

## Greek Schools, Roman Heirs, and Unhappy Consciousness in Cicero's *Academica*

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### I. Introduction

In the pages immediately following the master-slave dialectic in chapter 4 of Hegel's *Phenomenology of Spirit*, the journey of self-consciousness goes through a notably Roman phase. The Hellenistic philosophies of stoicism and skepticism are seen as expressions of an unsettled form of human experience Hegel terms "the unhappy consciousness (*das unglückliche Bewusstsein*)," an unstable oscillation between the mind's affirmative self-comprehension and its crippling self-doubt. For all their disagreement, these philosophies are both moments of a single mentality originating in the social context of the Roman empire. As the expressions of unhappy consciousness, stoicism and skepticism represent the dissatisfaction peculiar to a historical moment when human beings are educated and yet beset by tyranny, a period that Hegel describes as a "time of universal fear and bondage" and yet also one "when mental cultivation is universal."<sup>1</sup> The self of this period is educated into a tortured self-awareness. The summit of its enlightened autonomy is only the sad realization that it remains captive to the caprice of alien authorities. Caught between a mature recognition of its own freedom and the servile expectations of the imperial court, educated self-consciousness becomes the seat of an irreconcilable, unsatisfactory division. Learned but unfree, the self withdraws, becoming either stolidly self-contained or solipsistically insubstantial. In stoicism, the changeless consistency of Senecan *constantia* upholds the arrested self as "self-liberating, unalterable, self-identical," while skepticism upends this unshakable self-certainty and shows it to be "utterly self-confounding, self-perverting."<sup>2</sup>

The unhappy consciousness begins with the collapse of Greek ethical life (*Sittlichkeit*) in the wake of the classical period. Having lost the independence of its city-states, Greek life, though still the philosophical life of Europe, had to adapt to the foreign agendas imposed by wider polities — by the kingdoms of Alexander's heirs and, eventually, by the Roman empire. Hegel describes the process of Romanization as the imposition of an abstract political universality which erodes culture and leaves individuals to the rude self-reliance of the unhappy consciousness:

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<sup>1</sup> (Hegel, 1967: §199).

<sup>2</sup> (Hegel, 1967: §206).

The living individualities of national spirit in the nations have been stifled and killed; a foreign power, as an abstract universal, has pressed hard upon individuals. In such a condition of dismemberment it was necessary to fly to this abstraction as to the thought of an existent subject, that is, to this inward freedom of the subject as such.<sup>3</sup>

Skepticism and stoicism belong to a historically developed structure of thought which has only persisted into modernity. As Michael Forster claims, modernity is a subsequent period similarly under the sway of abstract universals, a time “in which men are intellectually alienated both from God and from their natural and social environment.”<sup>4</sup> While the unhappy consciousness can arise as a phenomenological structure in any historical period, its original manifestation belongs to the Roman lifeworld which succeeded the Greeks and attempted to appropriate their original intellectual and cultural inheritance.

Scholarly attention to this theme has been diminished by the fact that Hellenophile German philosophers, especially in the 19<sup>th</sup> century, have tended to regard the Roman articulations of these schools as mere derivatives of Greek thought. Yet the Roman articulation of Hellenistic philosophy is more than just a bad rerun of classical Greek thought. Attempting to take up philosophy as an inheritance, the Romans approach philosophy with an intensely historical self-consciousness, a sense of alienation from their own time which offers a concrete demonstration of Hegel’s unhappy consciousness. By “historical self-consciousness,” I mean the self-consciousness which arises from an awareness of one’s historical situation, which, for the Romans, was the self-consciousness of being the heirs to an already established body of Greek thought. The Roman articulations of the stoic and skeptic positions are deeply invested in a historical situatedness that informs both the presentation and content of their philosophical doctrines. As Hegel demonstrates in the master-slave dialectic, self-consciousness proceeds from the recognition of an external other which prompts us to take ourselves as other in a doubled awareness. For the Roman, the philosophical ancestor serves as just this spur to self-awareness, framing all Roman attempts at philosophy as an exercise in “being-involved-in-history.”

Cicero’s *Academica* offers a particularly rich demonstration of how the unhappy dialectic between stoicism and skepticism engages Roman historical self-consciousness. This fragmentary dialogue focuses on an epistemological dispute regarding the stoic Zeno of Citium’s theory of the graspable presentation (*phantasia katalēptikē*). Zeno posits this presentation as the natural limit of skepticism, as it is fully comprehensible and thus

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<sup>3</sup> (Hegel, 1955: 235).

<sup>4</sup> (Forster, 1989: 2).

secure from all doubt. By Cicero's day, the undeniability of the graspable presentation offered a philosophical justification for stoic dogma, while the skeptics challenged the existence of such a presentation. The history of philosophy is more than a bystander to this debate, as the historical provenance of each position becomes a central theme in the dialogue. The stoicism of Archilochus's Old Academy (*vetus Academia*) and the skepticism of Arcesilaus's New Academy (*nova Academia*) each claim the mantle of historical legitimacy. Varro (and later Lucullus) extolls the Old Academy, whose *auctoritas* proceeds from an unbroken line of historical succession reaching back to Socrates himself. Just as Romans should honor the great men of old, so they should admire the achievements of proven philosophy and be wary of upstart charlatans. Cicero, promoting the skeptical New Academy, offers a contrary interpretation of the history of Greek philosophy as consistently arriving at skeptical conclusions. This skeptical account functions in part to demonstrate that philosophers have historically promoted skeptical doctrines, but also to raise skepticism about the very possibility of a historically mediated philosophy capable of transmission to later generations. As an exercise in meta-skepticism, the skeptic's portrait of philosophical discourse as an endless series of irresolvable disputes wins the day—the position is only strengthened the more it is challenged by argument.

