

(*Heischfuturum*): là dove in tedesco troviamo un Sollen, le lingue romanze presentano un futuro (o anche un presente)' and comparing the translations of the Decalogue in the romance languages with the german translation, it is noted that 'là dove il tedesco usa il Sollen, le traduzioni romanze usano il futuro'.¹¹

¹¹ Losano Mario G. — Per un'analisi del "Sollen" in Hans Kelsen' in *Rivista Internazionale di Filosofia del Diritto* Anno XLIV. Fas. III. 1967. pp. 548-549.

CICERO AND MALTA

By JOSEPH BUSUTTIL

(I)

58 B.C. was certainly not the happiest year in Cicero's eventful life. His arch enemy Clodius, on being elected Tribune in October of the preceding year, proceeded to take vengeance on the Orator for having given evidence against him in 61 B.C. Clodius, however, was merely an instrument in the hands of Caesar who wanted Cicero removed from Rome so that he could move safely to his Transalpine Province.

In the first months of 58 B.C. Clodius carried a general resolution, a *plebiscitum*, to the effect that any one who had put Roman citizens to death without trial should be 'forbidden fire and water', i.e. exiled. Cicero, who during his consulship in 63 B.C. had had the Catalinarian conspirators executed without trial, recognized the meaning of the resolution. Towards the end of March, on the advice of his friends, he left Rome and headed for Vibo in Bruttium, where his friend Sicca had an estate.

Cicero thought of moving South to Sicily and Malta.¹ For this reason he contacted Vergilius, the *propraetor* of Sicily and his brother's friend.² Vergilius, however, refused to offer him a refuge as an exile, possibly not to incur Clodius's anger.³

In April, word reached Cicero at Vibo that Clodius's resolution had become law and that it was emended to the effect that he was not allowed to live anywhere within four hundred or more miles of Italy. This again put Sicily and, of course, Malta out of the question. He travelled to Brundisium and from there to Thessalonica where he lived at the house of his friend Cnaeus Plancius.

In his defence of C. Plancius in 54 B.C. Cicero states that he had wanted to take asylum in the Province of Sicily because that island was more than a second home to him and because it was governed at the time (59-58 B.C.) by Caius Vergilius. When one examines the various letters written by Cicero and sent to his friend Atticus and to others in the course

¹Cf. *Pro Cnaeo Plancio*, XL, 95: *Siciliam petivi animo, quae et ipsa erat mihi sicut domus una coniuncta et obtinebatur a C. Vergilio*; Cf. Also *Ad Att.* 111, IV.

²Cf. *Pro C. Plancio*, XL, 95: *Quocum (Vergilio) me uno vel maxime quum vetustas tum amicitia, cum mei fratris collegia tum rei publicae causa sociarat*; Cf. *Ad. Fam.* 11, XIX: *Caius Vergilius, propinquus tuus, familiarissimus noster.*

of the year 58 B.C. one detects the real reasons behind Cicero's choice.

It is clear that Cicero was really afraid of some attempt against his life. In a letter to Atticus of April 13 he writes that he had left Vibo so that Sicca, his host, might not perish with him.⁴ When Atticus asked him to spend his time of exile at Epirus Cicero replied that Epirus was close to Achaia and that Achaia was full of bold and determined enemies.⁵ Writing to Terentia, his wife, in November 25 he confesses that he had wished to live in some uninhabited spot where Piso, his dreaded enemy, would not find him and where soldiers would not come.⁶

In Malta he would have felt safe. He had many friends and would not have been surprised by some assassin sent by Clodius or others.

In the letter sent to his wife of November 25 Cicero says that he had visited Dyrrachium because that city was near Italy.⁷ In another letter to Atticus he expresses the same ideas.⁸ In other words he wanted to go to some place from where he could keep an eye on what was going on in Italy. In Malta Cicero could have received all the news about Rome and especially about the election campaigns. Perhaps he could also somehow have influenced the outcome of the elections from there.

Vergilius, of course, refused him permission to settle in Malta and so he went to Thessalonica instead.⁹

(II)

Almost nine years had elapsed since Cicero's banishment and in the meantime he had been called back. Clodius was dead. For a second time he found himself in the same predicament and for a second time he thought of retiring to Malta.

