

THE VICTORIOUS WISDOM OF SIMONIDES: CICERO'S JUSTIFICATION OF  
ACADEMIC SKEPTICISM IN DE NATURA DEORUM AND DE DIVINATIONE

by

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(Under the Direction of Robert Curtis)

ABSTRACT

This study examines the problem of why two of Cicero's later philosophical works on the topic of religion, *De Natura Deorum* and *De Divinatione*, subject the topic to much greater skepticism than had his earlier works, *De Republica* and *De Legibus*, in which he had only touched on the topic. After surveying and rejecting a number of theories previously set forth to account for this apparent shift in Cicero's philosophic perspective, this study proceeds to establish the agonistic literary context in which Cicero was writing as a backdrop against which it is possible to discern his intentions for *De Natura Deorum* and *De Divinatione*. The study concludes that Cicero's aim in these works is to construct religion as a discourse that reveals the shortcomings of Epicureanism and Stoicism and that justifies his own philosophical school, Academic skepticism.

INDEX WORDS: Cicero, De Natura Deorum, De Divinatione, religion, skepticism, agonistic, Epicureanism, Stoicism, Academic, New Academy

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## DEDICATION

This thesis is lovingly dedicated to my wife, Amber, who saw the sense in this degree when no one else did and who supported me graciously through much hard work.

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## Chapter 1: The Problem of “Cicero’s Skepticism” in the Later Dialogues

The tangential speculations on the subject of Roman religion in Cicero’s earlier dialogues, especially in *De Legibus*,<sup>1</sup> would have delighted the spirits of his ancestors. As Robert Goar puts it, in his earlier dialogues Cicero manifests “a wholly positive attitude toward Roman religion.”<sup>2</sup> In *De Legibus*, for instance, Cicero has the character Marcus, that is, himself, say of divination and the gods,

divinationem, quam Graeci *mantike* appellant, esse sentio, et huius hanc ipsam partem, quae est in avibus ceterisque signis, quod disciplinae nostrae. si enim deos esse concedimus, eorumque mente mundum regi, et eosdem hominum consulere generi et posse nobis signa rerum futurarum ostendere, non video cur esse divinationem negem. sunt autem ea, quae posui; ex quibus id, quod volumus, efficitur et cogitur.<sup>3</sup>

I believe that divination, which the Greeks call *mantike*, is real, as well as that part of divination which concerns birds and other signs, which branch belongs to our science [of augury]. For if we grant that the gods exist, that the world is ruled by their planning, that they pay attention to the race of men, and that they are able to reveal to us signs of future things, I do not see why I should deny the truth of divination. These things that I propose are true, moreover, and from these premises that [conclusion] which we desire is brought about and follows necessarily.

During the years 46-44 B.C., however, Cicero took up in earnest the subject of religion from a philosophical point of view, particularly in *De Natura Deorum* and *De Divinatione*. These two dialogues exhibit what seems to be a radical turn towards skepticism in religious matters,

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<sup>1</sup> For the date of *Leg.*, see E. Rawson, “The Interpretation of Cicero’s *De Legibus*,” *Aufstieg und Niedergang der römischen Welt* 1.4 (1973): 334-38, or, for a more recent treatment, see A. Dyck, *A Commentary on Cicero, De Legibus*, (Ann Arbor: University of Michigan Press, 2004), 5-7, where Dyck likewise dates *Leg.* to “the late 50s.”

<sup>2</sup> Robert J. Goar, “The Purpose of *De Divinatione*,” *Transactions and Proceedings of the American Philological Association* 99 (1968): 241.

<sup>3</sup> Cicero, *Leg.* 2.32-33. All translations are my own.



perhaps even a “*volte-face*” on the subject of religion, as Goar would have it,<sup>4</sup> so they have produced a weighty problem for those who would interpret Cicero’s philosophical oeuvre.