On one level, this dependence upon history to support one's claims seems spurious and unphilosophical. Anchoring itself on a distant Greek other, Roman philosophy flounders in alienation from its immediate object of inquiry. Either restricting itself in dogmatism or undermining itself in skepticism, the unhappy consciousness flees the self-responsibility of direct philosophical practice and takes refuge in the ineffable, and therefore unassailable, mantle of historical authority. The requirement to cite prior authorities prefigures the transition to medieval intellectual life that Hegel describes as the ultimate development of the unhappy consciousness, under which Europe will suffer until the restoration of mental self-confidence in modern enlightenment. Church authority will become a necessary mediating force between divine revelation and a consciousness which has come upon "the *grave* of its life," seeking an "unattainable 'beyond'" in "a fight which must be lost."<sup>5</sup> But while medieval thinkers coped with the unhappy consciousness by a flight into transcendental abstraction, Roman philosophy (albeit by an appeal to authority) aimed at a unity of history and philosophy, at a history that is philosophical and a philosophy that is historical. In this way, the Romans lay the groundwork for the hugely productive interplay of two disciplines otherwise regarded as separate. The Hegelian thesis of philosophy as mediated through historical development is given a clear articulation in the "derivative" Romans, precisely through their reception of a tradition, their experience of philosophy as inseparable from the self-

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<sup>5</sup> (Hegel, 1967: §217).

consciousness of historical relation. The dispute happening in the *Academia* between a dogmatic stoicism and academic skepticism thus directly echoes the problems of contemporary 21<sup>st</sup> century philosophy insofar as the structures of the unhappy consciousness endure in the “academic” give and take between the authority of received doctrine (say, of mainstream post-classical analytic philosophy) and their subversion in skeptical critique.

## II. The True as The Old and The New

The complex dramatic structure of *Academica* is further obscured by the fact that there were two versions of the dialogue, both of which have only partially survived and lack substantial sections of their original text.<sup>6</sup> Modern editions take the beginning of the second edition as the start of the work. It begins with a brief dedication to Varro, who soon directs a rather pointed question at Cicero:

“And what is this I hear about you?” Varro says. “Of what do you speak?” I [Cicero] say. “That you have abandoned the Old Academy while entertaining the New,” he says.<sup>7</sup>

The optimate Varro chides the recent skeptical turn in Cicero’s philosophical development as if it were a juicy piece of country club gossip.<sup>8</sup> Cicero has shamed himself before the Roman elite through his tawdry dalliance with faddish philosophy. Cicero himself elsewhere demonstrates the dismissive power of the epithet *novus* when it is wielded as a patrician slur directed against undue innovation. The *poetae novi* offend Cicero’s literary sensibilities just as skeptical doctrines upset Varro’s allegedly more traditional philosophical cultivation.<sup>9</sup> However snobbish his literary tastes may have been, Cicero’s lack of family pedigree left him a *novus homo* in the eyes of the Roman elite. In the *Academica*, he embraces the role of the gadfly challenging the complacent establishment by defending the New Academy and offers a ready reply:

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<sup>6</sup> Only some of the first book of the second edition (*editio posterior*) remains, while, conversely, only the second book of the first edition (*editio prior*) has survived. Scholars have chosen to take the introductory book of the second edition as “*Academica I*” despite its belonging to a later edition, and likewise designate the concluding second book of the first edition as “*Academica II*.” James A. Reid gathers the sources we have about the writing and publication of *Academica* from Cicero’s *Epistles* (Cicero/Reid, 1874: i- lxiii). For a helpful chart showing how the remaining portions of *Academica* would have fit into the larger work, see (Cicero/Rackham, 1933: 402).

<sup>7</sup> (Cicero/Reid, 1874: §1.13). Translations are my own.

<sup>8</sup> Varro was a most learned man, and one whom Cicero was eager to impress with his work. “He also had a public career; he held naval command against the pirates and against Mithridates, and he supported Pompey in the civil war, but after Pharsalia Caesar forgave him, and employed his talents in collecting books for a great public library” (Cicero/Rackham, 1933: 403).

<sup>9</sup> (Cicero/Reid: 161).

“What then,” I say, “was our dear Antiochus more permitted to return into the old school from the new [*remigrare in domum veterem e nova*] than I am permitted to go into the new school from the old [*in novam e vetere*]? But doctrines most recent [*recentissima*] are those most revised and sharpened; although Philo, the teacher of Antiochus, a great man as you indeed think yourself, denies in his books that we once also heard from his very own mouth—namely, that there are two Academies at all.<sup>10</sup>

Varro’s initial sally against Cicero betrays the prejudicial Roman suspicion of novelty, a suspicion which takes as true whatever accords with the venerable masters of antiquity. Cicero’s response undermines this historical positioning while also subtly seeking to claim its mantle. He first points out the hypocrisy of Varro’s censure. Antiochus, the founder of the Old Academy so respected by Varro, once accepted the skeptical arguments Cicero espouses. He was a student of Philo, who advanced the skepticism of Carneades and denied any schism between his academy and the philosophical tradition. Cicero should be afforded the same intellectual liberty as these two founders of the schools in question, who clearly did not see themselves as locked within a single school of thought.

But more fundamentally, Cicero has posited the precise opposite of Varro’s *argumentum ad antiquitatem*, framing the historical development of thought as progressive. If a doctrine grows respectable through its historical maturation, then the *doctrina recentissima* is, against all appearances, the most edited and polished of all. The opening dispute of an apparently epistemological dialogue provocatively redefines knowledge as a function of history: our two interlocutors begin by suggesting that “the true” may be nothing more than “the old” or “the new.” One may immediately dismiss the logical fallacy of a formula which conflates age with truth, yet we can also read this passage as aiming at a more mature, more self-conscious conception of beliefs as arising in time. Though the truth of a belief is a matter separate from the belief’s appearance in chronological time, any true belief must fully account for its own development. A healthy self-consciousness sees its beliefs as inseparable from their process of development. Its thoughts do not emerge *ex nihilo* but always bear their own histories.

