409). He asserts that at this stage "the soul at length [has] the mastery and direction of its actions, desire for substance, glory and position, and a change from playful, ingenuous error to seriousness, decorum and ambition": this is more in keeping with what Ptolemy has said earlier about the qualities of the warlike, ambitious Mars (4. 4)—and in any case, young manhood was above all the time when military service was undertaken. Prudentius envisages this period in terms of his practice in the law courts, but he uses military language to describe his youthful ambitions: "exin iurgia turbidos / armarunt animos et male pertinax / vincendi studium subiucuit casibus asperis" (13–15). Shakespeare sees this age as the time of martial exploits: "Then a soldier / Full of strange oaths, and bearded like the pard, / Jealous in honour, sudden and quick in quarrel, / Seeking the bubble reputation / Even in the cannon's mouth." It is obvious that the two poets attribute this period to the lordship of Mars.

(5) *Maturity*: this age is more appropriate to the lordly sun. A man, says Ptolemy, now seeks "by labour to accomplish something among [his] undertakings that is worthy of note" (Robbins, pp. 446–47). Prudentius sees it in terms of his civil career: "bis legum modera mine / frenos nobilium reximus urbium: / ius civile bonis reddidimus, terruimus reos" (16–18). Shakespeare also associates the fifth age with administration of the law: "And then the justice / In fair round belly with good capon lined, / With eyes severe and beard of formal cut, / Full of wise saws and modern instances . . ." The regal sun, whose rising and setting symbolizes the perfect equilibrium of the cosmos, has a traditional association with justice and equity.

(6) *Post-maturity (senescence)*: the sixth age of man, governed by Jupiter, according to Ptolemy, is the time for retirement from labor, when men especially "set store by honour, praise, and independence, accompanied by

modesty and dignity" (Robbins, p. 447). It must be admitted that the distinction between the fifth and sixth periods is the least clear cut; and, in fact, the functions and qualities of the sun and of Jupiter are often confused by astrologers. Prudentius sees this as the time when his career was crowned by a high honor from the emperor, thus affording him a position of dignity in the state: "tandem militiae gradu / evectum pietas principis extulit / adsumptum propius stare iubens ordine proximo" (19–21). It is noteworthy that the emperor is mentioned in this stanza, for, in the pagan tradition of panegyric, Jupiter, lord of heaven, was the prototype or *figura* of the emperor, lord of earth. Shakespeare envisaged the sixth age in a less dignified manner: "The sixth age shifts / Into the lean and slippered pantaloons / With spectacles on nose and pouch on side / His youthful hose, well sav'd a world too wide / For his shrunk shank; and his big manly voice / Turning again toward the childish treble, pipes / And whistles in his sound." There is nothing here of the "elder statesman," enjoying the *otium cum dignitate* that succeeds an active maturity. If Ptolemy and Prudentius make the sixth age too similar to the fifth, Shakespeare veers in the other direction, making it closer to the seventh—for he is treating the whole theme humourously.

(7) *Senility*: this last period is governed by Saturn, who presides over *fortuna senum* (Manilius 2. 935) and who is lord of the dead (Ptolemy 4. 9). By this time, a man has become decrepit, his body is debilitated, "worn down with age, dispirited, weak, easily offended, and hard to please in all situations . . ." (Robbins, p. 447). Prudentius saw himself as at the beginning of this final stage of life (although, as he was fifty-seven at the time of writing [1–3], he seems to have been more concerned with preserving the schema than the absolute truth): "instat terminus et diem / vicinum senio iam Deus applicat" (4–5); "haec dum vita volans agit, / inrepsit subito canities seni / oblitum veteris me Saliae consulis arguens . . ." (22–24). The process of aging is summarized in *canities* and *nix capitis* (23, 27); it was a natural time for a man to meditate on his past life and on death, now close to him (28 ff.).

Shakespeare, who had pre-empted many characteristics of old age in his sixth period, portrays senility in extreme terms, seeing it as a circular reversion to childhood: "Last scene of all / That ends this strange eventful history, / Is second childishness, and mere oblivion / Sans teeth, sans eyes, sans taste, sans everything."

