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DOCUMENTING HELLENISTIC PHILOSOPHY

Cicero as a Source and Philosopher

Thornton C. Lockwood, Jr.

How are we to balance our understanding of Cicero, on the one hand, as a source for the historically accurate documentation of Hellenistic philosophy and, on the other hand, as a Roman philosopher who engages with and adapts his depictions of the various Hellenistic schools of philosophy in light of his own philosophical commitments? In support of the former side of the balance: Cicero by his own report possessed a life-long interest in philosophy and had the opportunity to study with philosophers of all the major schools, such as the Epicurean Phaedrus and the Stoic Diodotus, the Academic philosophers Philo of Larissa and Antiochus of Ascalon, and the Stoic philosopher Posidonius.¹ Almost all of Cicero's philosophical works regularly quote by name and show a nuanced understanding of the Hellenistic schools of philosophy, including their historical development and inter- and intra-scholastic disagreements. In several places Cicero explicitly notes that the goal of his philosophical treatises is to transmit Greek philosophy to a Roman audience, presumably in a fashion that is faithful to its sources (*De Fin.* 1.1–10; *De Div.* 1.12; *Tusc.* 1.1–6, 2.5; *DND* 1.4; *De Off.* 1.1; *Acad.* 2.5–6). Most famously, in a letter to his friend Atticus in 45 BCE, Cicero describes his philosophical works as “translations [ἀπόγραφα]. They don't cost so much trouble therefore; I only contribute the language, in which I am well provided” (*Letters to Atticus* XII, 52).

In support of the latter side of the balance: Beginning with the landmark scholarship of (Schofield 1986, MacKendrick 1989, and Powell 1995a), over the last few decades scholars have begun to re-appreciate that Cicero's philosophical works exhibit formidable argumentative and rhetorical skills which suggests that he is doing much more than simply translating Greek philosophical texts and concepts into Latin (even if he regularly reflects on the philosophical nuances of specific Greek or Latin terms, as Powell (1995c) discusses). Although it is true that Cicero regularly provides Roman *exempla* or models to illustrate the philosophical doctrines of the Hellenistic schools, his works rather clearly show the influence of his own philosophical reflection upon both the politically dynamic and harrowing circumstances of the final days of the Roman Republic (for example, as documented in Long (1995a)) and the methods and beliefs of Academic philosophy (for example, as documented in Glucker (1988)). Although Cicero reports hundreds of philosophical claims from the Hellenistic schools, he regularly engages those claims philosophically (Powell

(1995b) provides a contextualized introduction to Cicero's philosophical works in general). Indeed, Cicero's philosophically ambitious program consists in his representation of the different doctrines of the Hellenistic schools in accord with the epistemological critiques of the New Academy, a project which he characterizes in the prologue to the second book of his *On Divination* (Schofield 2002: 99–103 provides a nuanced reading of the prologue).

Written in the last year of his life, Cicero's *On Divination* includes an "intellectual biography" which looks back upon and characterizes Cicero's unprecedented production of philosophical treatises following his exile from political office during Caesar's dictatorship, which was a profoundly transformative political event for Cicero (*De Div.* 2.6–7; *DND* 1.7; *De Off.* 2.2–5). In 46–44 BCE, Cicero produced nine different treatises (totaling almost 20 books or scrolls of dense philosophical prose). After describing his philosophical writings as a way to do good for his fellow Romans (even though he was no longer in public life) he describes his oeuvre as follows:

In my *Academica* (in four books), I set forth the philosophical system which I thought least arrogant and at the same time most consistent and refined. And, since the foundation of philosophy rests on the distinction between good and evil, I exhaustively treated that subject in five books [in *On Moral Ends*] and in such a way that the conflicting views of the different philosophers might be known. Next, and in the same number of books, came the *Tusculan Disputations*, which made plain the means most essential to the happy life.... After publishing the works mentioned I finished three books *On the Nature of the Gods*, which contain a discussion of every question under that head. With a view of simplifying and extending the latter treatise I started to write the present volume *On Divination*, to which I plan to add a work *On Fate*; when that is done every phase of this particular branch of philosophy will be sufficiently discussed. To this list of works must be added the six books which I wrote while holding the helm of the state, entitled *On the Republic*—a weighty subject, appropriate for philosophical discussion.

(*De Div.* 2.2–3)

Cicero clearly conceives his works as comprising the parts of logic, ethics, and natural science/metaphysics as a comprehensive treatment analogous to other Hellenistic schools, albeit with the addendum of political philosophy, which his *On the Republic* represents. Equally clear is his general embrace of the methodology of the New Academy, which he uses to structure most of the works written during the last two years of his life.

The methodological and epistemological tenets of the New Academy constitute a mitigated form of skepticism familiar (and ultimately derived) from the aporetic method found in some of Plato's Socratic dialogues (*Acad.* 1.15–17; *De Div.* 2.150; *De Rep.* 1.15–16). As Cicero describes it in the preface to the *Nature of the Gods*

Our position is not that we hold that nothing is true, but that we assert that all true sensations are associated with false ones so closely resembling them that they contain no infallible mark to guide our judgement and assent. From this followed the corollary, that many sensations are probable [*multa esse probabilia*], that is, though not amounting to a full perception they are yet possessed of a certain distinctness and clearness, and so can serve to direct the conduct of the wise man.