For this reason, Cicero and Antiochus should both be permitted to move between the old and new [*veterem e nova, in novam e vetere*], because it is through this cross-fertilization of discourse that we can recognize the unity of historical development. The best contemporary scientist doesn’t pit Newton against Einstein but attempts to synthesize both moments of historical development. When the unhappy consciousness mistakes the chronological dating of a doctrine for its truth, it is implicitly struggling to

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<sup>10</sup> (Cicero/Reid, 1874: §1.13).

reach this fuller historical self-consciousness, this self-awareness of thought comprehending its own development in history. Yet the deficient expressions of the unhappy consciousness artificially divide time into the irreconcilable polarities of “tradition” and “progress” and thereby arrest this unifying maturation. The attempt to abstract “the old” from “the new” is blind to their obvious interrelation. Likewise, the patrician dismissal of the *novus* was always a prejudicial attempt to deprive newcomers from engaging with philosophy’s history and thereby planting their innovations within the continuous fabric of intellectual history.

It is no accident that the first controversy of *Academica* (however jocular) takes place at the intersection of history and philosophy. As anybody who has attempted to interpret history is aware, our subjectivity must assume a special historical posture towards historical objects that is different from our engagement with the universal and timeless. The interpreter must situate herself in relation to a historical other, a position which gives rise to a self-consciousness of the contingency of one’s own perspective. Stoicism and skepticism are two one-sided reactions to this moment of self-consciousness. Each recognizes the incommensurability of present awareness with any past content and raises this inequality of present mind and past world to the status of an absolute principle. In Varro’s Old Academy stoicism, the gulf is breached through an unthinking devotion to a pristine tradition; in New Academy skepticism, through the hyper-conscious criticism of an indeterminate nothing. To a consciousness that only sees itself as a spectator and not a participant in history, the past is unalterable yet ungraspable. The world of history assaults any fragile present certainty from the unpassable breach of time. Like the obtrusive gladiatorial games disturbing the tranquility of the Senecan philosopher, this alien world “must be either loathed or imitated”<sup>11</sup> by the mind, which, in its unhappy self-understanding, either casts itself as an impassive stoic fortress removed from historical contingencies or else mirrors their doubtful flow.

### III. Varro and the Authority of Authors

For Varro, the history of philosophy is an inheritance that meddlesome heirs would do best not to disturb by rash innovations. Though history demands that subjectivity recognize its own distance from its object, the aim of the contemporary philosopher is to close this gap and come into agreement with an unshakeable *mos maiorum*. The Old Academy of Antiochus, founded after his education under the skeptic Philo, practices this philosophical piety and so stands as the true heir to Socrates. Socrates’s foundational act was to take philosophy away from the broad study of nature

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<sup>11</sup> *Necesse est aut imiteris aut oderis.* (Cicero/Reid, 1874: §7.7).

and focus it on human ethical affairs. Moreover, his status as the originator (*primus*) of this turn in thought is widely recognized (*constat inter omnes*).<sup>12</sup> For Romans on the receiving end of the Greek tradition, philosophy can never be fully dissociated from the *fama* of great figures. Roman philosophy, like Roman politics, must be practiced with a certain historical deference. Romans know that they are not *philosophici primi*, not Socrates and not even Epicurus, whom Lucretius extols as “the first [*primus*] to raise mortal eyes against superstition.”<sup>13</sup> Deferentially marked by Roman authors as the *primus*, the Greek founder always outstrips his successors. Etymologically, *auctoritas* derives from its *auctor*, the originator answerable only to him or herself, the creator free from the self-consciousness of historical precedent. The burden of historical self-consciousness only further elevates the status of this legendary founder, whom all subsequent thinkers must propitiate lest they be left vulnerable to the charge of disgracing venerable ancestors.

Following the lineage of Socrates’s *auctoritas*, the Academic and Peripatetic schools emerged from Plato’s “full abundance.” The distinction between these Platonic and Aristotelian schools was only apparent, as they were really “single and consistent” and “in agreement with each other.”<sup>14</sup> Though Antiochus’s Old Academy takes from both Plato and Aristotle, the lineage remains uncorrupted, as Plato’s direct Academic “heir” Speusippus and the Lyceum of Aristotle share the “same source.”<sup>15</sup> Each school took up its inheritance in a systematic way, at once validating the dogmatic approach of the Old Academy and countering Socrates’s embrace of open-ended inquiry by establishing a “definite skill of philosophy and an order for its content and a model for the discipline.”<sup>16</sup> At the core of Antiochus’s philosophy is a threefold division of the discipline into logic, physics, and ethics, a primary system (*prima forma*) handed down by Plato. We see here the problem of historical reception common to all “school philosophies,” which will be repeated in the dogmatism of 18<sup>th</sup> century Wolffian scholastic *Schulphilosophie* as well as in the bitter disputes of the Left and Right Hegelians following Hegel’s death. These unhappy intellectual heirs, like the Romans, were unable to situate themselves in a natural relation with an original author in a way which allows for the further development of philosophy. They instead attempted to conceal their derivative self-doubt through implausible claims of belonging to a school which holds authority (even in new contemporary disputes) on account of the *auctoritas* of a founding figure.

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<sup>12</sup> (Cicero/Reid, 1874: §1.15).

<sup>13</sup> (Cicero/Reid, 1874: §§1.66-67).

<sup>14</sup> (Cicero/Reid, 1874: §1.17).

<sup>15</sup> (Cicero/Reid, 1874: §§1.17-18).

<sup>16</sup> [A]rs quaedam philosophiae et rerum ordo et descriptio disciplinae (Cicero/Reid, 1874: §1.17).

