

A LEVEL

Prescribed Literary Sources

CLASSICAL CIVILISATION

H408

For first teaching in 2017

Politics of the Late Republic (H408/33)

Version 2.1



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Cicero, *In Verrem I*

1

The thing which was desired most of all, O Judges, and which alone was thought to be the foremost factor in allaying the unpopularity of your order and the dishonour of the courts, seems, at this crucial time for the Republic, to have been offered to and bestowed upon you; not by human counsel, but almost by divine influence. For now, a belief has become established, which is both destructive for the Republic, and dangerous for you. The rumour is spreading, not only among the Roman people, but also among foreign nations, that in these courts as they exist now, no wealthy man, however guilty he may be, can possibly be convicted.

2

Now, in this time of crisis for your order and your judgements, when there are men prepared to try to kindle the unpopularity of the Senate even further with speeches and the proposal of new laws, Gaius Verres has been brought to trial as a criminal. He is a man already condemned in everyone's opinion by his life and actions, yet acquitted by the magnitude of his wealth, according to his own hope and public boast. I have undertaken this case as prosecutor, O Judges, with the greatest good will and expectation of the Roman people; not so that I might increase the unpopularity of the Senate, but so that I might relieve it from the dishonour which I share with it. For I have brought a man before you whose case will enable you to restore the lost reputation of your courts, return to favour with the people of Rome, and satisfy foreign nations: a man, the embezzler of public funds, the abuser of Asia and Pamphyliae, the thief of the city's rights, and the shame and ruin of the province of Sicily.

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3

If you come to a decision about this man rightly and conscientiously, then that authority which ought to remain within you, will still cling to you; but if that man's enormous riches shatter the sanctity and honesty of the courts, I would have at least achieved this: it would be clear that it was the administration of justice in the Republic that was lacking, rather than a criminal for the judges, or a prosecutor for the criminal.

If I may indeed confess the truth about myself to you, O Judges, although many traps were laid for me by Gaius Verres, both by land and sea, which I avoided partly through my own diligence, and partly through the conscientiousness and service of my friends, I still never seemed to be in such danger, nor have I ever been so afraid, as I am now, here, in this very court of law.

4

Neither the anticipation of my prosecution, nor an assembly of this great size (although I am greatly disturbed by these circumstances) influences me so much as that man's wicked plans, which he endeavours to plot simultaneously against me, against you, Manius Glabrio, and against the Roman people; he plots against the allies, against foreign nations, against the Senate and against the very name of Senator; the man who frequently says that "he who has only stolen enough for himself should be afraid, but this man has stolen enough to satisfy everyone; nothing is so holy that it cannot be corrupted, nor anything so fortified that it cannot be conquered by money."

5

But if he was as subtle in his actions as he is bold in his endeavours, perhaps he would have eventually escaped our notice somehow. It so happens, however, that a remarkable stupidity has been joined to his incredible audacity. For, just as he was overt in his monetary thefts, so in his hope of corrupting the judges he has made his plans and endeavours clear to everyone. Only once in his life,

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he says, has he been afraid: the time when he was first put on trial by me as a criminal. He was afraid because, having just returned from his province, he was branded with unpopularity and dishonour that was not fresh, but old and longstanding, and at a time unsuitable for corrupting the judges.

6

Therefore, when I had requested a very short amount of time in which to conduct my investigation in Sicily, he found a man who would require two days less to make inquiries in Achaia – not that he would do the same with the diligence and industry that I have accomplished by my labour, and constant vigilance, by day and night. For that Achaean inquisitor did not even arrive at Brundisium, whereas, in just fifty days, I attended to the whole of Sicily in order to examine the records and injustices of all of the tribes and private individuals. Therefore it was clear to everyone that a man was being sought by this inquisitor, not so that he might be brought to trial as a criminal, but so that he might occupy the time designated for my prosecution.

7

Now, that most audacious and insane man thinks this: he knows that I have come into court so well prepared and equipped, so that I might fix his thefts and crimes not only in your ears, but in the very eyes of all. He sees that many Senators are witnesses to his audacity, that many Roman equestrians are too, and numerous citizens and allies besides, to whom he himself has done notable harm. He also sees that such numerous, important embassies from the cities of our closest allies have convened, armed with public authority and evidence from their respective states.

8

Although this is the case, he still thinks so badly of all good men, and still believes the judgements of the Senators to be corrupt and depraved to such an extent that he keeps boasting openly that he was not greedy for money for

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no reason, since he now finds it offers such great protection, and that he has bought the time of his trial itself (which would have been the hardest thing of all), in order to be able to buy everything else more easily afterwards; so that, since he was in no way able to evade the force of the accusations made against him altogether, he might avoid the most violent gusts of the storm.

9

But if he had placed any hope at all, not only in his cause but, indeed, in an honest defence, or in the eloquence or influence of anyone, surely he would not collect and chase after all of these things so eagerly. He would not despise and scorn the Senatorial order to such an extent that, by his will, one of its members would be chosen to be held as a criminal who must plead his case before Manius Glabrio while, in the meantime, this man was preparing whatever he needed.

10

And I see clearly the circumstances for which he hopes, and upon what his mind is fixed. But how he truly believes that he is able to accomplish anything with the current praetor and this bench of judges, I cannot understand. This one thing I do know (which the Roman people also realised when he rejected the judges) is that he had this hope: that he would place all his chances of safety in money and if this defence was taken from him, he thought nothing would help him.

For what genius is so great, what ability or means of speaking is able in any way to defend the life of that man, convicted as he is of so many vices and crimes, and long since condemned by the will and judgement of all?

11

And, to say nothing of the dishonours and disgraces of his youth, what else happened in his quaestorship (the first step of honour); except that Gnaeus Carbo was robbed of public money by his own quaestor? That the consul was

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plundered and betrayed? His army deserted? His province abandoned? The religious duties and rites assigned to him by lot were violated? His lieutenancy was the ruin of all Asia and Pamphylia, provinces in which he pillaged many homes, most of the cities and all of the temples. This was when he renewed and repeated his former crime as a quaestor against Gnaeus Dolabella; when he not only deserted him at a time of peril, but even attacked and betrayed the man to whom he had been lieutenant and proquaestor, and whom he had brought into disrepute with his crimes.