(*DND* 1.12; cf. *Acad.* 2.8; *Tusc.* 1.7–8, 1.17, 2.5, 4.7; *DND* 1.1, 1.11; *De Div.* 2.150)

Recognition of a “probable” sensation arises through the juxtaposition of opposing views on the same question or problem and throughout his “Academic” works, Cicero derives the opposing views on philosophical questions from the various Hellenistic schools. Cicero’s Academic method thus entwines both philosophy and what today we would call the history of philosophy. Cicero provides us with numerous reports about the different philosophical beliefs current in the Hellenistic period, but he makes use of them philosophically to arrive at “probable” philosophical beliefs that the Academic philosopher can follow even if not assent to.

But even if Cicero incorporates the methods of the Academic school into the treatises written in the final years of his life, there is significant diversity amongst his works in the way that they make use of historical sources. The Academic model, for instance, is most prominent in *On Moral Ends* and *On the Nature of the Gods* (and its appendices, viz. *On Divination* and *On Fate*). In each of these works (which I will discuss further below), Cicero composes dialogues between a character who represents the views of one of the Hellenistic schools and a character (often that of “Cicero”) who presents an Academic critique of the school’s doctrines. Yet several important treatises, specifically *On the Republic* and *On Duties*, fail to follow the academic model even though they draw heavily upon (and thus present historical evidence about) the sources of Classical and Hellenistic philosophy. Whether Cicero’s method of philosophical composition changed or his views about some aspects of practical philosophy departed from the Academic school are questions that go beyond my chapter. But the diversity of ways that Cicero incorporates historical sources into his philosophical works should caution us against the claim that his work lacks originality or simply present translations and adaptations of the major Greek schools of philosophy. In the remainder of my chapter I survey Cicero’s actual use of historical sources in each of his philosophical treatises, proceeding chronologically (and identifying the conventional date of publication for each work).²

On the Republic [De Re Publica] (51 BCE)

Cicero’s first substantive treatise, *On the Republic*, is quite explicitly inspired by Plato’s *Republic*, which he views as a work about a just constitution rather than a just soul. Nonetheless, Cicero’s *On the Republic* is incomplete: Although the treatise originally comprised six books, Books 4 and 5 exist almost entirely in fragments, and all of the other books suffer from significant lacunae.³ But although Cicero’s treatises are clearly indebted to Plato as a source, including significant translations of the *Republic*, which are inserted into *On the Republic* (*De Rep.* 1.66–67), the relationship between Cicero and Plato’s works is more complicated. On the one hand, Cicero clearly incorporates Platonic themes into his dialogues. For instance, Book 6 of *On the Republic* includes the depiction of “Scipio’s Dream,” an account of the rewards of justice found in the afterlife, which echoes passages such as the account of the “cave” and the “Myth of Er” found in Plato’s *Republic*. On the other hand, *On the Republic* Book 2 is an empirical and historical account of the origins and development of the Roman constitution; Cicero’s account favorably contrasts both Rome’s constitution and the historical study of constitutions to a “philosophical” analysis, which is how Cicero characterizes the utopian political philosophizing of Plato’s *Republic* (*De Rep.* 2.21–22).

Cicero’s *On the Republic* is a complicated source for other Hellenistic schools of philosophy. Although the prologue of *On the Republic* is fragmentary (*De Rep.* 1.1–12), it appears to offer a repudiation of the Epicurean doctrine that the wise person should live a life withdrawn from political activity (see further Christensen’s chapter in this *Handbook*).

But much of Cicero's critique which has survived in the prologue is implicitly rather than explicitly aimed at Epicurean doctrines of withdrawal (*De Rep.* 1.3, 1.4). *On the Republic* also includes a debate (which survives only in fragmentary form in book three) on the relationship between justice and a commonwealth. Significant testimony evidence suggests that Cicero's critique of justice (put in the mouth of the character of Philus [*De Rep.* 3.8–28]) derives from the critique of justice made by the Academic philosopher Carneades. And yet Philus' critique of justice appears to be followed by two defenses of justice, one first made by the character of Laelius (*De Rep.* 3.33–41) and a second then made by the character of Scipio himself (*De Rep.* 3.42–48). The fragmentary nature of the text makes one wonder whether the debate on justice in *On the Republic* 3 represents the Academic Cicero, pointing out the inconclusive nature of practical philosophy (as, for instance, Zarecki (2014: 16–42) argues), or the quasi-Stoic or quasi-Peripatetic Cicero, who repudiates critiques of justice much like Plato's *Republic* repudiates Thrasymachus' critique of justice (as, for instance, Woolf (2015: 93–124) argues). Although clearly Cicero engages the debate about the validity of justice, the fragmentary nature of *On the Republic* under-determines its correct interpretation as an historical source for Academic philosophy.