The Old Academy has preserved its inheritance faithfully, but several intermediary figures have ventured questionable modifications (*mutationes*).<sup>17</sup> Leading the dissident mob is Aristotle, who “overthrew [*labefactavit*]” the theory of the forms by secularizing them and depriving them of their “divine essence [*quiddam divinum*].” Theophrastus weakened the status of virtue, an “even more flagrant” flouting of the “authority of the old doctrine [*auctoritatem veteris disciplinae*].” Strato, though a remarkable thinker, researched the natural sciences rather than the ethical life, and so “must be removed entirely from this school.”<sup>18</sup> Zeno of Citium, the founder of Stoicism, serves as the redemptive figure in this narrative, as he “tried to set right [*corrigerere*] the system” through the development of stoic doctrine. Antiochus, having realized the errors of Philo’s skepticism, took up this “correction [*correctionem*],” which Varro here repeats.<sup>19</sup> While Varro shares with Cicero the intention of presenting a unified account of the history of philosophy, thought engages history only retroactively, moving backwards towards a corrective restoration of *auctoritas prima*. He has given an implicit answer to Cicero’s opening rhetorical question — one is indeed only permitted to intellectually develop in one direction, going back to the old from the new.

Yet this doctrine of truth as restoration of a primordial authority has large inconsistencies which the skeptics will eagerly exploit. Varro asserts that there was no ultimate division between the Academy and the Lyceum while also holding Aristotle to account for undermining the theory of forms. Does Aristotle belong to the Old Academy even in part? The question applies more broadly. Which thinker in this narrative holds the final authority? Does it reside with Plato, Zeno, or Antiochus? What authority could Varro possibly claim to speak on their behalf? While Socrates is clearly the *philosophicus primus*, it is not clear if the successive figures enjoy the same *auctoritas*. The derivative status of these figures is especially problematic because Zeno’s doctrine of kataleptic presentation, the focus of the argument in *Academica*, will not be found in the figures upon whose authority it is said to rest.<sup>20</sup> Socrates, Plato, and Aristotle had not even developed such a term in their philosophical vocabulary, and certainly had no stance on it. After Zeno, the theory arises in the setting of the dialogue with two further degrees of historical separation, as Antiochus and now Varro interpret him. When subjected to rigorous examination, the historical structure Varro has built to support the Old Academy seems only more ideologically driven. The deviations excluded from doctrine are of a loosely liberal genus—secularization of the forms, lack of moral fervor, and excessive concern for

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<sup>17</sup> This part of the manuscript is disputed, with Davies emending *disputationes*. See (Cicero/Reid, 1874: §33).

<sup>18</sup> (Cicero/Reid, 1874: §§1.33-34).

<sup>19</sup> (Cicero/Reid, 1874: §1.35).

<sup>20</sup> Varro presents Zeno’s teaching at (Cicero/Reid, 1874: §§1.40-42).

natural science belong to the same class of heretical novelties as the skepticism of the New Academy.

Moreover, it is not at all clear that the first authorities acceptable to the Old Academy were understood in their own time as Varro now understands them. A large number of Athenians—certainly, those who voted at his trial—saw Socrates as a dangerous radical, a man who, despite all his protestations to the contrary, was a member of the sophistic rabble. Likewise, his focus on teaching virtue was interpreted by these contemporaries as another Protagorean attempt to make man the center of all things, hubristically appropriating the divine cosmos. Yet dogmatism is unable to recognize the tensions and ambiguities inherent in any great thinker and must reduce its objects to a single aspect. The unhappy consciousness struggles to solidify itself upon the illusory solidity of a firm historical other, even as it develops these inescapably received doctrines in its own context. A mature historical consciousness recognizes every intellectual development as both new and old. To a modern ear accustomed to value originality, Varro almost insults Antiochus in saying that he has only faithfully copied a historical tradition. But the Old Academy sees the proper transmission of philosophy as just such a process of replication and concludes by casting philosophical dissent as a form of rebellion, putting the onus of justification on Cicero for venturing outside received opinion.

Then Varro says:

It is now your part, you who revolt from the wisdom of the ancients [*ab antiquorum ratione desciscis*] and try out those innovations of Arcesilus [*ab Arcesila novata*], to demonstrate what this departure was all about and for what reason it was undertaken, so that we may see if this little secession of yours [*ista ... defectio*] is sufficiently justified.<sup>21</sup>

#### IV. The New Academy's Counter-Narrative

What remains of *Academica* I consists of Cicero's response to this charge by developing a counter-narrative in which skepticism is integral to the history of philosophy. This narrative achieves two aims: first, to undermine Varro's account of the Old Academy as the undeviating descendant of Greek philosophy and, second, to establish the *auctoritas* of Arcesilus's New Academy. Cicero begins by dismantling the tenuous link Varro has established between Zeno's kataleptic presentation and the *auctoritas* of all prior philosophy. It is with Zeno alone that Arcesilus, taking up the skeptical line which reached Rome back in the days of Carneades, set up his entire

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<sup>21</sup> (Cicero/Reid, 1874: §1.43).

dispute. The founder of Stoicism, a new school of philosophy, is himself a dissident from a tradition which stretches back still further than Socrates and includes Democritus, Anaxagoras, Empedocles, and all such figures of august antiquity (*omnes paene veteres*).<sup>22</sup> Cicero presents the skepticism of these ancients as a litany of viewpoints without deriving them from any single source:

[The pre-Socratics] who said that there is nothing is able to be recognized, nothing is able to be perceived, nothing to be known, that the senses are constrained, that the mind is feeble and the course of life short, and, as Democritus said, that all truth was submerged in the abyss, that everything is maintained only by convention and custom, that nothing is left over for the truth, all things are, in their turn, shrouded in obscurity.<sup>23</sup>

While none of the pre-Socratics can be said to have engaged in the committed skepticism of the New Academy,<sup>24</sup> the skeptical spirit of inquiry underlies the very origin of philosophy. Socrates's famous profession of his own ignorance did not spring *ex nihilo*, but instead arises as a reaction to the *obscuritas rerum*.<sup>25</sup> Cicero's opponents aren't even correct about the starting point of the tradition, much less what it has to say about their contemporary disputes. Socrates also had his forebearers, his *auctores*, whose legacy of natural research imparted to him the habit of questioning which later gave rise to the ethical philosophy so highly prized by Varro.