12

This man's only city praetorship was characterised by the destruction of the sacred temples and public works, and also, in terms of his legal decisions, the adjudicating and awarding of property contrary to all established rules. Now, however, he has established vast and numerous monuments and proofs of all of his vices in the province of Sicily, which he harassed and ruined for three years to such an extent that it is utterly impossible for it to be restored to its previous state. Moreover, it seems scarcely able to be revived in any way, even through many years' governance by virtuous praetors.

13

When this man was praetor, the Sicilians held neither their own laws, nor the decrees of our Senate, nor common rights. Each person in Sicily has only as much left as either escaped the notice of that most avaricious and lustful man, or was left behind due to him being sated.

No legal decision was concluded for three years, unless it was in accordance with his will. No man's property was safe; even if it had been given to him by his father and grandfather, he was deprived of it on that man's command. Countless sums of money were taken from farmers' property via new and nefarious system. The most faithful allies were included in the number of enemies; Roman citizens were tortured and killed like slaves; the greatest criminals were acquitted in

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court through bribery; the most honest men with the greatest integrity were prosecuted while absent, condemned and exiled without the chance to speak in their defence. The most fortified harbours, the greatest and most secure cities were left open to pirates and thieves; the sailors and soldiers of Sicily, our allies and friends, died of hunger; the best and most useful fleets, to the great disgrace of the Roman people, were lost and destroyed.

14

That same man, while praetor, plundered and stripped all the most ancient monuments; some built by the wealthiest kings who wanted them as ornaments for their cities, some even built by our generals, which they either gave or restored as conquerors to the communities of Sicily. He not only did this in the case of public statues and ornaments, but he also despoiled all the shrines which were consecrated by the holiest rites. In short, he left no god for the Sicilians which he considered to have been made with acceptable skill, or with any of the craftsmanship of the ancients. I am prevented by shame from mentioning the criminal lust of that man, shown by his sexual activities and scandals. At the same time, by recalling such acts, I do not wish to increase the damage done to those men who were unable to keep their wives and children untouched by that man's wanton lust.

15

But surely these crimes were committed by him in such a way that they would not be known to all men? I think that there is no man who, upon hearing his name, is not also able to relate his evil deeds; thus I ought to be more afraid of being thought to omit many of his crimes rather than inventing any charges against him. Indeed, it does not seem to me that this crowd, which has assembled to hear this case, wishes to learn the facts from me, but rather wishes to refresh its memory of what it already knows.

Since this is the case, that insane and corrupt man seeks another form of combat with me. He does not conduct the trial so that he would oppose anyone's

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eloquence for me; he depends upon nobody's influence, authority, or political power. He is pretending that he trusts these things but I see what he is really doing (for he is not exactly acting inconspicuously); he places empty titles of nobility before me, that is, the names of arrogant men who do not hinder me so much by being noble as they help me by being notorious. He pretends that he relies on their protection, when in the meantime he is devising some other plan, and has been doing so for a long time now.

16

Now I will now briefly explain to you, O Judges, what hopes he has and what he is trying to do. But first, I beg you to recognise how the affair has been arranged by him from the beginning. When he first returned from the province, he made an attempt to bribe this court with large amounts of money; and to that end, he continued to uphold this proposal until the appointment of judges was concluded. After the judges had been appointed, the whole proposal to bribe the courts was abandoned; since by drawing lots for them, the fortune of the Roman people had defeated his hopes, and in rejecting the judges, my diligence had defeated his impudence.

17

Things were going splendidly. Lists of your names and of this jury were in everyone's hands. No mark, or colour or dirt seemed to be able to influence the decisions of these men. All of a sudden, that man, previously so cheerful and happy, became so low and downcast that he seemed to be condemned, not only by the Roman people, but even by himself. But look! Suddenly, in these few days, with the consular comitia having taken place, he has returned to the same old plan with even more money, and the same plots are being prepared through those same people against your reputation and against everyone's fortunes. These facts, O Judges, were first made clear to me by a slight hint and indication, but afterwards, when my suspicions had been aroused, I became unmistakably aware of all the secret meetings of that group.

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18

For as Hortensius, the consul elect, was being accompanied to his home from the Campus by a large crowd of people, Gaius Curio (a man whom I wish to be named out of honour, rather than disparagement) happened to fall in with that crowd. I will tell you the things which, if he had been unwilling to have them mentioned, he would not have spoken of so openly and plainly in such a large assembly. Such things, however, I will mention carefully and cautiously, so that it is seen that my account is in keeping with our friendship and his dignity.

19

He sees Verres in the crowd by the arch of Fabius itself; he calls to the man and with a loud voice, congratulates him. He does not say a single word to Hortensius himself, who had been made consul, or to those of his friends who were present, when he stops to speak to this man, who embraces him and bids him to forget about his worries. "I tell you," he says, "that you have been acquitted by today's comitia." Since so many most honourable men had heard this, it was immediately reported to me; or, indeed, anyone who saw me made a point of telling me about it. To some it seemed shameful; to others ridiculous. Or at least, ridiculous to those who thought that this case depended on the credibility of the witnesses, the reasoning of the charges, and the power of the judges, rather than on the consular comitia; and shameful to those who looked deeper and saw that this congratulation was a reference to the corruption of the judges.

20

They argued in this manner: the most honourable men spoke among themselves and with me in such a way; clearly and evidently, there were no longer any courts of justice.

The very criminal who, the day before, thought that he was condemned is acquitted after his defender was made consul. What then? Will the presence at

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Rome of the whole of Sicily and of all the Sicilians, all the traders, and the public and private records, influence nothing? Apparently it will influence nothing unless it is in accordance with the will of the consul elect! What? Will the judges not follow the charges, the witnesses, or the opinion of the Roman people? No. Everything will be decided by the power and guidance of one man.