It is clear that Prudentius in the *praefatio*

has carefully organized his biography in accordance with the astrological system of the seven ages. As often in ancient, medieval, and renaissance writings, a knowledge of astrology is essential for a complete understanding of this delightful poem.

D. W. T. C. VESSEY

QUEEN MARY COLLEGE,
UNIVERSITY OF LONDON

PLINY HN 2. 199

Non minus mirum ostentum et nostra cognovit aetas anno Neronis principis supremo, sicut in rebus eius exposuimus, pratis oleisque intercedente publica via in contrarias sedes transgressis in agro Marrucino, praediis Vetti Marcelli equitis Romani res Neronis procurantis [Pliny HN 2. 199].¹

Students of the elder Pliny agree on his reliability as a recorder (as distinct from interpreter) of historical events.² But the commentator on the above passage, C. H. Herkert, (*op. cit.*, p. 7), doubts whether the strange occurrence can be explained rationally: it may be a figment of Pliny's imagination, the work of a hurricane, or the result of someone's moving the road round the olive grove and pretending that it was the product of divine interference. None of these suggestions is satisfactory, particularly since the passage occurs in a section of Pliny's work that deals with seismic activity (2. 191–206), and, if he is unsure as to exactly how it happened, he implies that an earthquake had something to do with the marvel.³

Italy is a seismically active area, and there were several reminders of this in A.D. 68. On

January 1st, Lares at Rome fell to the ground in the midst of preparations for a sacrifice.⁴ As another omen of Nero's fall, Suetonius and Dio (*ibid.*) mention the doors of Augustus' mausoleum flying open spontaneously, apparently not on the same day as the above incident.⁵ (Dio further reports that the sea retreated a long distance from Egypt and covered a large portion of Lycia. Seismic sea waves, or tsunamis, commonly occur with severe earthquakes, whether their epicenter is terrestrial or submarine: the sea retreats in response to an alteration in the contours of the sea bed, and rushes back in a wave many feet high, often covering large areas of land.)⁶ When Galba entered Rome in the autumn, minor earthquakes were noted (Suet. *Gal.* 18. 1.) and when he was on the way to the elections that gave him a second consulship,

1. H. Rackham (trans.), *Pliny: Natural History*, I² (Cambridge, Mass., 1949): "Our generation also experienced a not less marvellous manifestation in the last year of the Emperor Nero, as we have set forth in our history of his principate: meadows and olive trees with a public road running between them got over to the opposite sides of the road; this took place in the Marrucian territory, on the lands of Vettius Marcellus, Knight of Rome, Nero's estate-manager." Pliny refers to the marvel again at 17, 245: "super omnia quae umquam audita sunt erit prodigium in nostro aevo Neronis principis ruina factum in agro Marrucino, Vetti Marcelli e primis equestribus ordinis oliveto universo viam publicam transgresso arvisque inde a contrario in locum oliveti profectis." The *ager Marrucinus* is on the Adriatic coast near Teate (now Chieti).

2. Cf. M. A. T. Burns, *An Historical Commentary on the Reign of Augustus Based on the Evidence of Pliny the Elder, Naturalis Historia* (University of Pennsylvania Diss., 1956); C. H. Herkert, *Historical Commentary Drawn from the Nat-*

ural History, of Pliny the Elder for the Years 54–76 A.D. (University of Pennsylvania Diss., 1956); J. E. Rhen, *A Historical Commentary on the Reign of Tiberius Based on the Evidence of the Historia Naturalis of Pliny the Elder* (University of Pennsylvania Diss., 1967).

3. Cf. his observation that *maritima maxime quatuntur* (2. 194).

4. Suet. *Nero* 46. 2, Dio 63. 26. 5. Statues collapsing or turning round are often attested in antiquity. Earthquakes or tremors were usually the cause. Statues can fall without people being otherwise aware of the tremors: cf. F. B. Krauss, *An Interpretation of the Omens, Portents and Prodigies recorded by Livy, Tacitus and Suetonius* (Philadelphia, 1930), pp. 176 ff.

5. This type of portent is also mentioned often by ancient authors and is caused by seismic activity.

6. Plin. HN 2. 196, 200, 201; Philostr. *Vit. Ap.* 4. 34; N. H. Beck, *Earthquakes* (Princeton, 1936), p. 25.