

Trebatius Testa

Post by “Cassius” of October 14, 2023 at 9:50 PM

Here's a new one for me, from Chapter 6 of the Boeri /Aoiz book:

Quote from Theory and Practice In Epicurean Political Philosophy

Trebatius Testa was one of the most renowned jurists of his time. He began his career under the protection of Cicero, who recommended him to Caesar. Trebatius joined Caesar in Gaul in 54 BC. In a letter from February 53 Cicero tells Trebatius that he knows he has become an Epicurean, and reproaches him that being an Epicurean contradicts his status as a politician and jurist (*Fam.* 2.12 1).⁷⁰ We do not know how Trebatius replied, but several facts in his biography highlight the arguments by which an Epicurean could have responded to Cicero. Trebatius did not want to pursue a political career (in fact he refused the office of military tribune offered to him by Caesar in 54, which annoyed Cicero). However, he was able to make the most of his talent as a jurist and became Caesar’s adviser and *familiaris*. Trebatius, as Benferhat points out, got through the civil war without compromising himself or becoming a victim.⁷¹ He was also valued as a jurisconsult by Augustus. It could perhaps be said that Trebatius, without aspiring to power or office, enjoyed fame and prestige, which provided him with security until his death in his eighties. In the aforementioned letter of February 53, Cicero is particularly emphatic in questioning how an Epicurean could devote himself to law. It is one of Cicero’s anti-Epicurean arguments that most clearly reveals his omission of the central tenets of Epicureanism, for, as we have shown, the Epicureans developed a sophisticated defence of justice and law. One of the testimonies of Trebatius’ activity as a jurisconsult reflects just the kind of argument one would expect from an Epicurean jurist: the insistence on the *utility* of law. When Augustus consulted jurists on whether the use of codicils was in accordance with the *ratio iuris*, Trebatius convinced the emperor that it was by claiming that, in effect, the codicil was most useful and necessary for the citizens [*utilissimum et necessarium hoc civibus esse*].