On the Orator [De Oratore] (c. 53 BCE), Brutus (46 BCE), and The Orator (46 BCE)

Although contemporary philosophers tend to dismiss persuasive language as “mere rhetoric,” as (Long 1995b: 38–39) notes, throughout his adult life Cicero remains consistent about “his interest as a writer in integrating philosophy with politics and rhetoric. That is the key to understanding his philosophical oeuvre as a whole, his philosophical sympathies, and much of his mind set.” One is reminded that Socrates, in Plato's *Phaedrus*, was seriously concerned about the relationship between philosophy and rhetoric (*Phaedrus* 259e–274b) and in the prologue to *Tusculan Disputation*, Cicero likens himself to Aristotle (whom Cicero claims “joined philosophy and rhetoric” [*De Div.* 2.4]). He explains that

it is my design not to lay aside my early devotion to the art of expression, but to employ it in this grander and more fruitful art: for it has ever been my conviction that philosophy in its finished form enjoys the power of treating the greatest problems with adequate fullness and in an attractive style.

(*Tusc.* 1.7; cf. *De Off.* 1.3–4; *De Fat.* 3; *DND* 2.1, 2.168)

No doubt, an Academic philosopher interested in what is probable is open to the various ways that language can shape conviction and assent (cf. *Orator* 237–38) and Cicero's intellectual biography in *On Divination* identifies his rhetorical treatises as part of his philosophical oeuvre (*De Div.* 2.4). Rhetoric is much more than mere verbal adornment and Cicero's readers should appreciate that the variety of literary forms that he uses to convey his philosophy are in part “rhetorical” choices.

Cicero's three treatises on rhetoric self-consciously are organized into a trilogy that ultimately depicts the ideal orator. Cicero's *On the Orator* is meant to replace his earlier rhetorical treatise *On Invention* (written approximately 30 years earlier) and devotes an initial book to a dialogue between famous orators of Cicero's youth that examines the relationship between oration and general education; its second and third books examine the various subsections of oration (such as the different genera of rhetoric or the ornamentation of language), but often with an eye to what philosophy can teach the orator (*De Or.* 2.154–161, 3.56–68, 3.118–122, 3.142). Cicero's *Brutus*, by contrast, is a single book dialogue

that provides a history of rhetoric that begins by chronicling Greek oratory (25–52), but spends most of its time detailing Roman oratory since the founding of the Republic. The history in *Brutus* includes an account of philosophers learned in oratory (94–121) and an autobiography that chronicles Cicero’s philosophical studies, including those with members of the Hellenistic schools (304–325). Finally, Cicero’s *Orator*, which takes the literary form of a letter to Brutus, examines the question of the highest style of rhetoric and seeks to depict the orator as an unobtainable yet regulative ideal, which he likens to a Platonic Idea (7–8, 10). Perhaps most relevant to my chapter is the work’s prologue (10–19), which examines the relationship between philosophy and oratory and includes Cicero’s claim that “whatever ability I possess as an orator comes, not from the workshops of the rhetoricians, but from the spacious grounds of the Academy” (12). Among other topics of interest to contemporary philosophers, the treatise takes up the style appropriate to the genre of philosophy (61–8) and the philosophical education necessary for the ideal orator (113–122).

***Academica* (45 BCE)**

Cicero’s *Academica*, easily his most philosophically advanced and rigorous work, documents the epistemological arguments for and against the possibility of veridical apprehension of reality. The work is not only philosophically abstract, but as (Griffin 1997) documents, only two parts of it survived and those parts derive from significantly different 1st and 2nd editions of the treatise. The first edition of the work originally comprised two books, but Cicero revised the material into a second edition which comprised four books. Furthermore, the treatise has Cicero the author place major substantive arguments into the mouth of Cicero the character in the dialogue, a novel detail of the *Academica*, which immediately raises the question of whether the character of Cicero speaks for the author Cicero. Nonetheless, the surviving texts offer invaluable insights into epistemological debates both prior to and during Cicero’s lifetime.

The second book of the 1st edition, named *Lucullus* after its main speaker, begins with a defense of the possibility of veridical apprehension. Although Lucullus the character represents the position of Antiochus, a somewhat renegade member of the Academy, Antiochus’ epistemological views approximated those of the Stoic school of philosophy. Thus, the character of Lucullus articulates the fundamental tenets of Stoic epistemology, including an account of the underlying structure of experience, reason, and our senses, which make veridical apprehension possible (*Acad.* 2.19–29), and a defense of veridical apprehension grounded both in the Stoic account of physics (*Acad.* 2.30–31) and in counter-arguments against the Academic critique (*Acad.* 2.40–60). But in the second half of the book, Cicero the author puts into the mouth of Cicero the character Academic counter-arguments against the possibility of veridical apprehension. But before advancing the arguments for and against veridical apprehension, *Lucullus* contains an historical survey of how philosophers have understood the phenomenon of apprehension, beginning with Empedocles and running right up to epistemological views amongst Cicero’s teachers (*Acad.* 2.14–18). The other surviving book of *Academica*, which derives from the 2nd edition, survives only in part, and is named after its main speaker Marcus Varro. Although the surviving text of *Varro* does not include a defense and critique of a specific epistemological belief, it does include Varro’s historical account of the development of several of the most important Greek philosophical schools. It begins by distinguishing the views of the historical Socrates from that of Plato’s (Old) Academy (*Acad.* 1.15–17), and then explains how the Peripatetic School and Stoicism developed out of departures from the Old Academy (*Acad.* 1.19–42). *Varro* contains fragments of the speech of the character of Cicero, which compares and

contrasts the differences between the Old and New Academies from a partisan perspective that claims that the New Academy more accurately captures the spirit of Socratic philosophizing (*Acad.* 1.44–46).