On January 11 58 B.C. Julius Caesar crossed the Rubicon and the Civil War ensued. Seven days later the Consuls and the Magistrates fled in panic to join Pompey who had abandoned Rome on the day before. Town after town fell into Caesar's hands and on March 17 Pompey sailed to Dyrrachium followed by many Magistrates and by the army.

³ Cf. Pro C. Plancio: XL, 96: nihil amplius dico nisi me in Siciliam venire noluit.

⁴ Cf. Ad Att. 111, IV: Statim iter Brundisium versus contuli . . . ne et Sicca, apud quem eram, periret.

⁵ Cf. Ad Att. 111, VIII: in Epirum non essemus profecti, quod et Achaia prope esset plena audacissimorum inimicorum.

⁶ Cf. Ad Fam. XIV, 1: Ego volebam loco magis deserto esse in Epiro, quo neque Piso veniret nec milites . . .

⁷ Id: Dyrrachium veni, quod et libera civitas est, et in me officiosa et proxima Italiae.

⁸ Cf. Ad Att. 111, XIV.

⁹ Cf. Id. 111, IV: et quod Melitae esse non licebat.

Cicero was in a dilemma as to what course of action he ought to take and time and again he asked his patient and faithful friend Atticus to help him out of his peculiar situation.¹⁰ On more than one occasion he wrote to him saying that he would not follow Pompey in his flight;¹¹ and yet he felt somehow that he could not let down his former champion.¹² Caesar wrote to the Orator asking him not to take up arms against him; and his friends Balbus and Oppius entreated him to remain neutral. Still he wavered. On April 16 Caesar wrote again to try to hold him to some sort of neutrality after getting Curio to work on him orally and Caelius in writing.¹³

In the meantime Caesar had returned to Rome from Brundisium and, after leaving the command of Italy in the hands of Antony, turned against Spain where he was faced by the greatest military danger.¹⁴ He also sent Curio to secure Sicily and its corn-fields. On April 19 he was already at Marseilles on his march to Spain.

Atticus advised Cicero to observe the strictest neutrality and to mark time.¹⁵ His daughter Tullia beseeched her father to wait for developments in Spain before reaching a decision.¹⁶ Cicero gave in to his family's 'tears' and decided to go to Malta and wait there for the outcome of events in Spain.¹⁷ He had already discussed this possibility with Curio and the latter took kindly to the idea.¹⁸ All he needed in order to leave for Malta was Antony's permission.¹⁹

Antony's answer was not late in arriving. In a letter to the Orator Antony explained that there was no apparent reason why Cicero should absent himself from Italy once he professed to be neutral; furthermore,

¹⁰ Cf. Ad Att. VII, X; VII, XIX; XX, VII; VII, XXI.

¹¹ Cf. Ad Att. VII, XXIII; VII, XXIV; VII, XXVI.

¹² Cf. Ad Att. X, VII: Mea causa autem alia est, quod beneficio victus ingratus esse non possum.

¹³ Cf. Ad Att. X, VIII; Ad Fam. 11, XVI; Ad Fam. VIII, XVI.

¹⁴ Cf. M. Gelzer, Caesar, Trans. by P. Needham, Oxford, 1968, p. 204.

¹⁵ Cf. Ad Att. X, VII: Ergo in hac contentione neutrum tibi palam sentiendum est et tempori serviendum est.

¹⁶ Cf. Ad Att. X, VIII: Cum ad me semper mea Tullia scribat orans, ut, quid in Hispania geratur, expectem.

¹⁷ Cf. Ad Att. X, 9: Melitam igitur, opinor, capessamus dum quid in Hispania, Melitam igitur, deinde quo videbitur. Lacrimae meorum me interdum molliunt precantium ut de Hispaniis expectemus.

¹⁸ Cf. Ad Att. X, VIII: Cum Antonio item est agendum ut cum Curione Melitae me esse velle, huic civili bello nolle interesse. Eo velim tam facili uti possem et tam bono in me quam Curione.

¹⁹ Ibid.