The discussion in *De Natura Deorum* calls into question not only the character of the gods and whether or not they participate in human affairs, but also whether or not they even exist. The dialogue breaks down into four parts. In the first part (1.18-56), Gaius Velleius presents the Epicurean account of the gods; in the second part (1.57-124), Gaius Aurelius Cotta, the Academic and central figure of the dialogue, criticizes the Epicurean account; in the third part (2.1-168), Quintus Lucilius Balbus presents the Stoic account of the gods; and in the fourth part (3.1-93), Cotta criticizes Balbus’ Stoic theology, again from the point of view of his New Academic skepticism. At the end of the dialogue Cicero has his own persona, Marcus, who has served as the dialogue’s narrator, say, “haec cum essent dicta, ita discessimus ut Velleio Cottae disputatio verior, mihi Balbi ad veritatis similitudinem videretur esse propensior.”<sup>5</sup> This much debated statement somewhat mitigates the barely restrained skepticism of the last book, but it does not eliminate the radical challenge to the nature and existence of the gods that Cicero raises within the dialogue as a whole, both through the particular form in which he frames the work, alternating positive accounts with criticisms, and through the peculiar force of the arguments that Cicero gives to Cotta in his criticisms of the Epicurean and Stoic philosophies. In short, *De Natura Deorum* questions the essential presuppositions of Greek and Roman polytheistic religion, as Cicero himself suggests it will in his proem to this very work.<sup>6</sup>

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<sup>4</sup> Goar, 241.

<sup>5</sup> Cicero, *Nat. D.* 3.95: “When we had said these things, we departed; the result [of the discussion was that] Cotta’s discourse seemed truer to Velleius, but that of Balbus seemed to me more inclined to the likeness of the truth.”

<sup>6</sup> *Nat. D.* 1.13-14.

In order to “fulfill his intention to complete an encyclopedic treatment of Greek philosophy into Latin,”<sup>7</sup> Cicero followed up *De Natura Deorum*, which he had written during the summer and probably fall of 45,<sup>8</sup> with *De Divinatione*, written “between late 45 and the death of Caesar.”<sup>9</sup> *De Divinatione* offers an even more direct and candid challenge to Roman religious practices. Cicero uses the same structure for *De Divinatione* that he had used in *De Natura Deorum*: in the first book, Cicero has his brother Quintus give a positive defense of the traditional Roman practice of divination, and in the second book he has his own persona, Marcus, give a skeptical critique of the practice. Marcus’ scrupulous critique undermines and even ridicules both the practical and the theoretical foundations of divination. Marcus explains away the most commonly offered examples of successful divinatory practices, and he puts forward many counter-examples of cases in which divination was unsuccessful and even deleterious. His most interesting counter-example comes in 2.52-53, where he contrasts Pompey’s dumb reliance on the reassuring predictions that the *haruspices* gave to him concerning the outcome of the civil war with Caesar’s boldness in ignoring the warnings of his own *haruspex* and crossing over into Africa before the winter solstice. More significantly, Marcus derides certain celebrated portents, such as rivers being turned to blood and statues sweating, and denies them on the grounds that they are not physically possible.<sup>10</sup> Marcus rebuffs the commonly accepted belief that dreams are often prophetic warnings from the gods by arguing that dreams derive from our daily affairs and our thoughts about them.<sup>11</sup> He maintains throughout his discussion of dreams<sup>12</sup> that if the gods sent signs at all, they would send clearer

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<sup>7</sup> David Wardle, *Cicero On Divination Book I*, (Oxford: Clarendon Press, 2006), 9.

<sup>8</sup> Andrew Dyck, *Cicero De Natura Deorum Book I*, (Cambridge: Cambridge University Press, 2003), 2.

<sup>9</sup> Wardle, 43.

<sup>10</sup> Cicero, *Div.* 2.26-27, 56-58.

<sup>11</sup> *Div.* 2.68, 140.

<sup>12</sup> *Div.* 2.110-147.

signs than dreams. Marcus attributes experiences of prodigies to strong anxiety and self-deception.<sup>13</sup> He even deigns to give a lengthy refutation of astrology, a practice that Quintus does not even defend in his speech!<sup>14</sup> The basic, commonsensical argument that Marcus assiduously sets forth is that there is neither a physical nor a logical connection between the entrails of animals, the flight patterns of birds, lightning, thunder and the weather in general, dreams, the movements of the stars – or whatever else may be taken as a portent – and the laws that govern the universe or the doings of women and men.<sup>15</sup> Marcus concludes that divination is a mixture of error, superstition, and fraud.<sup>16</sup> That Cicero himself was inaugurated as an augur in 53 or 52<sup>17</sup> would seem only to increase the irony and strangeness of this philosophical onslaught against one of the two citadels of Roman religion (the other of which was, according to Cotta, *sacra*<sup>18</sup>).