On Moral Ends [De Finibus] (45 BCE)

Cicero's most theoretical ethical treatise, which recently has received detailed philosophical commentary in (Annas and Betegh 2015), presents an Academic examination of the goal or end that constitutes happiness or well-being. The first two books are devoted to Epicureanism: The character of Torquatus presents a book-length defense of the Epicurean claim that pleasure is the goal of life and then the character of Cicero, representing the perspective of the New Academy, presents a book-length critique of Epicurean ethical philosophy. Books three and four follow the same pattern: the author Cicero puts into the mouth of the character of Cato a book-length defense of the Stoic claim that the honorable, understood as virtue, is the aim of life and then, once again, Cicero the character presents an Academic critique of Stoicism. Book five of *Moral Ends*, set in Athens, in the garden of Plato's Academy, concludes with an articulation and critique of the ethical philosophy of Antiochus. Although Antiochus identified with the New Academy in some respects, he sought to rejuvenate the ethical philosophy of the Old Academy. Cicero puts the articulation of Antiochus' ethical philosophy into the mouth of Piso, a follower of the New Academy, and puts into the mouth of Cicero, the character, a brief critique.

On Moral Ends clearly exhibits similarities to Cicero's other Academic works insofar as it presents the views of Hellenistic schools and then subjects them to criticisms. But the work's presentation of different opinions from the schools is intertwined with their critique. Thus, Cicero the character presents an overview of the Epicurean system, ranging over its branches of logic, ethics, and theology or metaphysics (*De Fin.* 1.17–26); but he does so to present a critique of systematic deficiencies within Epicureanism, for instance that Epicurean physics are largely derivative from Democritus (*De Fin.* 1.17) or that Epicurean logic lacks any substantive place for definition or the methods of division and classification (*De Fin.* 1.22). Cicero the character also presents an overview of the Stoic system of philosophy, but largely on the grounds that he finds nothing new in Stoicism and that Stoicism is largely indistinguishable from Peripatetic philosophy (*De Fin.* 4.3–23). Cicero the author also puts into the mouth of the character Cato extensive justifications of the fundamental differences between Stoicism and the other schools (especially that of the New Academy (*De Fin.* 3.10–16, 3.30–50)). Can the modern historian of philosophy trust that the historical claims put into the mouths of any of these characters are historically accurate rather than polemical?

Consider, for instance, the account that *On Moral Ends* presents of the Epicurean view of friendship. In the articulation and defense of Epicureanism, the character of Torquatus anticipates the familiar objection that making pleasure the highest good leaves no place for friendship, since friendship requires loving another for his or her own sake rather than out of a sense of utility (*De Fin.* 1.65, 2.78). Thus, he notes that contemporary Epicureans hold that

the early rounds of meeting and socializing, and the initial inclination to establish closeness, are to be accounted for by reference to our own pleasure, but that when the frequency of association has led to real intimacy, and produced a flower of affection, then at this point friends love each other for their own sake, regardless of any utility to be derived from the friendship.

(*De Fin.* 1.69)

Cicero the author has Cicero the character reply that however laudable is such a development, it is absent from and foreign to Epicurus' own written account. Although *On Moral Ends* shows significant sensitivity to the source problem of Epicurean accounts of friendship (namely, whether and in what ways the doctrine had undergone development from the third to the first centuries BCE), such historical accuracy serves as the basis for the philosophical criticism of the doctrines of Epicurus (as distinct from the school of Epicureanism).

***Tusculan Disputations* [*Tusculanae Disputationes*] (45 BCE)**

As Cicero notes in his intellectual biography, whereas *On Moral Ends* dealt with the goal or end at which a human life aims, his *Tusculan Disputations* (*Tusc.*) examine the “means” (*res*, or “things”) most necessary to a happy life (*De Div.* 2.2). In five books, the treatise presents opposing arguments on five central debates in Hellenistic ethical theory: on whether death should be despised; on whether pain is the greatest evil; on whether the wise person experiences distress; on whether the wise person experiences the emotions of delight, lust, and fear; and on whether virtue is sufficient for living a happy life (a question also taken up in *Paradoxes* 16–19). Each “dispute” is structured in accord with the Academic methodology (which Cicero explicitly invokes) of opposing views against each other in search of probable rather than truthful conclusions, a method Cicero likens to the one used by Aristotle and Philo of Larissa (*Tusc.* 2.9; cf. *De Fat.* 1.4).