I will speak truthfully, O Judges: this state of affairs disturbed me greatly. For any very good man was speaking in this way: "certainly, that man will be taken away from you, but we will not hold our jurisdiction for much longer; for who, when Verres is acquitted, will be able to object to the power to administer justice being transferred from us?"

21

It was a troubling matter for all, but the sudden elation of that corrupt man did not disturb them as much as the recent congratulation of a most honourable one. I wished to hide my own annoyance at it; to cover the disquiet of my mind with a smile on my face, and conceal it with silence. But look! On those very days when the praetors elect were dividing their duties by lot, and the role of holding trials regarding the extortion of money fell to Marcus Metellus, I was informed that he was receiving such congratulations that he also sent boys to his house to announce the news to his wife.

22

Understandably, this situation did not please me, but yet I did not know what I had to fear so much from this particular allocation of duties. I discovered this one thing from reliable men, from whom I received all of my intelligence: many bags of Sicilian money had been sent by a certain Senator to a Roman equestrian. Out of these, around ten bags had been left with the Senator labelled for use in my comitia for the aedileship, and that the men who were to distribute this money amongst all of the tribes had been called to attend him by night.

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23

Of these men, one, who thought himself to be under the greatest obligations to my cause, came to me that same night. He described the speech that man had employed; that he reminded them how liberally he had treated them before when he himself had sought the praetorship, and at the most recent consular and praetorian comitia; then he reminded them that he had promised to pay them immediately as much money as they desired if they could ensure that I would fail to be made aedile. He reported on this that some had refused even to dare try it, and others had answered that they did not think it could be accomplished; but that a brave friend had been found, a man from the same family, Quintus Verres, of the Romilian tribe, well-practiced in the best method of bribery, and a pupil and friend of that man's father, who promised that if five hundred thousand sesterces were provided, he would make it happen; and that then there were some who said that they would cooperate with him. As this was the case, he warned me, with the best intention, to take great care.

24

I was worried about many important matters all at once, and with little time to act. The comitia were upon us; and during their course I was to be opposed by vast sums of money. This trial was approaching and the bags of Sicilian money also threatened this affair. My fear of the comitia deterred me from conducting matters relating to the trial freely; likewise, on account of the trial, I was unable to attend to my candidacy wholeheartedly. In short, it was out of the question to threaten those carrying out the bribery, because I saw they understood that I was distracted and tied down by this trial.

25

And at this same time, I heard that notice had been given to the Sicilians by Hortensius, to visit him at his home; sensibly the Sicilians acted with real independence in this matter, refusing to go when they understood the reason

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they had been sent for. In the meantime, my comitia had begun, of which that man thought himself to be master (as he had been for the rest of the comitia this year). That influential man began to run about the tribes with his charming and popular son, who called upon and assembled all his father's friends; that is to say, those taking part in the bribery. When this was noticed and observed, the Roman people with their most generous good will ensured that I would not be deprived of my honour by the money of that man, whose wealth had been unable to make me abandon my good faith.

26

After I was freed from that great anxiety concerning my candidacy, I began, with a much emptier and more open mind, to think and do nothing else unless it was related to this trial. I found, O judges, that these plans were set up, and those men began to carry them out, so that they might steer protract matters, by whatever means possible, and end up pleading their case before Marcus Metellus as praetor. I understand that in this instance they would enjoy the following advantages: firstly, that Marcus Metellus was most friendly to them; secondly, that not only would Hortensius be consul but Quintus Metellus too, and listen to how friendly he is to them; for he in fact gave him a token of his goodwill of such a sort, that he seemed to be giving it as a return for the votes of the tribes which had been secured by him.

27

Did you think that I would remain silent on matters as important as these? That, at a time of such danger to the Republic and to my reputation, I would consult anything rather than my duty and my dignity? The other consul elect sent for the Sicilians; some came, on account of the fact that Lucius Metellus had been praetor in Sicily. To them he speaks in this manner: that he is the consul, that one of his brothers has obtained Sicily as his province; that the other is to be judge in all prosecutions for extortion; and that care had been taken in many ways to ensure that there was no way Verres would be harmed.

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28

I ask you, Metellus, what is perverting the course of justice if not this? Frightening the witnesses, especially the Sicilians, timid and oppressed men, not only with your authority but also with fear of the consul and the power of two praetors? What would you do for an innocent man or relative, when for this most corrupt man, entirely unconnected to you, you depart from your duty and dignity, and allow what he is constantly saying to appear to be true to anyone who does not know you?

29

For they said, that Verres said this: that you had not been made consul by destiny as the rest of your family had been, but by his assistance. Two consuls, therefore, and a judge, will hold office as a result of his will. "We shall," he said, "not only escape having too diligent a man conduct the investigation – Manius Glabrio, who is too subservient to the will of the people – but we will also have this advantage: the judge is Marcus Caesonius, colleague of our prosecutor, a man who possesses a proven record and is well known for making judgement on legal matters. It is little help to us for that man to be on the bench in this jury, which we are trying to corrupt one way or another; previously, when he was a judge in the tribunal headed by Junius, he was not only greatly offended by that most shameful crime, but even betrayed it in public".

30

After the Kalends of January, we shall not have this man as judge, nor shall we have Quintus Manlius or Quintus Cornificius, two most severe judges of the greatest integrity, because they will then be tribunes of the people. Publius Sulpicius, a solemn and upstanding judge, must enter into his magistracy on the Nones of December. Marcus Crepereius, of that keenest discipline and family of equestrians; Lucius Cassius, from a family known to be most harsh in all other matters but particularly in judicial ones; Gnaeus Tremellius, a man of the greatest

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conscience and diligence; these three experienced men are all military tribunes-elect. After the Kalends of January, they will not be judges. We will also appoint a successor by lot in the place of Marcus Metellus, since he is to be in charge of the inquiry for this very trial. And so, following the Kalends of January, with both the praetor and almost the entire jury having been changed, we shall elude the great threats of the prosecutor and the great expectations of this trial, which will be conducted in accordance with our will and at our pleasure."