So how should one reconcile the two apparently contradictory accounts of Roman religion that Cicero propounds in his earlier and later dialogues? In what context is this later eruption of skepticism most intelligible? What did Cicero intend these theological dialogues to mean?

### **Conversion Theories**

Some scholars have attempted to account for this skeptical turn in Cicero's later philosophical writings by situating it within a general theory of his shifting philosophical affiliations over the course of his life. Rudolf Hirzel presented two of the earliest forms of this theory in the late 19<sup>th</sup> century, but Hirzel's view "was partly ignored, partly rejected for more

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<sup>13</sup> *Div.* 2.55-58.

<sup>14</sup> *Div.* 2.85-109.

<sup>15</sup> *Div.* 2.29, 33.

<sup>16</sup> *Div.* 2.83.

<sup>17</sup> For the date of Cicero's election, see J. Linderski, "The Aedileship of Favonius, Curio the Younger and Cicero's Election to the Augurate," *HSCP* 76 (1972): 190-209.

<sup>18</sup> *Nat.D.* 3.5.

than a century.”<sup>19</sup> Almost a century later, however, John Glucker and Peter Steinmetz independently renewed Hirzel’s theory and made their own original arguments for what is substantially the same position.<sup>20</sup> Glucker states their theory most succinctly,

Cicero... changed his affiliations twice: once, from a youthful enthusiasm for Philo of Larissa and Academic Skepticism to Antiochus’ ‘Old Academy’ – albeit with reservations and with a lingering respect for the Skeptical tradition – and then, sometime in 45 B.C., back to the Skepticism of Carneades and Philo. Cicero’s own evidence seems so overwhelming that one wonders what it is that made so many scholars ignore it, or feel uncomfortable when faced with it and attempt to find an unsatisfactory solution to an imaginary difficulty.<sup>21</sup>

According to this view, then, the traditional, even reverential outlook on Roman religion that Cicero sets forth in *De Legibus* is a function of his philosophical allegiance at that time to the Old Academy, which was itself respectful of tradition and only moderately skeptical, and the radically skeptical attitude towards Roman religion that Cicero’s later dialogues exhibit is a function of his re-conversion to the New Academy and the more radical skepticism of figures like Philo and Carneades. In spite of Glucker’s special pleading that the evidence for this view is overwhelming, it has not met with critical approval. In particular, Görler has written a persuasive, point-by-point refutation of this theory which has yet to be answered.<sup>22</sup> I need not recount Görler’s exhaustive rebuttals here, but it will be useful for the development of my own argument to demonstrate how Steinmetz and Glucker err.

Had Cicero made no statement concerning his philosophical affiliation in the *De Legibus*, one could still argue against a theory like that of Glucker and Steinmetz, but their position would

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<sup>19</sup> Woldemar Görler, “Silencing the Troublemaker: *De Legibus* 1.39 and the Continuity of Cicero’s Skepticism,” in J.G.F. Powell (ed.), *Cicero the Philosopher*, (Oxford: Clarendon Press, 1995), 85.

<sup>20</sup> John Glucker, “Cicero’s Philosophical Affiliations,” in J. Dillon and A.A. Long (eds.), *The Question of Eclecticism*, (Berkeley: University of California Press, 1996), 34-69; Peter Steinmetz, “Beobachtungen zu Ciceros philosophischem Standpunkt,” in W.W. Fortenbaugh and P. Steinmetz (eds.), *Cicero’s Knowledge of the Peripatos*, (New Brunswick: Transaction, 1989), 1-22.

<sup>21</sup> Glucker, 53.