Caesar had expressly forbidden Antony to let anyone leave Italy.²⁰ All the same Antony was prepared to let Cicero write to Caesar for permission.²¹ Some of the Orator's friends informed Cicero that his enemies were urging Antony not to let him depart from Italy.²²

Nevertheless Cicero was determined to leave for Sicily and was already making secret preparations to escape in some cargo-ship.²³ He was still bent on going to Malta.²⁴ He was worried as to whether he should take his children with him.²⁵ He wanted at all costs to reach Sicily. Little did he know that Curio had already succeeded in grabbing that Province without a fight in April 23; and he still laboured under the impression that the Sicilians had rallied round his Pompeian friend Cato.²⁶

Curio himself wrote later to inform him that Sicily had fallen into the hands of the Caesarians. On this account he accepted Balbus's advice, and apparently Atticus's, and decided not to go to Malta.²⁷ However he managed to leave Caieta on June 7 and eventually reached Pompey's camp at Dyrrachium.

²⁰ Cf. Ad Att. X, 10: Qui se medium esse vult, in patria manet, qui proficisitur, aliquid de altera utra parte iudicare videtur ... partes mihi Caesar has imposuit, ne quem omnino discedere ex Italia paterer.

²¹ Id: Ad Caesarem mittas censio et ab eo hoc petas.

²² Cf. Ad Att. X, XV: Qui (Servius) etiam Antonium confirmasse dicitur, ut me impediret ...

²³ Cf. Ad Att. X, 10: X, 11; X, 12; X, 12a; X, XV; X, XVI; X, XVIII.

²⁴ Cf. Ad Att. X, 9.

²⁵ Cf. Ad Att. X, II: De pueris quid agam? parvone navigio committam?

²⁶ Cf. Ad Att. X, 12: Sicilia petenda. Sit modo recte in Hispaniis. Quamquam de ipsa Sicilia utinam sit verum: Concursus Siculorum ad Catonem dicitur factus, orasse, ut resisteret, omnia pollicitos.

²⁷ Cf. Ad Att. X, XVI: Cato, qui Siciliam tenere nullo negotio potuit, Syracusis profectus ... ut ad me Curio scripsit; Cf. Ad Att. X, XVIII: Ex Balbi autem sermone, quem tecum habuit, non probamus de Melita.

I RAPPORTI CULTURALI ITALO-FRANCESI NEL SETTECENTO ALLA LUCE DELLA CRITICA MODERNA

di JOSEPH M. BRINCAT

Lo spirito critico che pervase il pensiero europeo nel secolo XVIII, con tutto il fervore combattivo per o contro le nuove idee, si riflette nella vasta produzione di prosa polemica alla quale indussero non solo i maggiori letterati illuministi, ma anche i più pedantici aspiranti all'ambito titolo di 'philosophes'. Voltaire e Baretti, Rousseau e Parini, Montesquieu e Alfieri, hanno lasciato pagine dense di vivaci e taglienti polemiche personali, estetiche e sociali. In realtà pochi resisterono alla tentazione di provare quel certo gusto mordace, che era anche una moda, in un secolo incomparabile per la fioritura della satira, dell'ironia, del sarcasmo e dell'invettiva. A proposito di queste polemiche letterarie 'qui ponctuent tout le siècle', riportiamo una precisazione di H. Bedarida, che le vede essenzialmente come 'querelles entre nations plus qu'entre personnalités déterminées'.¹ Questa osservazione viene giustificata dal fatto che la polemica più duratura e di risonanza più larga fu senza dubbio la questione dell'egemonia francese.

Il fenomeno del 'francesismo', che penetrò non solo nel campo della letteratura ma anche e soprattutto nei più svariati aspetti della vita sociale, ebbe naturalmente i suoi accesi propagatori, il cui entusiasmo provocò in altri violente reazioni. Ricordiamo il marchese Caracciolo, ambasciatore di Napoli presso la corte di Luigi XVI, che nel 1776 esprime la propria ammirazione per la capitale francese in un opuscolo dal titolo piuttosto eloquente: 'Paris, le modèle des nations étrangères, ou l'Europe française'. Dall'altra parte, non è difficile trovare lamenti, anche tinti di una certa amarezza, come questo di Ludovico Muratori, dal Capitolo XLI della *Filosofia Morale*: 'E noi buoni italiani, scimie ridicole, corriamo a copiare le metamorfosi loro, e tutte le lor mode, come se fossero calate dall'alta corte di Giove'. Giudizi simili sono frequentissimi nella letteratura dell'epoca, ma bisogna anche non dimenticare

¹ H. BEDARIDA-PAUL HAZARD - *L'Influence française en Italie au dix-huitième siècle*. Paris, 1934, pp. 116-117.