31

Today is the Nones of August. You began your meeting at the eighth hour. This day they do not even count. There are ten days before the votive games which Gnaeus Pompeius is going to celebrate. These games will take fifteen days, and then the Roman games will follow immediately. And so, when almost forty days have passed, only then will they think that they will have to respond to the things which we will have said, and they think that both by making speeches and excuses they will easily draw out the process until the games of Victory. The plebeian games are connected with these, following which there will either be no days or very few for continuing proceedings. So, when the charge has grown weak and cold, the matter will come fresh before Marcus Metellus as praetor. If I lacked confidence in the honesty of that man, I would not have retained him as a judge.

32

But now I am of the opinion that I would prefer this matter to be settled while he is a judge, rather than a praetor; and to trust to his tablet now whilst he is under oath, rather than to the tablets of others when he is unsworn.

Now, O Judges, I consult you as to what you think I ought to do, for you will surely give me advice even without speaking, which I know I must inevitably take. If I use my time for speaking legitimately, I shall reap the rewards of my hard work, industry and diligence, and (out of this prosecution) I will make it

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clear that no one in the memory of man is seen to have come before a court more prepared, more vigilant, or with his case better arranged. But as I receive this praise for my industry, there is still a great danger that the criminal may escape. What is there, then, that can be done? I consider it neither obscure nor concealed.

33

I reserve for another time that fruit of praise which will be learnt from a long uninterrupted speech; for now I prosecute this man with written records, witnesses, and the letters and authorities of public and private individuals. This whole thing will be between you and me, Hortensius. I will speak openly. If I thought that you would contend with me in speaking and refuting the charges made in this case, I too would put a great deal of work into my prosecution setting out the charges elaborately; but now, since you have decided to combat me not in accordance with your nature but rather wickedly, on his conditions and stipulations, it is necessary for me to oppose the that sort of approach with another strategy.

34

Your plan is to begin to respond to me after two sets of games have passed; mine is to have the adjournment over before the first set has even begun. The result will be that your plan is thought to be clever, but this action of mine necessary.

But as for what I had decided to say – that this matter is between you and me – this is the way of it. When I took this case at the request of the Sicilians, I thought it a great and distinguished thing for me that they, who knew of my integrity and self-control, were willing to risk it all on my loyalty and diligence. Then, when I had undertaken this business, I proposed some greater action to myself; one by which the Roman people would be able to see my goodwill towards the Republic.

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For it seemed to me to be by no means worthy of my hard work and effort, for that man to be called by me to trial – a man already condemned by the judgement of all – unless that intolerable power of yours, and the greed which you have displayed in various trials during the past few years, was interposed also in the case of that desperate man. Now, indeed, since this complete domination and rule of the courts pleases you so much, and there are men who are neither ashamed nor grow weary of their own desire and infamy, who seem, almost deliberately to aim to incur hatred and displeasure from the Roman people, I profess that I have undertaken this; it may well be a great burden, and a great danger to myself, but nonetheless truly worthy of the application of my diligence and all the vigour of my age.

36

Since the whole Senate is being pressured by the wickedness and audacity of a few, and is being threatened by the infamy of the courts, I profess that as a prosecutor, I am an enemy to this type of man; a harsh and unrelenting adversary who is to be hated. I accept this for myself, I claim this for myself; this role which I will continue in my magistracy in the post which the Roman people wished for me to take from the Kalends of January, I shall act alongside them in matters concerning the Republic and wicked men. I promise the Roman people that this will be the most honourable and most noble function of my aedileship. I am advising, and I am warning, before I start threatening those men who are accustomed to putting down, or accepting, or guaranteeing, or promising money; who either act as go-betweens, or agents in corrupting the administration of justice; who have promised either their influence or impudence in this affair; to stay well clear of this trial, and keep their hands and minds away from this nefarious crime.

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Hortensius, then, will be consul with the highest imperium and power. I, however, will be aedile; that is, little more than a private citizen. That which I promise to deliver, however, is of a nature so pleasing and agreeable to the Roman people, that in this case the consul himself will appear (if it is possible) even less than a private citizen when compared to me. All those things shall not only be placed on record, but even, where certain matters have been explained, shall be fully discussed; things which in the last ten years, after the office of judge was transferred to the Senate, have been done nefariously and criminally in judicial matters.

38

The Roman people will know from me why it is that when the equestrian order supplied the judges for almost fifty consecutive years, in no trial (with a Roman equestrian presiding) was there even the faintest suspicion that money had been accepted to influence a judicial decision. Why it is, I say, that when judicial authority was transferred to the Senatorial order, and the power of the Roman people over each one of us was taken away, Quintus Calidus, when he was condemned, said that a man of praetorian rank could not be condemned for certain for a price lower than 300,000 sesterces; why it is that when Publius Septimius, a Senator, was condemned for extortion during the praetorship of Quintus Hortensius, a lawsuit was assessed against him including money which he had accepted while acting as judge.

39

Why it is that in the cases of the Senators Gaius Herennius and Gaius Popilius – they were both condemned for embezzling public funds – why it is that in the case of Marcus Atilius – who was convicted of treason – it was made clear that the jury had all accepted money for the purpose of influencing their judicial decisions; why it is that Senators have been found who, when Gaius Verres

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was drawing the lots as urban praetor, voted against the criminal whom they were condemning, without even knowing the details of his case; why it is that a Senator was found who, when he was a judge, in one and the same trial, took money not only from the defendant – which he divided among the judges – but also from the prosecutor to condemn the defendant.

40

But in what way shall I lament that stain, that disgrace, that disaster of the whole Senatorial order: that this thing actually happened in this city whilst the Senatorial order were providing the judges, so that the votes of men who were under oath were marked by coloured tablets? I promise that I will deal with all of these things diligently and severely.

And in what frame of mind do you think I will be, if I find in this very courtroom a violation or undertaking of a similar kind? When I am able to show clearly, and with many witnesses, that Gaius Verres often said in Sicily, while many people were listening, that he had a powerful friend in whose confidence he was plundering his province; that he was not seeking money for himself alone, but that he had distributed the proceeds of his three year Sicilian praetorship in such a way: he could say that he had done splendidly if he gained for himself the profits of just one year; the profits of the second year were given to his patrons and defenders, and he reserved the whole of the third year, the most fruitful and profitable, for the judges.