<sup>22</sup> See note 17; see also A.A. Long, “Cicero’s Plato and Aristotle,” in J.G.F. Powell (ed.), *Cicero the Philosopher*, (Oxford: Clarendon Press, 1995), 41-42, where Long argues for substantially the same position as that of Görler.

be decidedly stronger. Cicero does, however, account for his early philosophical affiliation within the *De Legibus* itself, and he does so in a way that renders his supposed naivety on matters religious that he seems to give evidence for in this dialogue much more comprehensible. *De Legibus* is an urbane discussion among Cicero, Atticus, and Quintus on civil law. Around the middle of the first book, the persona of Marcus Cicero makes a statement that Glucker takes as a criticism, specifically on Cicero's part, of the New Academy, the more radically skeptical branch of this ancient school:

Perturbatricem autem harum omnium rerum, Academiam hanc ab Arcesila et Carneade recentem, exoremus ut sileat: nam si invaserit in haec quae satis scite nobis instructa et composita videntur, nimias edet ruinas; quam quidem ego placare cupio, summovere non audeo.

Let us prevail upon the Academy – [that is,] the recent Academy of Arcesilaus and Carneades, which would disturb all these points – to keep silent, for if it goes into these matters, which seem to us to have been adequately set forth and settled, it will bring about too much devastation. I am indeed eager to placate this [school], [and] I do not dare drive it off.

In keeping with his theory, Glucker interprets this passage as follows:

It is not just that Cicero does not represent himself [here] as a 'New' Academic; he criticizes the 'New' Academy as severely as only an outsider can do (although also as respectfully as only an old alumnus would)... [this] passage of *De Legibus*... could hardly have come from Cicero's last years when, as a born-again Skeptic, he was an admirer of Carneades. It belongs to the period when he was still an avowed follower of Antiochus.<sup>23</sup>

Görler goes to impressive scholarly lengths to refute Glucker's reading of this passage, delving into Cicero's customary mode of philosophical expression and the particular vocabulary employed here. As Wardle and Griffin have shown,<sup>24</sup> however, one can discern the significance of Cicero's statement here much more readily if one interprets it in the light of an earlier passage in which Atticus, one of Cicero's interlocutors, makes a philosophical concession so that the

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<sup>23</sup> Glucker, 49-50.

<sup>24</sup> Wardle, 13; Miriam Griffin, "Philosophical Badinage in Cicero's Letters to his Friends," in J.G.F. Powell (ed.), *Cicero the Philosopher*, (Oxford: Clarendon Press, 1995), 335.

three men can have their much desired conversation on civil law. Atticus is an Epicurean, so Cicero asks Atticus *temporarily* to set aside his Epicureanism and *temporarily* to concede that the gods participate in and govern human affairs.<sup>25</sup> Atticus graciously concedes. The point of having Atticus hold his Epicureanism in abeyance, as Cicero notes, is that they will be able to begin their conversation directly with the topic of civil law and will not have to go into an extended discussion on its theological underpinnings.<sup>26</sup>

Cicero's exhortation to the New Academy to keep quiet is exactly parallel to his request from Atticus that he make a philosophical concession he would not otherwise make. *De Legibus* 1.39, therefore, is nothing like an admission on Cicero's part that he is no longer a New Academic, but an example of polite, refined philosophical behavior in which the participants of the discussion temporarily set aside their customary philosophical commitments in order to have a conversation on a given topic. This is a type of philosophical experimentalism which, as Griffin points out, allows Cicero "to construct a system of natural law along Stoic lines."<sup>27</sup> This passage cannot be taken, then, as evidence for a shift in Cicero's allegiance away from the New Academy in the 50s, and if this crucial piece of evidence does not comport with the theories of Glucker and Steinmetz, then those theories self-destruct and thus offer no help in deciding why skepticism so predominates Cicero's later theological dialogues.

This excursus into scholarly attempts to account for Cicero's skeptical turn by means of a conversion theory has, however, significantly altered the problem with which this introduction began, for it is now possible to account for Cicero's positive outlook towards Roman religion and divination in the second book of *De Legibus*: this outlook is a result of the author's decision not to allow the Academy into their discussion of civil law and thus to uphold Roman religious

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<sup>25</sup> *Leg.* 1.21.