The structure of all five disputes is quite similar: after a brief prologue, a master and a student first present opposing views on a question; second, the master supplies relevant philosophical claims or theses, almost all of which are taken from classical and Hellenistic schools, to elucidate or resolve disagreement between opposing views; and third, the views are either confirmed or refuted based on the relevant philosophical claims. For example, the first dispute concerns the affirmation that “death is an evil” (*Tusc.* 1.9–15) and the negation “death is not an evil” (*Tusc.* 1.16–17). After presenting the two views, the master surveys the historical beliefs which philosophers have offered about the nature of death, beginning with Empedocles and running through classical philosophers like Plato and Aristotle and Hellenistic philosophers such as Dicaearchus and Zeno (*Tusc.* 1.18–25). The remainder of the dispute confirms that death is not an evil, first based on the belief that the soul is immortal (*Tusc.* 1.26–81) and secondly based on the belief that the soul is mortal (*Tusc.* 1.82–111).

Although Cicero is clearly using historical sources to advance philosophical arguments (for example, that death is not an evil), the incorporation of historical source material into the disputes provides a rich account of important subjects in pre-Socratic, classical, and Hellenistic philosophy. Thus, the second dispute, which concerns whether pain is the greatest evil, surveys the various accounts of pain, especially those found in the Epicurean school (*Tusc.* 2.15–31). Cicero also makes explicit that literary sources, such as Aeschylus and Homer, provide relevant source material about the nature of pain (*Tusc.* 2.26). The third and fourth disputes, which (Graver 2002) characterizes as a treatise on the nature of emotions, concern whether the wise man is susceptible to anxiety and other emotions. In the course of examining the dispute, Cicero the author surveys first the accounts of anxiety found in the Stoic, Peripatetic, Cyrenaic, and Epicurean schools (*Tusc.* 3.24–75); secondly, the analysis of delight, lust, and fear articulated in the Stoic school (*Tusc.* 4.10–33); and finally, the Peripatetic analysis of moderate emotions (*Tusc.* 4.34–57). The fifth dispute concerns whether virtue is sufficient for happiness, and surveys the axiology of Aristotle, Antiochus, and Epicurus (*Tusc.* 5.21–36). As (Gildenhard 2007) suggests, *Tusculan*

Disputations may initiate a new philosophical venture for Cicero, one concerned with the education of Romans as an alternative to political activity during Caesar's dictatorship. If such a thesis is correct, the master's invocation of philosophical beliefs to resolve ethical questions may seek historical accuracy rather than polemical advantage.

***On the Nature of the Gods [De Natura Deorum] (45 BCE), On
Divination [De Divinatione] (44 BCE), and On Fate [De Fato] (44 BCE)***

Cicero's three inter-related treatises *On the Nature of the Gods* (*DND*), *On Divination* (*De Div.*), and *On Fate* (*De Fat.*) articulate and critique Epicurean and Stoic natural science, metaphysics, and theology. Indeed, the comprehensive "theology" of Stoicism includes not only an account of the gods, but topics such as cosmology, astronomy, zoology, teleology, and human anatomy. Stoic views of divination and fate also give rise to Cicero's separate treatment of the two subjects (*DND* 2.162–168; *De Div.* 2.3, 2.19–26, 2.148) as appendices of a sort to the main treatise. Although *On Fate* is fragmentary (it only includes the Academic critique of Stoic determinism), as (Schofield 1986) documents, all three works self-consciously embrace the Academic method of presenting opposing viewpoints on the same questions in order to evaluate the probability or likeliness of different historical positions (*DND* 1.1, 1.57, 2.2; *De Div.* 1.7, 2.8, 2.150; *De Fat.* 1). Indeed, *DND* 1.1 notes that the subject of theology is especially well-suited to Academic method, given that the complexity and subtlety of its argumentation generally undermine assent.

Although the Academic spokesperson of *DND*, Gaius Cotta, correctly notes that the Stoic account of the gods is far more detailed and complex than that of the Epicureans (*DND* 3.4), the three treatises together present an especially rich historical account of both schools, along with their predecessors such as the "Pre-Socratic" philosophers, Socrates, Plato, Aristotle, and the Peripatetic school. For example, Quintus, the Stoic spokesperson of *On Divination*, records that Chrysippus, Diogenes of Babylon, and Antipater all embraced the following argument:

If there are gods and they do not make clear to man in advance what the future will be, then they do not love man; or, they themselves do not know what the future will be; or, they think that it is of no advantage to man to know what it will be; or, they think it inconsistent with their dignity to give forewarnings of the future; or, finally, they, though gods, cannot give intelligible signs of coming events.

(De Div. 1.82)

But, based on the good characteristics of the gods, since each of these disjunctions is false, it follows that there must be divination. And, of course, the character of Cicero, presenting the Academic critique of Stoic divination, raises counterarguments and objections to each step of Quintus' reconstruction of the argument (*De Div.* 2.101–106). The result is a careful, nuanced exposition of a central argument in Stoicism, one which sheds much light on otherwise obscure doctrines.