41

Consequently, it came to my mind to say this (which I had mentioned recently before Manius Glabrio, at the time when the judges were being rejected and I perceived that it was causing unrest amongst the Roman people): that I thought that foreign nations would send ambassadors to the Roman people to have the law of extortion repealed and trials stopped. For if there were no trials, they would think that each man would only take as much as he thought enough

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to satisfy himself and his family; currently because there are trials of this sort, everyone carries off as much as they need to satisfy themselves, their patrons, advocates, the praetor, and the judges. This is truly an endless sum of money. They think that they are able to satisfy the desire of the greediest man, but not the legal victory of the guiltiest.

42

O trials worthy of memory! O splendid reputation of our order! And, O when the allies of the Roman people do not wish to have trials for extortion take place; trials which were established by our ancestors for the sake of our allies! And would that man ever have had such good hopes for himself if he had not formed in his mind such a dreadful opinion of you? For this reason, he ought to be hated by you to an even greater extent than he is hated by the Roman people, since he thinks that you are just like him in avarice, wickedness and perjury.

43

By the immortal gods, O Judges, seek advice and make provisions for this situation. I advise and I warn of that which I know – that this opportunity has been given to you by divine influence, so that you might liberate your whole order from hatred, unpopularity, infamy and shame. There is no severity believed to exist in our courts, nor any concerns for religion; in short, there are thought to be no courts at all. Therefore, we are held in contempt and despised by the Roman people: we are branded with a heavy, and now longstanding, infamy.

44

For there has never been any other reason for which the Roman people have sought to restore the power of the tribunes with such zeal. When the people were asking for it, it seemed in words that this was all they wanted, when in reality, they were asking for the proper administration of justice. This did not escape the notice of Quintus Catulus, a most wise and honourable man who,

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when the powerful and famous Gnaeus Pompeius proposed a motion regarding tribunician power and asked for his opinion, used the following opening for his speech, which he made with the greatest authority. He said that the conscript fathers oversaw the courts badly and shamefully; but if in resolving judicial matters, they had been willing to satisfy the opinion of the Roman people, men would not clamour so much for the return of the tribunes' power.

45

Finally, Gnaeus Pompeius himself, during the first speech he gave to the city as consul elect, made it clear that he would restore the power of the tribunes (which seemed to be greatly anticipated). At this point, a shout was heard and a grateful murmur spread throughout the assembly. And, when the same man had said in the same assembly that the provinces were plundered and plagued; that the law courts had become disgraceful and wicked; and that he wished to look into and make provisions for this situation; then indeed the Roman people showed their assent not with a shout, but with the greatest uproar.

46

But now men are on the watchtowers; they are observing how each one of us behaves in respecting religion and keeping the laws. They see that so far, since the passing of the law to restore power to the tribunes, only one Senator (and a most feeble one at that) has been condemned. Although they do not blame this, they do not have anything they can praise much either. For there is no praise for being upright and just in a case where there is no one who can, or is even trying, to corrupt it.

47

This is a trial in which you will be judging the defendant, and the Roman people will be judging you. In the case of this man, it will be established whether very guilty and very rich men are able to be condemned when Senators are acting as judges. Moreover, he is a criminal of such a sort, that there is nothing

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in his character except for the worst crimes and excessive riches. Thus, if he is acquitted, no other opinion of him will be held except that which is most shameful. Such numerous and terrible vices will not be seen to be lessened by influence, by family, by some things being done correctly or even by some other tolerable vice.

48

In short, I will conduct the case by acting in this way, O Judges: I will bring forward matters so well known, so well supported by witnesses, so important, and so evident that nobody will try to use his influence to obtain from you the acquittal of this man. I have a reliable path and method by which I am able to investigate and follow all the attempts made by those men. The matter will be conducted by me so that not only the ears, but even the eyes of the Roman people will seem to be present at all their meetings.

49

You are now able to remove and destroy the shame and infamy which, over the years, have been attached to your order. It is understood among all men, that since these trials which we now have were established, there is yet to have been a jury of this splendour and this dignity. But if anything here is to be done incorrectly, all men will think not that other more suitable judges should be appointed from that same order (which is impossible) but that another order entirely must be established for administering judicial affairs.

50

So, firstly, I beg from the immortal gods this same thing which I seem to hope for myself: that in this trial, O Judges, nobody is found to be wicked other than that man who has long since been known to be so. Secondly, if there are many wicked men, I promise this to you, O Judges, and to the Roman people; by Hercules, my life shall fail before my strength and perseverance in prosecuting their wickedness.

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51

Indeed, this wickedness, which, if it is sanctioned, I promise to prosecute severely; with hard work; incurring danger and enmity to myself; and if anything should befall me then you will be able to make provisions for it, Manius Glabrio, with your authority, wisdom and diligence. Accept the cause of the law courts. Accept the cause of severity, integrity, loyalty and religion. Accept the cause of the Senate, that by its conduct in this court, it may return to favour and regain influence over the Roman people. Think who you are, in what position you are placed, what you ought to give to the Roman people, what you ought to repay to your ancestors. Call to mind the Acilian law passed by your father, by which the Roman people enjoyed the very best decisions, and the most severe judges in cases of extortion.

52

High authorities surround you which will not permit you to forget the renown of your family; which will remind you that by day and night your father was a most brave man, your grandfather most wise, and your father-in-law most serious. If, in this regard, you have inherited the strength and vigour of your father in resisting most audacious men; if you have inherited the prudence of your grandfather, Scaevola, in foreseeing plots which are prepared against your reputation and that of these men; if you have any share in the steadfastness of your father-in-law, Scaurus, so that no one can move you from your genuine and fixed opinion; the Roman people will understand that with a most upright and honourable praetor and a well-chosen jury, large amounts of money are more likely to bring a criminal into suspicion, rather than provide a means for his safety.