<sup>26</sup> *Ibid.*

<sup>27</sup> Griffin, 335.

tradition unwaveringly in order to facilitate that discussion. But this realization does not solve the problem with which this discussion began; it merely changes the problem. Now the problem must become why Cicero decided to allow the Academy into his works on Roman religion in the later period of his philosophical writings. Why did Cicero not employ the more eclectic and positive orientation that *De Republica* and *De Legibus* exhibit towards Roman religion in *De Natura Deorum* and *De Divinatione*, where dialectic and skepticism are the dominant modes? But before answering this question, I must first work through a much more plausible and influential form of the conversion theory, an interpretation different enough in character from those of Hirzel, Glucker, and Steinmetz that it merits separate, and extensive, examination.

### **The Political Interpretation**

In the early 1980s, Arnaldo Momigliano and Jerzy Linderski independently put forward a political interpretation of the apparent incongruity between Cicero's earlier ancillary comments the topic of religion and his later dialogues that take up this topic in earnest.<sup>28</sup> Momigliano set forth the thesis more tentatively and suggestively than did Linderski, so his treatment is something of a primer for the political interpretation. From the opening paragraph of "The Theological Efforts of the Roman Upper Classes in the First Century B.C.," Momigliano connects the intense thinking of late republican Roman intellectuals to the revolutionary political context of the time. Momigliano surveys the work and various contributions to religious thought of Nigidius Figulus, Varro, and Cicero. The essay focuses primarily on Cicero and has as one of its goals to defend the following thesis:

Cicero basically agreed with Varro in his earlier philosophical works... When, however, Cicero had before him Varro's works circa 46 B.C., he changed his mind and

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<sup>28</sup> Arnaldo Momigliano, "The Theological Efforts of the Roman Upper Classes in the First Century B.C.," *Classical Philology* 79.3 (1984): 199-211; Jerzy Linderski, "Cicero and Roman Divination," *PP* 36 (1982): 12-38.

expressed profound skepticism both about the existence of the gods and about the validity of Roman divination.<sup>29</sup>

The readers of this introduction should be comfortable with the implication that Cicero was converted towards skepticism in 46, although Momigliano says nothing more on this point than that “from circa 51 to circa 45 Cicero has shifted his ground in the matter of religion.”<sup>30</sup> Presumably, then, Momigliano is deducing Cicero’s own views on religion straight from *De Legibus* and the later theological works. Momigliano’s position differs from other conversion theories, however, in that he attempts to determine the cause of Cicero’s skeptical turn:

Cicero became more skeptical when his contemporaries [in particular, the Caesarian faction] became more credulous or at least more sanctimonious... it is impossible to avoid noticing that while Cicero was becoming more skeptical, Caesar and his direct entourage were becoming more religious or at least more concerned with religious questions.<sup>31</sup>

Drawing on the work of Stefan Weinstock’s *Divus Iulius*, Momigliano then sets forth much of the salient evidence concerning the rise of the cult of Caesar and the increasing religiosity of the Caesarian faction.<sup>32</sup> He concludes that “the more Caesar was involved in religion, the more Cicero tried to escape it.”<sup>33</sup>

The explanation that Momigliano offers, therefore, is that “Cicero’s skepticism” grew out of his disillusionment with the Caesarian turn that Roman religion was taking. It is important to note that Momigliano provides no literary evidence from Cicero’s own writings that connects Cicero’s skepticism to his disillusionment with the contemporary politico-religious context. To

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<sup>29</sup> Momigliano, 204-05

<sup>30</sup> *Ibid.*, 208.

<sup>31</sup> *Ibid.*, 205, 210.

<sup>32</sup> *Ibid.* 210.