Unlike the Old Academy, which only moves from the new back to the old, the New Academy proudly emphasizes the progress each wave of philosophers makes in becoming increasingly skeptical. As the counterpart to Varro's static traditionalism, Cicero sees philosophy as progressive and tending towards the present realization of the New Academy that it cannot know anything with absolute certainty. Socrates left himself (*sibi reliquisset*) the knowledge that he knew nothing; Arcesilus has advanced the

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<sup>22</sup> (Cicero/Reid, 1874: §1.44).

<sup>23</sup> (Cicero/Reid, 1874: §§1.44-45).

<sup>24</sup> Diogenes Laertius (Cicero/Reid, 1874: §§9.72-73) gives a more comprehensive sourcing for the quotations which gave rise to this reading. Xenophanes's skeptical fragment is Diels-Kranz B34, in which he claims no man is "clear" (*saphes*) about the gods and Xenophanes' own teachings. Empedocles gestures towards skepticism in Diels-Kranz 31B2: "Each is convinced of that alone which he had chanced upon as he is hurried every way, and idly boasts he has found the whole. So hardly can these things be seen by the eyes or heard by the ears of men, so hardly grasped by their mind! Howbeit, thou, since thou hast found thy way hither, shalt learn no more than mortal mind hath power" (Burnet, 1920: 204). Cicero is quoting the same quotation of Democritus as Diogenes, at Diels-Kranz B117, ἐν βυθῶ ἡ ἀλήθεια. Citing these quotations seems to have been a standard talking-point for the New Academy, who likely dropped much of their context. Xenophanes and Empedocles seem to be making a distinction between human and divine knowledge. For a detailed account of how the Academics interpreted each individual pre-Socratic, see (Brittain and Palmer, 2001).

<sup>25</sup> (Cicero/Reid, 1874: §1.44).

discipline by denying even this.<sup>26</sup> The most recent teaching is not necessarily in conflict with the oldest, as the innovations of the New Academy have been perfectly in accordance with Plato himself, in whose books nothing is asserted as certain (*nihil certi dicitur*).<sup>27</sup> The New Academy has roots deeper and more ancient than the Old, and, like a good heir, further cultivates this inheritance, so much so that the school Varro deems new seems old to Cicero (*quae mihi vetus videtur*).<sup>28</sup> A Hegelian intervention at this point in the work would point out that the inability of either side to establish definitively either the old or the new represents the restless alteration of the unhappy consciousness. Unable to relate to a historical other, the Roman interlocutors waver between taking any given historical object as essentially old or new. The same exact content can be rendered in opposite ways, depending on which side of the unhappy dialectic one happens to emphasize. Pure oldness and pure newness are only empty abstractions from the concrete reality of continuous progression. The newest *is* the oldest, but only in a developmental sense, as that which comes most recently (the newest) is always also the most mature (the oldest).

But Cicero's skepticism stalls out and cannot advance this positive thesis.<sup>29</sup> Skepticism depends on dogmatism's overreaching assertion for its doctrine of denial to have any significance. Varro denies, on the basis of the authority of prior philosophers, the very freedom of a skeptical interlocutor to deny this construct. To the stoic, this freedom is only license and rebellion, while to the skeptic, it is a manifest fact of our 1<sup>st</sup>-person experience as minds which can only be persuaded and never forced. But to truly frame the debate in the history of philosophy, Cicero would have leave behind the unhappy consciousness's role of the disaffected spectator and recognize that the question of the freedom of dissent at stake in the present debate is precisely the philosophical problem of *his own* time. It was the unique feature of the Roman experience to practice

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<sup>26</sup> (Cicero/Reid, 1874: §1.45). See also (Brittain and Palmer, 2001: 43): "His [Arcesilus's] reaction to this situation—withholding assent or suspending judgement (*epoche*)—distinguishes his sceptical stance from those of both Socrates (followed by Plato, *Acad.* 1.46) and the Presocratics. For despite their respectively qualified and dogmatic assertions of *akatalepsia*, they had nevertheless been willing to endorse various propositions they admittedly did not know to be true. Thus the Academics' view of the history of philosophy is designed to present their own advocacy of *epoche* both as something new and as the culmination of a gradually more reflective turn."

<sup>27</sup> (Cicero/Reid, 1874: §1.46).

<sup>28</sup> *Ibid.*

<sup>29</sup> "As with any other matter, the Academics are concerned with reporting how things appear to them, rather than with defending a definite view; and here it seems plausible to them to see the Presocratics, despite their aggressive speculations about the nature of things, as having seriously doubted their ability to discover the true character of things on the basis of either the senses or reason, and as having accordingly placed certain sceptical qualifications on the claims they were nevertheless willing to advance" (Brittain and Palmer, 2001: 70).

philosophy under a widely educated yet militaristic social order in which assent to impressions can be compelled by means of coercion. In his skepticism, Cicero participates in the contradiction of his age. It has the freedom to think but not, as it were, to think for itself.<sup>30</sup> The potentially repressive power of the enormous Roman state constitutes an *a priori* presupposition for any philosophical life, as Seneca learned under Nero. Its freedom could only be the freedom of Epictetus to remain unaffected even as his leg was broken. Despite his timely concern for intellectual liberty, Cicero remains just as alienated from the full, present meaning of the history of philosophy as his opponents. The negative power of the skeptic remains only the power to bring the weight of history down on upon any dogmatic adversary who takes the historical as definite and knowable.<sup>31</sup>

## V. Lucullus Contra Skeptical Seditio

The text of *Academica* I breaks off here, but *Academica* II (the conclusion of Cicero's earlier edition) opens with Lucullus, who replaces Varro as the representative of the Old Academy, critiquing the New Academy's appropriation of the pre-Socratics. Varro's comparatively subtle political prejudices are articulated much more explicitly by Lucullus, who compares the New Academy's skeptical account of history to the spurious appeal of demagogues who find support for revolution by citing the alleged populism of historical figures. The New Academy does nothing other than what treasonous citizens (*seditiosi cives*) do when they recast the famous men of old as the *populares* of the late Republic "so that they seem to resemble them."<sup>32</sup> These appropriations of history become less egregious insofar as they appropriate more recent historical figures. The *populares* see their cause as beginning with Publius Valerius, the first consul following the expulsion of the kings of Rome, a figure presumably adopted into the optimates' roster of great men by the late republic.<sup>33</sup> For Varro, it is a misleading appropriation of history to associate

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<sup>30</sup> One can observe another modern critique of this position in Kant's "What is Enlightenment?": "Only one ruler in the world [i.e., Frederick the Great] says: *Argue* as much as you will and about whatever you will, *but obey!*" (Kant, 1996: 18).