53

I am resolved, that in this case I will not permit our praetor or jury to be changed. I will not permit the matter to be delayed to a point when the Sicilians, who until now were not disturbed by the servants of the consuls elect, can be called by

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the lictors of the consuls as they all were in an unprecedented case. I will not permit those wretched men, previously allies and friends of the Roman people, now their slaves and suppliants, to lose not only their rights and fortunes by their command, but even their power to despair of their situation.

54

I will certainly not, when the case is concluded by me, permit them to finally respond to us after forty days, when my accusation has already fallen into oblivion by the passage of time. I will not permit the matter to be decided when this crowd from the whole of Italy has dispersed from Rome, which has assembled from all over at this one time on account of the comitia, the games, and the census. I think that both the potential reward of praise (should you decide justly) and the potential danger of unpopularity (should you decide unjustly) ought to be yours; the labour and anxiety ought to be mine; and the knowledge of what has been done and, the memory of what has been said by each person, ought to belong to everyone.

55

I will adopt this course, not a new one, but one that has been adopted before by those who are now the leading men of our state; that is, to call the witnesses immediately. What you will recognise as new from me, O judges, is that I will arrange my witnesses so that the whole accusation is explained, and that when (by examining my witnesses) I have strengthened my argument and speech, then I will fit my witnesses to the accusation so that there will be no difference between the customary method of prosecution and this new one, except that according to the usual method, when everything has been said, only then are the witnesses called. Here, they will be produced as each individual matter is reached, so that for the other side also, there is the same opportunity for cross-examination, arguing, and making speeches. If there is anyone who would prefer a continuous speech and prosecution, he will hear it in another trial: let

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him understand that what we are doing now is unavoidable. We are doing it this way so that we might resist their malice with our own strategy.

56

This will be the first act of the prosecution. We say that Gaius Verres has done many licentious deeds, many cruel ones against Roman citizens and allies, and many wicked acts against gods and men; but especially that he has stolen 40 million sesterces from Sicily contrary to the laws. We shall make this clear to you with witnesses, with public records, and with private authorities, so that you might decide that even if we had space and we had spent empty days speaking at our convenience, there was still no need for a long oration.

I have spoken.

Notes

Cicero's Letters

To His Friends 5.7: To Pompey

Rome, 62 BC

From your official dispatch, I – along with everyone else – take incredible pleasure. For you have given us that strong hope of peace of which I, trusting so completely in you, was assuring everyone. But I must inform you that your old enemies – now posing as your friends – have received a stunning blow by this despatch, and, being disappointed in the high hopes they were entertaining, are thoroughly distressed. The private letter to me contained a somewhat slight expression of your affection, yet I can assure you it gave me pleasure. There is, however, nothing in which I find greater satisfaction than in the knowledge of serving my friends. And, if on any occasion I do not meet with an adequate return, I am not at all sorry to have the balance of kindness in my favour. I feel no doubt that even if my extraordinary enthusiasm on your behalf has failed to unite you to me, the interests of the state will certainly create a mutual attachment and coalition between us.

To leave you in no doubt of what I missed in your letter, I will write with the candour which my own disposition and our common friendship demand. I did expect some congratulation in your letter on my achievements, both for the sake of the ties between us and that of the Republic. This I presume to have been omitted by you for fear of hurting anyone's feelings. But let me tell you; what I did for the salvation of the country is approved by the judgement and testimony of the whole world. When you return home, you will know the great wisdom and courage I showed, and you – a much greater man than Africanus was – will find it easy to admit me – one who is not much inferior to Laelius – into association in politics and friendship.

Notes

To His Friends 2.18: To Atticus

Rome, June 59 BC

I have received several of your letters in which I could see how you were craving for news. Well, we are held down on all sides. We do not object any more to the loss of our freedom, but we fear death and exile as greater evils, when really they are lesser ones. That is how things are; everyone groans over the situation, yet no one speaks against it. What those in charge have in mind, I suspect, is to make sure that there is nothing left which anyone except themselves might be able to offer as a bribe! The only one to speak or openly offer opposition is young Curio. Honest people give him a tremendous round of applause and a very respectable reception in the forum, and many other signs of goodwill. On the other hand, Fufius is pursued with shouts, jeers, and hisses. From such circumstances it is not hope but resentment which is increased, for you see the citizens allowed to express their feelings, yet debarred from carrying them out with any vigour. And to omit details, with things as they are, there is now no hope of the magistrates, or indeed private citizens, ever being free.

Nevertheless, despite this oppression, conversation, at least in society and at dinner tables, is freer than it was. Indignation is beginning to overcome fear, although that does not prevent a universal feeling of despair. For this Campanian Law contains a clause imposing an oath to be taken by candidates in public meeting, that they will not suggest any tenure of public land other than that provided in the Julian laws. All the others take the oath without hesitation: Laterensis is considered to have shown extraordinary virtue in retiring from his canvass for the tribunate to avoid the oath. But I don't care to write any more about politics. I am dissatisfied with myself, and cannot write without the greatest pain. I hold my own position with some dignity considering the general repression, but, considering my past achievements, with less courage than I should like. I am invited by Caesar in a very gentlemanly manner to join

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his staff and act as his legate, and even to go on a mission at state expense. But the latter does not give sufficient security, since it depends too much on the scrupulousness of Clodius and removes me just when my brother is returning; the former offers better security, and does not prevent my returning when I wish. I am retaining the latter, but do not think I shall use it. However, nobody knows about it. I don't like running away; I am longing to fight. There is great warmth of feeling for me. But I don't say anything positive: you will please not mention it. I am, in fact, very anxious about the freeing of Statius and some other things, but I have become thick-skinned now. I could wish, or rather ardently desire, that you were here; then I should not want for advice or consolation. But anyway, be ready to fly to me should I call for you.