<sup>33</sup> *Ibid.*



be fair to Momigliano, however, one should also note that he himself asserts that there is no “safe interpretation” of this “change in Cicero’s views.”<sup>34</sup>

Jerzy Linderski’s “Cicero and Roman Divination”<sup>35</sup> argues for a conclusion that is similar enough to Momigliano’s that their views can reasonably be treated together, but the discussion that Linderski provides on the problem of Cicero’s later skepticism is much more nuanced and moves significantly beyond a traditional conversion theory in which Cicero exchanges one set of philosophical views for another. Linderski maintains that “a sufficient basis for explaining and comprehending Cicero’s attitude to religion and divination” is the theory of the three kinds of theology originally articulated by Q. Mucius Scaevola and “elaborated” by Varro.<sup>36</sup> According to this theory, three kinds of religious teaching exist: the teachings of the poets or the *genus mythicon*, the teachings of the philosophers or the *genus physicon*, and the institutions of state religion “directed by the *principes civitatis*” or the *genus civile*.<sup>37</sup> Scaevola and Varro maintain that the *genus mythicon* is “utter nonsense,” the *genus physicon* possibly true but not much use to the commonwealth and potentially disturbing to the common people, and the *genus civile* sometimes false, but “always good and useful for the state.”<sup>38</sup> On the basis of this theory, Linderski next asserts that “in the *De Re Publica* and *De Legibus* Cicero discourses and legislates as a *princeps civitatis*; in the *De Natura Deorum* and *De Divinatione* he presents his views as a philosopher.”<sup>39</sup>

The only question left for Linderski to answer is why Cicero chose to write as a philosopher in his later theoretical writings. Like Momigliano, Linderski maintains that Cicero

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<sup>34</sup> Ibid.

<sup>35</sup> See note 15.

<sup>36</sup> Linderski, 17, 23; for the religious philosophy that Varro and Scaevola set forth, see Augustine *Civ. D.* 4.27, 31; 6.5-6, 12; 7.5-6; and Tertullian *Ad. Nat.* 2.1.8-15.

<sup>37</sup> Linderski, 17.

<sup>38</sup> Ibid.

<sup>39</sup> Ibid., 23.

was “motivated by... political considerations,” namely the Caesarian faction’s abuse, from Cicero’s perspective, of the auspices.<sup>40</sup> Linderski offers a list of these “abuses:”

Caesar as consul and Vatinius as tribune of the plebs disregarded in 59 the *obnuntiationes* of the consul Bibulus and of three tribunes. Caesar... masterfully utilized the prescription of the augural law according to which the announcement of an adverse omen had to be made in person. He chased Bibulus by force from the Forum, and could claim that his colleague failed to deliver personally the notice of *obnuntiatio*. As consul and *pontifex maximus* Caesar presided over the transition of Clodius to the plebs and, to use Cicero’s expression, he ‘released a foul and monstrous beast which had hitherto been bound by the auspices’ (*Sest.* 16). During his tribunate in 58 Clodius passed a law which substantially restricted the use of *obnuntiatio* at legislative assemblies, and greatly facilitated his legislative programs... P. Clodius, ‘this fatal portent for the Republic’ (*Pis.* 9), abolished the *lex Aelia* and *Fufia*, and in this conflagration, exclaims Cicero, ‘perished the auspices and all public law’ (*Vat.* 18)... Cicero regards with anger and apprehension the loss of the auspices as the weapon of the *boni*. Caesar had won the battle for control of the auspices before he won the battle of Pharsalos.<sup>41</sup>

Since, as Linderski notes, “in Rome the fight for political power was also a fight for control over the gods,” Cicero decided not to believe in augural enunciations when he “could not control the augur Antonius or the haruspex Spurinna, when the gods started talking the language of Caesar.”<sup>42</sup>

For both Momigliano and Linderski, then, the context that best accounts for Cicero’s apparent shift in religious outlook is the Roman political context of 60-45 BC. In one significant respect, however, their views differ. For Momigliano, the skepticism that surfaced in Cicero’s writings with the rise of the Caesarean cult was a genuine altering of his religious perspective. For Linderski, Cicero’s skepticism was a politically expedient maneuver and an expression of his disillusionment at being displaced as a *princeps civitatis*.<sup>43</sup> If, Linderski implies, Cicero could no longer legislate as a *princeps*, he could still cause problems as a philosopher.

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<sup>40</sup> *Ibid.*, 34.

<sup>41</sup> *Ibid.*, 34-35.

<sup>42</sup> *Ibid.*, 36-37.

<sup>43</sup> *Ibid.*, 16-17, 22-23.