<sup>31</sup> Lactantius recounts an explicitly negative motivation behind the Academic engagement with the history of philosophy. "Lactantius reports that Arcesilaus collected not only the confessions of ignorance by the famous philosophers but also the philosophers' mutual recriminations: 'If, then, individual schools are convicted of foolishness by the judgement of many schools, all are therefore found vain and empty: in this way philosophy consumes and destroys itself. When Arcesilaus, the founder of the Academy, came to appreciate this, he collected all of their mutual recriminations and the confessions of ignorance made by the renowned philosophers, and he armed himself against them all. Thus he established a new philosophy of not philosophizing (Lact. *Inst.* 111.4.10-11)" (Brittain and Palmer, 2001: 63).

<sup>32</sup> (Cicero/Reid, 1984: §2.13).

<sup>33</sup> Modern radicals likewise eventually become the voices of established authority. Thomas Jefferson was a radical figure to European monarchists, but today is widely cited by American conservatives who now see the republic not as a product of revolution, but an established tradition.

the contemporary populist with the earliest overthrow of monarchy. The rebellion was not a mere *sedition* against the kings but the positive *conditio* of the *res publica*. Lucullus goes on to claim that the *populares* distort the tribunate of Gaius Flaminius and falsely misalign Publius Crassus and Publius Scaevola with Tiberius Gracchus. They only tell the truth about Gaius Marius, the founder of the still active popular faction, a figure no optimates is eager to claim.<sup>34</sup> The politically motivated historical revisionism of the Old Academy is here quite evident, as even potentially dissident figures of the past now belong to the “old,” while those in living memory are present dangers and should be set against proper history as the “new.”

Lucullus goes on to claim that the New Academy is dropping the wider context of natural scientific investigations which motivated the aporetic statements of the pre-Socratics. This misreading confuses the appropriate “modesty [*verecundia*] of Democritus” with the “treachery [*calumniā*] of Arcesilus” and is comparable to mistaking Saturninus, a radical tribune hostile to Lucullus’s family, as similar to the men of old (*veterum*).<sup>35</sup> The political language here reminds us of the immediate context of the dialogue, since the imaginary date of the first edition of *Academica* can be established near the time of Cicero’s consulship and the Catalinarian conspiracy.<sup>36</sup> The internal division of the unhappy consciousness is well expressed through the eminently contemporary metaphor of the philosopher’s mind as a city being undermined by the internal enemy of its own doubting mind, the skeptical consciousness that seeks to disrupt its already well-established (*bene iam constitutam*) philosophy.<sup>37</sup> The stoic awareness of history is a self-consciousness which arises only from the recognition of a threat, a Cataline who seems to practice philosophy in good faith but in fact intends the destruction of the entire world.<sup>38</sup> Such revolutions compel men of authority to take measures they would rather not. It would be best if skeptical doctrines remained marginal so as not to force this recognition of their threat and risk granting them undue legitimacy. Respectable philosophers (*non mediocres*) took this line during the early days of the New Academy and criticized the stoic Antipater for engaging in fruitless disputations with those who will never approve any doctrine.<sup>39</sup>

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<sup>34</sup> (Cicero/Reid, 1874: §2.13).

<sup>35</sup> (Cicero/Reid, 1874: §2.14). Reid says of Saturninus, “of the question why he was an enemy of Lucullus, Goer. says *frustra quaeritur*. Saturninus was the persistent enemy of Metellus Numidicus, who was the uncle of Lucullus by marriage.”

<sup>36</sup> “The imaginary date of the dialogues in the first edition falls between 63 b.c, the year of Cicero’s consulship (alluded to Ac. ii. 62) and 60 when Catulus died” (Cicero/Rackham, 1933: 403).

<sup>37</sup> (Cicero/Reid, 1874: §2.14).

<sup>38</sup>[*Q*]ui de nostro omnium interitu, qui de huius urbis atque adeo de orbis terrarum exitio cogitent! (Cicero/Reid, 1874: §1.9).

<sup>39</sup> [*N*]ec vero esse ullam rationem disputare cum iis qui nihil probarent (Cicero/Reid, 1874: §2.17).

But revolutionary forces tend to feed on themselves and become increasingly strident. The New Academy does not practice Democritus's *verecundia*, but lays down its skepticism too boldly.<sup>40</sup> Philo, who originally educated Antiochus in skepticism, was "unable to maintain [*sustinere*]" the usual Academic position due to the Academy's own persistent zeal (*Academicorum pertinaciam*). The "progress" Cicero celebrates is only the self-reinforcing fanaticism of committed ideologues. Philo "stirs up [*commovet*] certain revolutionary [*nova*] doctrines" when he entirely "eliminates the distinction between what is known and not known [*iudicium tollit incogniti et cogniti*]." This is the moment when the Old Academy's patience has been too long tested, and it must "preserve [*retineamus*] that definition which Philo wished to overthrow [*evertere*]." <sup>41</sup> As in Roman politics, one may tarry with the skeptical mob, but there are certain lines one simply cannot cross, the boundaries which distinguish a concerned citizen of the Academic republic from a self-destructive traitor who undermines the very possibility of inquiry. Lucullus's figurative language reveals the unhappy consciousness in its political aspect, as a house divided against itself, aimed only at either its own repression or its own dissolution.