Cicero's trilogy on theology also catalogs the diversity of opinions within the schools of Epicureanism and Stoicism. All three works regularly point out how Cleanthes, Chrysippus, Zeno, Panaetius, and Posidonius presented instances of heterodox or alternative views within the development of Stoicism (*DND* 2.13, 2.16, 2.57, 2.118). At the same time, Cicero the author shows that the accuracy of historical views is often conditioned by the allegiances of the spokesperson articulating them. For instance, in *DND* 1.25–43 the

Epicurean spokesperson, Gaius Velleius, presents a history of theological views that runs from Thales to Diogenes of Babylon, but he does so in order to show that prior to Epicurus, theological beliefs were “more like the dreams of madmen [*delirantium somnia*] than the considered opinions of philosophers” (*DND* 1.42). Elsewhere, although Cicero reports that the Academic philosopher Antiochus viewed the Stoic and Peripatetic schools as virtually indistinguishable, he has Lucilius Balbus, the Stoic spokesperson in *DND*, completely reject the Academic interpretation of their similarity (*DND* 1.16). Indeed, such a question re-occurs throughout Cicero’s corpus and is a major point of disagreement between the Stoics and members of the Academy (e.g., *Tusc.* 5.119–121; *De Off.* 1.2, 1.6, 2.8; *De Fin.* 3.10–15, 4.3–6, 4.61–62). The trilogy of theological works thus exhibits Cicero the author documenting the historical views of his predecessors, but doing so within a framework that is fundamentally concerned with philosophizing about those views.

On Duties [De Officiis] (44 BCE)

Cicero’s last substantive treatise, *On Duties*, introduces additional complexity to the question of Cicero’s role in documenting the sources of Hellenistic philosophy alongside his own philosophical investigations and argumentation. Cicero is quite clear that *On Duties* is substantively indebted to a treatise written by the Stoic philosopher Panaetius of Rhodes (185–110 BCE) on the same subject (in Greek, *περὶ τοῦ καθήκοντος*) and to some extent he follows Panaetius and organizes his treatise into three books, one on what is honorable, one on what is beneficial, and one on apparent conflicts between the honorable and the beneficial (*De Off.* 1.9–10). But I say “to some extent” because Panaetius failed to write his projected third book (*De Off.* 3.7–11, 3.33–34); Cicero also faults Panaetius for failing to address the ranking of actions that are more or less beneficial or honorable (*De Off.* 1.152, 1.161, 2.88). Indeed, Cicero repeatedly criticizes Panaetius’ views and faults him for neglecting important questions. Of the fourteen times that Cicero mentions Panaetius by name in the work, only two are positive and eight mentions are critical (*De Off.* 2.35, 2.51; 1.7, 1.9–10, 1.152, 1.161, 2.16, 2.88, 3.7–11, and 3.33–34). As Cicero puts it at one point, in a discussion of lavish expenditure,

On account of Pompey, I am embarrassed to criticize theatres, colonnades and new temples; but the most learned men do not approve of them, as Panaetius himself says (whom I am to a large extent following, though not expounding, in these books [*quem multum in his libris secutus sum, non interpretatus*]).

(*De Off.* 2.60; cf. 3.7)

No doubt, *On Duties* “adapts” Panaetius’ works to a Latin audience by illustrating Stoic moral principles with Roman *exempla*. But Cicero’s reflections on the moral laws of warfare (*De Off.* 1.34–40), his condemnation of the use of fear (like Caesar) to motivate citizenry (*De Off.* 2.23–29), or his application of Academic philosophy to the realm of ethics (*De Off.* 2.7–8) appear to be substantive philosophizing that goes far beyond his original Stoic source. The entire third book of *On Duties* is Cicero’s substantive contribution since neither Panaetius nor his student Posidonius ever completed the projected third book (*De Off.* 3.7–8, 3.33–34).

Cicero’s *On Duties* embraces Stoic and Peripatetic ethical doctrines, since it is only an ethical account based upon what is honorable [*honestum*] that can generate an account of duty (*De Off.* 3.6). Thus, unlike Cicero’s other Academic treatises, *On Duties* contains almost no discussion of Epicureanism (aside from a brief concluding critique (*De Off.*

3.116–120)) nor does it include characters who represent the different Hellenistic schools. And yet Cicero's embrace of Stoicism also has its own limits. As Cicero notes at the outset of his treatise,

I shall, therefore, for the present and on this question [namely, on the status of the honorable], follow the Stoics above all, not as an expositor [*non ut interpretes*], but, as is my custom, drawing from their fountains when as it seems best, using my own judgement and discretion [*iudicio arbitrioque*].