Although the political interpretation, especially Linderski's version, of Cicero's later skepticism has been influential and cannot be finally disproved,<sup>44</sup> it does admit of a number of considerable objections. Before presenting these objections, however, it will be useful to be as explicit as possible about the two facts that Momigliano and Linderksi implicitly connect. The first fact, which connection with the second is supposed to explain, is that Cicero's later philosophical writings show a marked turn towards skepticism concerning traditional Roman religion. This fact is indisputable.

The second fact is that Cicero despised and thus opposed the elevation of Caesar to godhood and the rise of the cult of Caesar. While this fact seems equally indisputable, an examination of the literary evidence for Cicero's reaction to Caesar's divinization is instructive. Cicero makes the strongest public statement of his reaction in the *Philippics*. He first expressed his opposition to the elevation of Caesar by literally avoiding the matter. On 1 Sept. 44, Antony called a meeting of the senate in the Temple of Concord and proposed to the senate that a day in honor of Caesar be added to all future *supplicationes*. *Supplicationes* were festivals where "prayers and sacrifices were performed" either in a military emergency or in an act of thanksgiving for a military victory.<sup>45</sup> Before Antony made his proposal in 44 the senate always awarded them to generals for a specific victory. Thus, Antony's proposal that a day of *supplicatio* in honor of Caesar be added to all future *supplicationes* would effectively mean that "all victories were Caesar's," a statement which one could formerly make only of Jupiter.<sup>46</sup> In other words, by means of legislation such as this, Caesar was being divinized.

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<sup>44</sup> Brian Krostenko, "Rhetorical Form and Religious Symbol in Cicero's *De Divinatione*," *Transactions of the American Philological Association*, 130 (2000): 354; Wardle, 12.

<sup>45</sup> Stefan Weinstock, *Divus Julius*, (Oxford: Clarendon, 1971), 62.

<sup>46</sup> *Ibid.*, 64.

Knowing what Antony was to propose on 1 September, Cicero simply did not show. He sent word to Antony that he was weary from his journey and not at his best, but this was obvious pretext: the reason Cicero did not come to this senate meeting was that he could not bear to vote on a matter so odious to him.<sup>47</sup> After Antony provoked a response from Cicero, he asserted openly that if he had been at the meeting, he would have opposed the measure Antony put forth:

an me censetis, patres conscripti, quod vos inviti secuti estis, decreturum fuisse, ut parentalia cum supplicationibus miscerentur, ut inexpiabiles religiones in rem publicam inducerentur, ut decernerentur supplicationes mortuo?<sup>48</sup>

Or do you think, conscript fathers, that I would vote for that which you unwillingly backed: that the *parentalia* be mixed with supplications, that religious practices which cannot be atoned for be introduced into the republic, that supplications be decreed for a dead man?

This is sharp rhetoric, charging Antony as it does with a variety of religious violations, but it is not until the *Second Philippic*, after Cicero has taken off the gloves, that he states his hostility to the elevation of Caesar as bluntly as he is able:

et tu in Caesaris memoria diligens, tu illum amas mortuum? quem is honorem maiorem consecutus erat quam haberet pulvinar, simulacrum, fastigium, flaminem? est ergo flamen, ut Iovi, ut Marti, ut Quirino, sic divo Iulio M. Antonius. quid igitur cessas? cur non inauguraris? sume diem, vide qui te inauguret: collegae sumus; nemo negabit. o detestabilem hominem, sive quod tyranni sacerdos es sive quod mortui... quaeris placeatne mihi pulvinar esse, fastigium, flaminem. mihi vero nihil istorum placet.<sup>49</sup>

You [Antony] who esteem Caesar in your memory, do you also love that man now that he is dead? What greater honor had he acquired than to have a sacred couch, a god's statue, a pediment, a priest? Just as Jove has a priest, and Mars, and Quirinus, so divine Julius has a priest in Mark Antony. Why then do you delay? Why are you not inaugurated? Pick out a day; find someone to inaugurate you. We are colleagues. No one will say no. O detestable man, whether you are priest of a tyrant or a dead man... You ask whether the sacred couch, the pediment, the priest are pleasing to me. Indeed none of those things pleases me.

