

'ob eam causam'; Pliny (*N.H.* 7.122) informs us that Publius, already 'morbo levi impeditus', learned of his brother's *repulsa* and 'ilico expiravit'. As causal statements, not altogether convincing, but sufficient proof that the defeat of the one was closely followed by the death of the other. The elections are likely to have been held later in the year at that time than in the Ciceronian epoch,<sup>9</sup> but probably not so late as to keep a consul who expired *ilico* from dying in office – an accomplishment not among those recorded from P. Rupilius.<sup>10</sup> We can therefore exclude 132 as well as 129, and consider L. Rupilius a consular candidate in 131 or 130.

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<sup>9</sup> Th. Mommsen, *Römisches Staatsrecht* i<sup>3</sup> (Leipzig, 1887), p. 583 and n. 2, suggested that November was the usual time for the *populus* to elect magistrates in the period 153–82 B.C., but admitted that precise evidence is lacking. The tribunician elections seem to have been held in late September or early October in 91; cf. L. R. Taylor, *Roman Voting Assemblies* (Ann Arbor, 1966), p. 141 n. 12.

<sup>10</sup> In the *fasti lapidei* his name is not followed by the tag 'in m. m. e.'

### THE O.C.T. *DE OFFICIIS*: A POSTSCRIPT

To my Oxford Classical Text of Cicero's *De Officiis*, published in 1994, I add two footnotes.

The first is an important citation of Cicero in Augustine, which I missed thanks to my own incompetence. Maurice Testard, in his *Saint Augustin et Cicéron*,<sup>1</sup> remarks in Augustine's *Contra Iulianum opus imperfectum* not only the passage I note at *Off.* 1.7, but also 4.43 (= *P.L.* 45.1361). Migne's text (repunctuated) reads as follows:

Sequitur ergo ut uerecundiam deponas, ac manente amicitia cum magistro Cynicis foedereris: quos tamen aliquorum, ut Cicero in Officiis refert, etiam Stoicorum argumenta comitantur. Arguunt quippe communem honestatem, 'quod ea quae re turpia non sint, uerbo  
5 flagitiosa ducamus; illa autem quae re turpia sint, nominibus appellemus suis. Latrocinium perpetrare, fraudem facere, adulterium committere, re turpe est, sed dicitur non obscene: liberis operam dare honestum est re, nomine obscenum. Pluraque in eam sententiam ab eisdem' inquit 'contra uerecundiam disputantur. Nos autem  
10 naturam sequamur, et omne quod abhorret ab oculorum auriumque approbatione fugiamus.'

Augustine (or Julian) is citing *Off.* 1.128 verbatim from *quod ea quae*. I give an apparatus showing where Augustine diverges from our Cicero tradition and how Cicero's primary manuscripts behave (there are two families, ζ reconstructed from *BPV*, and ξ from *Lc*):

4 re ξ\*, om. ζ uerbo] uerbis ζ\*, nominibus ac uerbis ξ  
5 ducamus ξ\*, dicamus ζ re ξ\*, om. ζ sint L\*, sunt *BVc*, om. P  
6–7 latrocinari fraudare adulterare ζξ\* 7 re *BV\**, om. Pξ  
7–8 dare operam re honestum est ζξ\* 8–9 in eam sententiam ab eisdem ζ\*, ab eisdem in eam (eandem c) sententiam ξ 10 omne ξ, ab omni ζ\* ab ζc\*, om. L

The asterisks indicate readings printed in my text. It will be seen that in all but one case Augustine confirms my decisions between variants.<sup>2</sup> The exception is *omne. ab*

<sup>1</sup> (Paris, 1958), ii.85–6. He also (pp. 53, 25) draws attention to probable echoes in Augustine of *Off.* 2.5 and 51.

<sup>2</sup> As to the straightforward differences between Augustine and Cicero's tradition: a) *uerbis* is defended by *nominibus suis* below; b) the expansion of the verbs *latrocinari fraudare adulterare* seems wilful (Cicero does not use the verb *perpetro*); c) there seems no reason to prefer Augustine's order of *liberis...obscenum*.

*omni* is certainly possible, but *omne* is (I now see) more elegant before another *ab*, and it should be preferred. If this is correct, the passage, like other early quotations, provides no evidence of any split into the two medieval families. At the same time, it shows how well transmitted our text of the *De Officiis* is, more convincingly than the quotations in Nonius (whose text is highly corrupt) or Lactantius (who seems to cite freely or carelessly).

My second footnote is a late suggestion for the correction of *Off.* 3.74: 'sed cum Basilus M. Satrium sororis filium nomen suum ferre uoluisset eumque fecisset heredem (hunc dico patronum agri Piceni et Sabini; o †turpe notam temporum nomen illorum†), non erat aequum principes ciues rem habere, ad Satrium nihil praeter nomen peruenire.' ζ gives *notam... illorum* as printed above, ξ merely *nomen illorum temporum*. In my view, the meaning should be that Satrius is a blot (*turpem notam*) on the times. But not *those* times, for the man is attacked in the same year in the *Philippics* (2.107). My apparatus suggested that one would expect *notam horum temporum*; but I should now prefer *notam temporum nostrorum*. *nomen illorum* would arise from a misunderstood abbreviation,<sup>3</sup> aided by the occurrence of *nomen* before and after the clause. For the order (avoiding *notam nostrorum*) cf. Tacitus, *Dialogus* 27.1. For the genitive cf. *Phil.* 11.36 'Antonios... non modo suarum familiarum sed Romani nominis probra atque dedecora.'

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<sup>3</sup> W. M. Lindsay, *Contractions in early Latin minuscule MSS.* (St Andrews University Publications v, Oxford, 1908), pp. 36–7. I have profited from discussion of this passage with Andrew Dyck.

### THE FATE OF THE *MAGISTER EQUITUM* MARCELLUS

In A.D. 357 while at Antioch the sophist Libanius wrote a letter to his friend Anatolius in which he congratulated him on his appointment as *praefectus praetorio Illyrici*.<sup>1</sup> He expressed his pleasure at the conduct of Anatolius in his new appointment, and related a story which he had heard at Antioch from Musonianus, the *praefectus praetorio Orientis*. On his appointment, Anatolius had promised Constantius II that he would not ignore the misconduct of any official, whether civilian or military, whatever his rank. This promise had been put into effect almost immediately when one of the military commanders who showed cowardice against the barbarians was arrested.

The identity of the military commander who was accused of cowardice is not revealed. We do not even know where the cowardice was alleged to have occurred. However, Libanius' description of the enemy as barbarians suggests that it is to the West that we must turn in our attempt to probe the events and personalities which lie behind his short anecdote. Fortunately we possess a relatively full account of the military campaigns of this period in the work of Ammianus Marcellinus.

Ammianus provides a detailed account of the activities of Julian Caesar in Gaul in A.D. 357 as well as of the activity of a second force of troops which had been dispatched from the imperial court to Gaul under the command of the *magister peditum* Barbatio (Amm. 16.11.1–17.2.4). It seems to have been the intention of Constantius II that

<sup>1</sup> *Ep.* 22 in the Loeb edition of A. F. Norman, *Libanius: Autobiography and Selected Letters*, vol. i (Harvard, 1992); *Ep.* 552 in the Teubner edition of R. Foerster, *Libani Opera*, vol. x (Leipzig, 1921). On the career of Anatolius see A. F. Norman, 'The Illyrian Prefecture of Anatolius,' *Rheinisches Museum für Philologie* 100 (1957), 253–9. The entry in *PLRE I*, 59–60, Anatolius 3, confuses different Anatolii.