(*De Off.* 1.6)

Thus, Cicero regularly inserts Peripatetic insights into the treatise on the grounds that there are minimal substantive ethical differences between the Stoic and Peripatetic schools. But further, the third book of the treatise documents at length divisions about the latitude of honorable actions in an extended imaginary dialogue between Diogenes of Babylon and his pupil Antipater (*De Off.* 3.51–57). Cicero's "Stoicism" is hardly dogmatic or slavishly concerned with historical accuracy and he has hardly abandoned his Academic allegiances (*De Off.* 1.8, 2.8, 3.20). But ultimately, I suspect that *On Duties* is just what it purports to be: a philosophically compelling account of right action suitable for specifically young Roman men, just like the work's addressee, Cicero's own son Marcus (*De Off.* 1.4, 3.121; cf. *De Div.* 2.4–5).⁴

Conclusion

My survey of Cicero's use of historical sources in his philosophical treatises suggests that one can identify three different models to characterize his use of Hellenistic sources. First, Cicero's *Academica* and *Tusculan Disputations* draw upon historical sources primarily to orient and provide conceptual resources to philosophers analyzing complex problems. As Cicero notes, his method here appears to follow that of Aristotle (*Tusc.* 2.9) and whatever complications are involved in evaluating the endoxic surveys that commence many of Aristotle's investigations and treatises, it seems relatively non-controversial that Aristotle presents such views to facilitate the resolution of conceptual problems. Secondly, as we have seen in treatises like *On Moral Ends* and *On the Nature of the Gods*, Cicero sometimes depicts the historical opinions of the Hellenistic schools in a polemical or partisan fashion, namely in a way that fails to do justice to the richness or depth of the various Hellenistic school. Whether such distortions are meant to keep the school's spokesperson "in character" or are merely partisan depictions of other schools goes beyond my chapter. Indeed, based on a contrast between existing Epicurean texts (like the *Letter to Menoeceus* preserved in Diogenes Laertius [10.121–15]) and the depiction of Epicureanism in *On Moral Ends*, (MacKendrick 1989: 146) concludes that "Cicero is not a safe source for understanding Epicureanism, chiefly because he assumes a viciousness not inherent in the doctrine."

On Duties appears to provide a third model for how Cicero uses the historical views of the Hellenistic schools that consists in philosophizing "in the spirit" of one of the schools without being beholden to all its dogmas. In the same way that today one might characterize the ethical views of a contemporary philosopher as "Kantian" or "Aristotelian," it seems fair to say that in *On Duties* Cicero presents a "stoical" ethical philosophy, albeit one that is oriented by middle rather than perfect duties (*De Off.* 1.8, 2.7, 3.14) and overlaps with Peripatetic views about emotions and the place of virtue within the philosophy (*De Off.* 1.39, 2.8, 3.33). But as noted at the outset, although one can isolate instances of these three models of presenting historical sources in Cicero's works, in practice I suspect that Cicero uses all three models within all his treatises.⁵

Notes

- 1 See *On the Nature of the Gods* 1.6; *Brutus* 306; *Academics* 2.115, 1.14; *Tusculan Disputations* 2.61. In my chapter, I cite book and section references and hereafter abbreviate the titles of Cicero's major works, based on their Latin titles (see the list of abbreviations at the beginning of this volume). In general, my quotations are based on the Latin editions of Cicero's works in the Loeb Classical Library along with guidance of their various translations (listed in my bibliography). Additional editions I have consulted include (Annas 2001; Brittain, 2006; Griffin and Atkins, 1991; and Zetzel 2017). In his survey of the sources for the study of Hellenistic schools, (Mansfeld 2005: 6–8) leads with Cicero as one of the most important secondary sources. My chapter focuses on Cicero as a philosophical source in his treatises, but (McConnell 2014) documents philosophical sources in Cicero's ample correspondence.
- 2 My chapter focuses upon Cicero's works that correspond most closely with our contemporary notions of philosophy. But Cicero also wrote essays on aging and friendship that are certainly philosophical in Cicero's sense of the term (see further Lockwood 2019 for the case of *De Amicitia* or Nussbaum and Levmore 2017 for the case of *De Senectute*).
- 3 Cicero also composed a treatise *On the Laws* (*De Legibus*) which is modelled on Plato's *Laws*. Nonetheless, Cicero fails to identify the treatise either in his intellectual biography in *On Divination* or in his other writings and appears to have abandoned the work (see further Zetzel 2017: xxii–xxiv). Thus, I exclude discussion of Cicero's *On the Laws* from my chapter.
- 4 My brief survey of Cicero's *On Duties* has generally followed the interpretation of (Griffin and Atkins 1991), especially with respect to the goal of the work (see also Gildenhard 2017: 69–75). (Brunt 2013) presents a fundamentally different interpretation of *On Duties*, one which views Cicero as more concerned with transmitting the views of Panaetius with historical accuracy. There is no way I can do justice to these differences of interpretation in my short chapter.
- 5 I am grateful for Kelly Arenson's kind invitation to contribute to the Handbook. I am also grateful to Kelly, William H.F. Altman, and Michael Vazquez for written comments on an earlier draft of the paper.