Notes

To His Friends 2.4: To Curio

Rome, 53 BC

As you know, there are many types of letters, but there is one kind that is unmistakable, and this is the reason that letters were invented. Indeed, letter-writing was invented so that we might inform those absent if there was anything they should know, or that we ourselves should know. This type of letter you would not expect to receive from me. In regards to your home affairs, you have writers and messengers. As for my own affairs, they are without anything new. There remain two types of letter which greatly delight me; one familiar and funny, the other serious and grave. Which of the two would be less suitable, I do not know. Am I to joke with you by letter? By Hercules! I do not think there could be a good citizen who is able to laugh at this time. Am I to write something more serious? What could Cicero write to Curio about which could be more serious than the Republic? But on this subject, my case is this; I do not dare to write what I feel, and I do not wish to write what I don't feel.

Since, then, there is no theme left for a letter, I shall fall back upon my usual words and urge you to aim for the highest praise. For you have a serious rival here, firmly established and prepared for you, in the extraordinary expectations which people have of you. This rival you will easily overcome if you do one thing; that is, by deliberately developing, with continuous effort, the necessary qualities with which you will achieve your purpose.

On these thoughts I would write more, if I were not confident that you are eager enough on your own! And if I have mentioned this subject, it is not to inflame your ambitions, but to demonstrate my love for you.

Notes

To His Friends 2.11: To Caelius

Laodicea, 4th April 50 BC

Would you have ever thought it possible that my words would fail me, and not only the oratorical sort, but common vernacular language? They do fail me, and for this reason: I am extraordinarily anxious about what will be decided about the provinces. It is surprising how I long for Rome, you cannot believe how I long for my friends, in particular yourself. As for the province, it bores me, either because I have gained fame, to such an extent I do not desire to increase it, rather to fear its reversal; or, because it is not worthy of a man of my dignity, who before can and has borne heavier burdens to serve the state; or because I fear great war hanging over us, that I seem likely to escape if I leave on the appointed day.

Now, about the panthers; it is being carefully attended to, as per my orders, by those who are accustomed to hunting them. There are, however, very few, and those there are, I am told, complain that in my province they are the only living creatures for whom traps are set. So it has been decided that they should leave the province for Caria. But still, attempts are being made, in particular by Patiscus. Whatever comes to hand will be yours, but how many it will be, I do not know. By the Gods, your aedileship is of great concern to me. This day reminds me of it, because I write this on the day of the Megalensia itself. I would like you to write carefully about the entire political situation, for I shall regard that which I get from you to be the most trustworthy information.

Notes

To Atticus 9.11a: To Caesar

Formiae, 19th or 20th of March 49 BC

When I received your letter from our friend Furnius, in which you asked me to come to Rome, I was not so much surprised that you wanted my 'advice and status', but I asked myself, however, what you meant by 'influence and help'. Hope, however, led me to think that, due to your singular wisdom and outstanding statesmanship, you might want to pursue negotiations for peace and civic harmony. For this end, I consider myself suitable enough by nature and personality. If it is so, if you care to preserve our friend Pompey and reconcile him to the Republic, you will find no one better suited to the cause than I am. When speaking with him and the Senate I always advocated peace at the first opportunity. When arms were taken up, I had no part in the war. My considered opinion is that the war involved an infringement of your rights, in view of the opposition, by envious and unfriendly people, to an honour conferred upon you by the Roman people.

But as then I not only supported your position myself, but urged others to come to your aid, so at the present moment I am strongly moved by consideration for the position of Pompey. It is some years since I chose you two to cultivate above all others, as what you still are, my very dear friends.

Accordingly I ask you, I beg and implore you will all my heart, to spare some time, amidst your great concerns, to consider how by virtue of your kindness, I can best behave well, gratefully and loyally to Pompey, so as to remember my obligation to him. If this request concerned only me, I should still hope you would grant my request; I believe, however, that your honour and the Republic is also at stake as I – a friend of peace and of you both – should be preserved by you as the most appropriate agent for restoring harmony between you two and among our the citizen body.

Notes

I thanked you before for saving Lentulus, who had saved me. But now I have read the letter which he has sent me, full of thanks for your kindness and generosity in rescuing him, in rescuing him you have rescued me too. If my gratitude to Lentulus is apparent to you, then I beg that I am able to show the same to Pompey.

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To Atticus 8.8: To Atticus

Formiae, 23rd February 49 BC

Oh what a dishonourable and therefore miserable thing! For I feel that misery lies mainly or solely in dishonour. He developed Caesar, then he suddenly began to fear him; he rejected all offers of peace; he made no preparations for war; he left Rome; he was to blame for the loss of Picenum; he confined himself in Apulia; he went to Greece; leaving us all without a word, or letting us in on his extraordinary plan upon which so much depended. Suddenly, a letter came to him and his Consuls from Domitius. It seemed to me to be as though the light of honour flashed from Pompey's eyes, and the real man he ought to be exclaimed:

“So let them scheme as they must,
And attempt every trick,
Yet right is on my side.”

But Pompey bids a long goodbye to honour, and proceeds for Brundisium. As for Domitius, they say upon hearing this, he and those with him surrendered. Oh, what a terrible business! I am too distressed to write much more – I hope for your letters.

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To Atticus: 9.4

Formiae, 12th March 49 BC

Though I do not relax nowadays, except while I am writing to you or reading your letters, I still feel at a loss for subject-matter for a letter and I believe that you feel the same. The easy, personal exchanges we are used to are out of the question in these critical times, and we have already exhausted every topic relating to the crisis. However, so as not to succumb completely to morbid reflection, I have put down certain questions relating to political behaviour which apply to the present crisis. As well as distracting me from my present miserable thoughts, it has given me practice in judging the problems:

Should one stay in one's country if it is under oppressive rule? Is it justifiable to use any means to get rid of such rule, even if they endanger the fabric of the state? Secondly, do precautions have to be taken to prevent the liberator becoming a tyrant himself?

If one's country is under such rule, what are the arguments in favour of helping it by words rather than by war?

Is it statesmanlike when one's country is under a tyranny to retire to some other place and remain there inactive, or should you face danger in order to free it?