## VI. *Philosophia Ad Infinitum*

Yet Lucullus's harsh rhetoric is no mere oratorical flourish. Cato's expulsion of Carneades from Rome suggests that Cicero was not ingratiating himself with Rome's most august families by championing the cause of the New Academy. In domesticating the Greek skeptical position, he exposes himself to accusations of anti-republican treachery. Yet he remains undaunted in his defense of the New Academy. When he directly addresses Lucullus in his following reply, it is only to repeat the same procedure of which he stands accused. Cicero claims he has only views that the Old Academy itself admits as approved by the most noble philosophers.<sup>42</sup> He then proceeds to once more show how each great thinker of old maintain some skeptical doctrine. In addition to the figures mentioned in his initial speech in *Academica* I, the stoic Chrysippus is promoted for his skepticism of the senses.<sup>43</sup> The stoics themselves have furthered the skeptical revolt, which can be justified from the very model of *auctoritas* they have established. Taking up the mantle of august antiquity and carrying it still further back, Cicero is proud to deem the stoic Cleanthes as only "of the fifth class" in comparison to Democritus.<sup>44</sup>

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<sup>40</sup> [*M*]aiorem autem partem mihi quidem omnes isti videntur nimis etiam quaedam adfirmare, plusque profiteri se scire quam sciant (Cicero/Reid, 1874: §§2.14-15).

<sup>41</sup> (Cicero/Reid, 1874: §2.18.

<sup>42</sup> (Cicero/Reid, 1874: §2.72.

<sup>43</sup> (Cicero/Reid, 1874: §2.75.

<sup>44</sup> (Cicero/Reid, 1874: §2.73.

Lucullus does not seem to have inspired even a moment's reconsideration in Cicero, who has only expanded the same controversial reading without even acknowledging the New Academic distinction between an earlier intellectual humility and New Academic skepticism. "Enough about our philosophical forebearers," Cicero brusquely concludes.<sup>45</sup> The charge of high treason will never stick because Cicero can always cite these canonical skeptical passages in reply. The Old Academy initiates an *argumentum ad auctoritatem*, but *auctoritas* cannot be found through a reception of texts alone. Even if it has been established that certain *auctores* must be consulted, authoritative texts will not comment on later historical developments or defend themselves against selective quotation. In the capable hands of a skilled orator like Cicero, the *argumentum ad auctoritatem* becomes an *argumentum ad infinitum*. While Cicero may not be able to articulate a better model of historical consciousness than the stoic deference to *auctoritas*, his lawyerly task has been accomplished, as he overturns the arguments of the stoics in accordance with their own formal criteria. It is enough for skepticism to suggest that history is far more complex than the Old Academy imagines. The defense has planted many reasons for doubt and can rest its case.

Woven together in an integrated historical moment, stoicism and skepticism at once undermine and support each other just like the master and slave in chapter 4 of the *Phenomenology of Spirit*. The doctrine of each is senseless without the other. The undeniability of a katalpetic presentation only emerges in the recognition of the rebellious, potentially seditious freedom of another self-consciousness, of its ability to deny and undermine established doctrine. Likewise, the refusal of assent to any and all presentations can only emerge within a dialectical situation in which one's interlocutor positively *demand*s positive recognition of the products of their own self-consciousness. As Cicero sarcastically protests later in *Academica* II, the dogmatist has forced the skeptic into the absurd position of asking to be granted permission to simply admit he does not know what he does not know.<sup>46</sup> As each side repeats itself while talking past the other, dialectic remains stuck in Hegel's "bad infinity [*schlechte Unendlichkeit*]", in which each side posits a limit but is then surpassed in a "superficial alteration." Unhappy self-consciousness can only maintain its fragile freedom by hopelessly attempting to distinguish itself from an "opposing position" for which it has only contempt and yet to which it is inherently attached. The only freedom possible within this bind is the bad infinite's simulacrum of true independence, the "liberation of fleeing" characteristic of skeptical noncommitment.<sup>47</sup>

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<sup>45</sup> *Satis multa de auctoribus* (Cicero/Reid, 1874: §2.76).

<sup>46</sup> (Cicero/Reid, 1874: §2.126).

<sup>47</sup> (Hegel, 2010: §94, 149).

This Roman “academic” dispute seems, in this light of its endless repetition, futile and nearly tragicomic. Stuck in a bad feedback loop, the self-certain yet endlessly disputing participants of *Academica* are doomed to remain at loggerheads over a centuries-old teaching of Zeno. Philosophy in this era seeks certainty, a recognition of its own consciousness as indisputably valid, and yet the situational particularity of historical self-consciousness precludes precisely this aim. To this point, Cicero offers a still more pessimistic meta-skeptical reading of the history of philosophy in which the endless *dissensio* of philosophical dispute itself undermines any claim to *auctoritas*. Every philosopher from Thales to the Pythagoreans is wise and venerable, and yet they all disagree with each other. If she accepts the dogmatism of the Old Academy, the blindly partisan student of philosophy will be forced into an overly broad renunciation:

Your “wise” man will choose from these some single master whom he should follow, I trust: so many great other men will depart, now rejected and despised by him.<sup>48</sup>

As Brittain and Palmer comment, “withholding assent turns out to be the best way to avoid impugning the greatness of earlier philosophers, since it involves an acknowledgement that, for all one knows, any one of them may be correct.”<sup>49</sup> When the Old Academy distinguishes *philosophia constituta* from *philosophia nova*, they commit an outrage against the ancestors sidelined in this selective display. Only by committing to none does the New Academy properly reverence all.

Cicero accepts and encourages the historical turn in the discussion because he knows that the Old Academy, however fervent its political rhetoric, crumbles rather easily when forced to honestly confront the complexity of history. He knows he is playing a winning hand. Stoicism must attempt to ossify history, an impossible task which only yields brittle products. Skepticism, by contrast, is not a body of knowledge but its continual negation. It is only strengthened and encouraged by its encounter with a non-verifiable historical object of inquiry. Like Virgil’s Rumor, skepticism “flourishes by movement and gets its powers in its going.”<sup>50</sup> If the passage of time reduces all *auctoritas*, so much the better for Cicero’s skepticism, which can justify the withdrawal of all assent through a positive recognition of history’s ever-growing bounty of dissenting accounts.<sup>51</sup>

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<sup>48</sup> (Cicero/Reid, 1874: §§2.118-119).