References

- Annas, J. (2001) *Cicero On Moral Ends*. Cambridge: Cambridge University Press.
- Annas, J. and Betegh, G. (eds) (2015) *Cicero's De Finibus: Philosophical Approaches*. Cambridge: Cambridge University Press.
- Baraz, T. (2012) *A Written Republic: Cicero's Philosophical Politics*. Princeton: Princeton University Press.
- Brittain, C. (2006) *Cicero. On Academic Scepticism*. Indianapolis: Hackett Publishing.
- Brunt, P.A. (2013) "Panaetius in De Officiis," in P.A. Brunt, *Studies in Stoicism*. Oxford: Oxford University Press, pp. 180–240.
- Falconer, W.A. (1923) *Cicero. On Old Age, On Friendship, On Divination*. Cambridge, MA: Harvard University Press.
- Graver, M. (2002) *Cicero on the Emotions. Tusculan Disputations 3 and 4*. Chicago: University of Chicago Press.
- Gildenhard, I. (2017). *Paideia Romania: Cicero's Tusculan Disputations*. Cambridge, UK: Cambridge Philological Society.
- Glucker, J. (1988) "Cicero's Philosophical Affiliations," in J. Dillon and A.A. Long (eds) *The Question of "Eclecticism."* *Studies in Later Greek Philosophy*. Berkeley: University of California Press, pp. 34–69.
- Griffin, M. and Atkins, E.M. (1991) *Cicero On Duties*. Cambridge: Cambridge University Press.
- Griffin, M. (1997) "The Composition of *Academica*. Motives and Versions," in B. Inwood and J. Mansfeld (eds) *Assent and Argument*. Leiden: Brill, pp. 1–35.
- Hendrickson, G.L. and Hubbell, H.M. (1962) *Cicero. Brutus, Orator*. Cambridge, MA: Harvard University Press.
- King, J.E. (1945) *Cicero. Tusculan Disputations*. Cambridge, MA: Harvard University Press.
- Lockwood, T. (2019) "Defining friendship in Cicero's *de Amicitia*," *Ancient Philosophy* 39: 1–18.

- Long, A.A. (1995a) "Cicero's Politics in *De Officiis*," in A. Laks and M. Schofield (eds) *Justice and Generosity. Studies in Hellenistic Social and Political Philosophy*. Cambridge: Cambridge University Press, pp. 213–240.
- Long, A.A. (1995b) "Cicero's Plato and Aristotle," in J.G.F. Powell (ed.) *Cicero. The Philosopher*. Oxford: Clarendon Press, pp. 37–62.
- MacKendrick, P.L. (1989) *The Philosophical Books of Cicero*. New York: St. Martins.
- Mansfeld, J. (2005). "Sources," in K. Algra, J. Barnes, J. Mansfeld, and M. Schofield (eds) *The Cambridge History of Hellenistic Philosophy*. Cambridge: Cambridge University Press, pp. 3–30.
- McConnell, S. (2014) *Philosophical Life in Cicero's Letters*. Cambridge: Cambridge University Press.
- Miller, W. (1913) *Cicero. On Duties*. Cambridge, MA: Harvard University Press.
- Nussbaum, M. and LeVmore, S. (2017) *Aging Thoughtfully: Conversations about Retirement, Romance, Wrinkles, and Regret*. Chicago: University of Chicago Press.
- Powell, J.G.F. (1995a) *Cicero. The Philosopher*. Oxford: Clarendon Press.
- Powell, J.G.F. (1995b) "Introduction: Cicero's philosophical works and their background," in J.G.F. Powell (ed.) *Cicero. The Philosopher*. Oxford: Clarendon Press, pp. 1–36.
- Powell, J.G.F. (1995c) "Cicero's Translations from Greek," in J.G.F. Powell (ed.) *Cicero. The Philosopher*. Oxford: Clarendon Press, pp. 273–300.
- Rackham, H. (1931) *Cicero. On Ends*. Cambridge, MA: Harvard University Press.
- Rackham, H. (1942) *Cicero. De Fato, Paradoxa Stoicorum, De Partitione Oratoria*. Cambridge, MA: Harvard University Press.
- Rackham, H. (1951) *Cicero. De Natura Deorum, Academica*. Cambridge, MA: Harvard University Press.
- Rawson, E. (1985) *Intellectual Life in the Late Roman Republic*. Baltimore: Johns Hopkins University Press.
- Schofield, M. (1986) "Cicero for and against divination," *Journal of Roman Studies* 76: 47–65.
- Schofield, M. (2002) "Academic Therapy: Philo of Larissa and Cicero's Project in the Tusculans," in G. Clark and T. Rajak (eds) *Philosophy and Power in the Graeco-Roman World. Essays in Honour of Miriam Griffin*. Oxford: Oxford University Press, pp. 91–110.
- Sutton, E.W. and Rackham, H. (1948) *Cicero. On the Orator*. Cambridge, MA: Harvard University Press.
- Woolf, R. (2015) *Cicero. The Philosophy of a Roman Sceptic*. New York: Routledge.
- Zarecki, J. (2014) *Cicero's Ideal Statesman in Theory and Practice*. New York: Bloomsbury.
- Zetzel, J. (2017) *On the Commonwealth and On the Laws*, 2nd edn. Cambridge: Cambridge University Press.

Further Reading

MacKendrick (1989) provides both detailed analyses of the philosophical arguments in each of Cicero's works and identification of his various sources (although he thinks sourcing Cicero's treatises has wrongly been the focus of scholars). Woolf (2015) provides a comprehensive treatment of Cicero's philosophical positions suitable for both advanced undergraduates and scholars working in the field of ancient philosophy. Rawson (1985) and Baraz (2012) provide studies of intellectual life in the final days of the Roman republic, when Cicero wrote his philosophical treatises.