If one's country is under a tyranny, is it right to concede to its invasion or blockade? Should you, even if not in agreement with war as a means of abolishing tyranny, join up with the right-minded party in order to fight against it?

Should one in matters which concern one's country share the dangers of one's benefactors and friends, even if their policy seems to be without wisdom?

If one has done great service to one's country, and because of this received spiteful and jealous treatment, should one nevertheless voluntarily endanger

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oneself for the sake of one's country? Or is it legitimate to eventually have some thought for oneself and one's family, and to cease fighting against the people in power?

Occupying myself with these questions, and gathering the arguments on either side in Latin or Greek, I take my mind off my cares for a short time. Though the problems I am posing here are far from irrelevant to them. But I am afraid I am being a burden to you, for if the man carrying this letter makes good time he will bring you the letter on the day you are due your fever.

Notes

To Atticus 13.40: To Atticus

Tusculum, 17th August 45 BC

Indeed? Brutus reports that Caesar has joined the Optimates? Good news! But where is he going to find them – unless he hangs himself? As for Brutus, how foolish of him to say such a thing! Where is that artwork of yours I saw in the Parthenon with Ahala and Brutus as Consuls? But what can he do? I was very pleased to read that ‘not even the man who had begun the whole criminal business had a good word to say about our nephew’. I feared that even Brutus liked him. For that seemed the meaning of the sentence in his letter to me: ‘But I could wish that you had a taste of his conversations with me.’ But, as you say, more of this when we are face to face. But what do you advise? Am I to remain here or fly off to Rome? I am immersed in my books and I do not want to receive him here. I hear that today his father went off to meet him at Saxa in a very bad temper; I rebuked him! But I am chopping and changing this way and that myself – so we must wait and see.

See what you think about my coming to Rome and let me hear the whole business tomorrow morning so that I know them immediately.

Notes

To Atticus 14.4: To Atticus

Lanuvium, 10th April 44 BC

Now, what do you think I hear in Lanuvium? In contrast, I suspect there in Rome you hear news every day. Things are boiling up, if Matius talks like that, what do you think the rest will do? On my part I am sorry that what has happened is unprecedented in a state; that freedom has been restored without a free state. It is horrible what talk and threats there are. Also, I am afraid of wars in Gaul and where Sextus will end up.

Yet come all, the Ides of March console us. Our heroes achieved all they were able, gloriously and magnificently. The things which remain, they require men and money; of which we have none. This from me to you – if you have any news (for I expect you hear some every day) send it to me. If you have nothing, nevertheless do not interrupt our custom. I shall not.

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To His Friends 10.28: To Trebonius

Rome, c. 2nd February, 43 BC

How I would have liked you to have invited me to that most beautiful feast on the Ides of March! We should have had nothing remaining. But with matters as they are, the heavenly service you have given to the Republic is qualified by some grumbling. Truly, the fact that this curse of the country was taken out of the way by you – the most loyal of men – and thanks to your generosity, is still alive, makes me a little angry with you at times (although it is hardly right!). Since you have left more trouble for me with to deal with by myself, than for the rest of the world put together!

For as soon as the Senate could be held freely after the most dishonourable departure of Antony, I resumed my old spirit, which you and that most patriotic citizen, your father, have always praised and loved. For, when the tribune of the plebs had summoned the Senate on the 20th of December and were putting another question to the house, I reviewed the whole constitutional situation and spoke with intense spirit rather than eloquence. I restored to the weary, wilting Senate its ancient and traditional valour. That day, my intense pleading gave the Roman people hope of recovering their freedom. From that time, I have devoted every moment not only to thinking about the Republic, but being active in it.

If I had not judged that you already receive reports of all that happens in the city, I would write them out in great detail myself, despite the important business which takes up my time. You will learn that from others; so a little from me, and only a summary. We have a strong Senate; some of the ex-consuls are afraid, others you sense are unsound. Servius is a serious loss. Lucius Caesar is loyal; but because he is Antony's uncle, he does not speak his mind forcefully. The Consuls are excellent, Decimus Brutus is famous; the boy Caesar is excellent, and I have

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great hopes for his future. Indeed, this you can be sure of; had he not quickly conscripted the veterans, and had two legions of Antony's not been brought over to his command, and had Antony not been terrified, there was no crime, no cruelty Antony would not have committed. Though I expect you have heard all of this, I still want you to know about it. I shall write more when I have more free time.

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To His Friends 10.6: To Plancus

Rome, 20th March, 43 BC

The statement of our friend Furnius about your views on the Republic was most agreeable to the Senate, and most pleasing to the Roman people. However, the letter which was read out in the Senate seemed in no way to agree with what Furnius had said. For you are an agent of peace when your colleague, a most distinguished man, is being blockaded by a gang of vile brigands, which ought to lay down their weapons and beg for peace; or if they demand a battle, then peace is acquired by victory not treaty. But whether or not your letters, or Lepidus', are accepted, you will learn from that best of men, your brother, and from Furnius. I would never think you yourself to be without good judgement, or for you to be without the good sense and loyalty of your brother and Furnius, yet still I wish for some advice to reach you under my influence.

Therefore, believe me, Plancus, all those ranks of honour you have so far attained (and you have attained the most glorious of these); these will be regarded not as badges of honour, but as empty titles, unless you join yourself with the freedom of the Roman People and authority of the Senate. Separate yourself, I beg, from those whom you joined not by your own deliberate decision, but the chains of circumstance. In the confusion, several men have been called consular, although none is regarded as a consular unless they have shown true consular spirit towards the Republic. Such therefore is your opportunity, firstly to separate yourself from disloyal citizens with whom you have nothing in common; then you should offer yourself to the Senate as an advisor, leader and general; and lastly you must understand that peace cannot be achieved by merely putting down your weapons, but by dispelling the fear of conflict and slavery. If you feel and do this, then you will not only be a consul and a consular but a great one. Otherwise, your most distinguished and honourable titles; will not only be undistinguished, but will be the greatest dishonour. Good intention has

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prompted me to write these words, although they are a little harsh. Put them to the test of practice – which is the only method worthy of you – and you will find them to be true.

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