<sup>49</sup> (Brittain and Palmer, 2001: 65-66).

<sup>50</sup> [*M*]ōbilitāte viget vīrēsque adqūirit eundō (Cicero/Reid, 1874: §4.175).

<sup>51</sup> “The trope of *dissensio* seems to tell against the reliability of reason itself. More specifically, the divergent and incompatible results of the Presocratics’ (and other dogmatists’) rationalist theory-building undermine the enterprise of dogmatic philosophy for three reasons. First, if human reason were a sure guide to the discovery of truth in such matters, one might expect there to have been far less disagreement among the greatest philosophers. Secondly, the fact of basic philosophical disagreements points to the

Hegel likewise recognized the infinite negative power of ancient skepticism, which overcame the naïve understanding by *isostheneia*, or “equipollence,” the demonstration that every *logos* can be countered with another *logos* of equal validity.<sup>52</sup> This is the skepticism which is genuinely dialectical. Rather simply denying any positive claim from an *a priori* universal doubt, ancient skepticism initiates the synthetic interplay of opposites by always offering a second account. From Cicero’s perspective, the simple demonstration of the possibility of an equally plausible account is enough to overturn any dogmatic historical construct. The historically mediated perspective proper to philosophical research can never be collapsed into a finitely discernable “final meaning.” As Cicero recognized, history, like philosophy, is a study whose lack of closure is a natural result of its endless self-development. The stoics’ attempt to situate their philosophy in a history acceptable to a conservative Roman ethos has the paradoxical result of demonstrating that neither philosophy nor history can be made to fit such ideological restraints. The mind that can say “no” to these formal constructions is also the mind for whom such barriers are only stimulants. Philosophical ideas grow from being disputed while our relation to history deepens only when we challenge its atavistic authority. Cicero’s interlocutors are ultimately not much different from the unphilosophical philistines he criticizes in *De finibus* for allowing only a little bit of philosophy to occur within socially acceptable limits:

Some people nonetheless want philosophizing to happen with more moderation, and even if this study should be most pleasing, they demand a certain troublesome restraint in something which, once it has been allowed, is not able to be forced back and repressed [*coerceri reprimique*], so that we have use of those who dissuade from philosophy entirely as being nearly more just than these people who would set up a limit in matters unlimited [*qui rebus infinitis modum constituent*] and in a subject that is the better only by as much as it is the greater, desire the average.<sup>53</sup>

Skepticism frees philosophical ideas, repressed like a rioting mob, to admit and incorporate their own contraries in developing an ever richer, deeper self-consciousness. Mind recognizes its own true nature when it first recognizes even a skeptical bad infinity, a first path, however insufficient, out of unhappy consciousness.

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absence of any acceptable ‘criterion of knowledge’ on the basis of which progress could be made. Finally, the existence of unresolved basic disagreements highlights the irrational motivations which underlie the acceptance of any one view by its adherents” (Brittain and Palmer, 2001: 67).

<sup>52</sup> It is the method of equipollence which makes ancient skepticism superior to modern skepticism for Hegel. Modern skepticism proceeds from a “cluster of *specific problems*,” while equipollence, as a method of thought, does not presuppose any set of problems (Forster, 1989: 10-11).

<sup>53</sup> (Cicero/Reid, 1874: §§1.2-3).

But this first taste of freedom in a negative skepticism must be followed up by the positive recognition that we were lost in an unhappy consciousness only because we were entirely mistaken about the infinite nature of mind. Hegel closely echoes Cicero in introducing his philosophy of mind as a necessarily infinite study while further psychologizing the motives of those who would deny any recognition of the infinite in philosophical inquiry:

The determination of *finitude* is applied with especial rigidity by the *intellect* in relation to mind and *reason*: it is held not just a matter of the intellect, but also as a moral and religious concern, to adhere to the *standpoint* of finitude as *ultimate*, and the wish to go beyond it counts as audacity, even as derangement, of thought. Whereas in fact such a *modesty* of thought, which treats the finite as something altogether fixed and *absolute*, is the worst of virtues; and to stick to what does not have its ground in itself is the shallowest sort of knowledge .... This vanity will emerge in the development of the mind itself as the mind's extreme immersion in its subjectivity and its innermost contradiction and thus its turning point, as evil.<sup>54</sup>

The deficiency of the unhappy consciousness is finally shown to be nothing more than a subtle species of vanity. While the traditionalist and the skeptic both seem to efface the independence of their mental capacities, they both operate under the self-serving presupposition that all objects of knowledge can be accommodated to their immediate awareness. Even the knowledge of the history of philosophy, the knowledge of a still unfolding story in which we, as philosophers, are presently involved, can be rendered into a sort of finite fact that can be affirmed or denied. The exhaustible vanity of quarreling schools proceeds from the presumption that each can claim the truth (or the denial thereof) as its own finite possession, however much this vanity is deflected by the apparent humility of self-effacement.

The infinite nature of mind means nothing more than that it is never to seize upon a given as its ground, that it is not to reduce itself to the pedantic silliness of reducing what is endlessly self-creating to what is merely established. The unhappiness of the unhappy consciousness is the unhappiness of vain incompleteness, of a mind that has recognized its limitations but not stepped beyond them, instead leaning on historical doctrines it knows to be ungrounded, unknowable, ultimately *irrelevant*, winning debating points when it is destined to transcend these debates. The infinite bad feedback loop of an "academic" dispute is so frustrating precisely because its very inexhaustibility betrays the fact that human reason was destined to go beyond such self-imposed boundaries and quandaries. While this learned meeting of self-important Roman gentlemen may today be largely forgotten in contemporary philosophical debates, let it

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<sup>54</sup> (Hegel, 2007: §386).

also serve as an example and free us from disputes believed to be scientific only because they are narrow and endlessly undecidable.

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