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<sup>47</sup> Cicero, *Phil.* 1.12.

<sup>48</sup> *Phil.* 1.13.

<sup>49</sup> *Phil.* 2.110-111.

Cicero's strategy in the *Second Philippic* differs from that of his first speech. In the *First Philippic*, Cicero brings up the matter of Caesar's divinization cautiously, speaks of it sharply, but then drops it quickly. In the *Second Philippic*, Cicero exposes the matter as openly as he can in order, presumably, to shame Antony, perhaps even shame him into rescinding his legislation. Nevertheless, Cicero's abhorrence of and resistance to this legislation must have been unchanging.

Thus, the two basic facts on which Momigliano and Linderski base their explanation of Cicero's philosophical writings are indisputable. But just how likely is the connection between Cicero's skeptical turn and his opposition to the elevation of Caesar? It must be said, first and foremost, that neither Momigliano nor Linderski can put forward any evidence whatsoever, literary or otherwise, that confirms this connection. Cicero and his contemporaries never explicitly or even implicitly suggested that Cicero's published skepticism derived from his disillusionment concerning or opposition to the rise of the cult of Caesar. This clarification, however, is no objection to their thesis.

The first objection that should be made against the political interpretation (and, really, every variety of the conversion theory) is substantial, but one that must be carefully qualified: it is wrong to assert, without detailed argumentation, that Cicero's theological dialogues express his own theological opinions, but Momigliano and Linderski both simply assume that this is the case. The problems with making this assumption pile up quickly. First, Momigliano, whose essay simply gestures towards the conspicuous skepticism of *De Natura Deorum* and *De Divinatione*, faces the problem of which of these dialogues represents Cicero's authentic views, for, while the Marcus of *De Divinatione* is very much the Academic Skeptic, the Marcus of *De Natura Deorum* famously casts his vote in favor of the traditional Stoic account of the gods and

their interaction with human beings.<sup>50</sup> Momigliano does not even mention this point. Nor does he mention the fact that in the proem to *De Natura Deorum* Cicero says in his own person, “qui autem requirunt quid quaque de re ipsi sentiamus curiosius id faciunt quam necesse est.”<sup>51</sup> Is it reasonable to assume that after making a statement like this Cicero would turn around and offer two substantial volumes of personal opinions? Again Momigliano is mute.

Linderski’s attempt to conceive of Marcus as Cicero’s mouthpiece is unconvincing for a different reason. While he is careful to take *De Divinatione* as the focus of his research and thus to avoid the problem of which Marcus represents the authentic views of Cicero, he still can furnish no evidence that the Marcus of *De Divinatione* represents the views of the historical Cicero and, more significantly, he disconnects two works that Cicero was at pains to connect in terms both of purpose and of philosophic mode. Linderski treats *De Divinatione* as if it were a treatise that Cicero just decided to write and circulate when he was fed up with the Caesarian faction’s abuse of the auspices, but much more plausible and well-documented contexts for the production of this work have been put forward. Wardle argues persuasively that Cicero would have judged his “philosophical encyclopedia” to be incomplete without *De Divinatione*, since Hellenistic philosophy had long since shown a deep interest in the subject of divination,<sup>52</sup> and Malcolm Schofield argues that “no area of religion was more written about in late Republican Rome than divination,” and shows how this literary context provides the basic impetus for Cicero’s writing of *De Divinatione*.<sup>53</sup> More important than these likelier motives and contexts for Cicero’s creation of this dialogue, however, is the fact that *De Divinatione* grows organically

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<sup>50</sup> *Nat. D.* 3.95.

<sup>51</sup> *Nat.D.* 1.5. “Those who demand [to know] what I think on every matter are more curious than they should be.”

<sup>52</sup> Wardle, 9.

<sup>53</sup> Malcolm Schofield, “Cicero for and against Divination,” *The Journal of Roman Studies*, 76 (1986): 49.

out of *De Natura Deorum*.<sup>54</sup> In the second book of *De Natura Deorum*, Balbus supports his defense of the existence of the gods and of their participation in human affairs by appealing to divination and all the evidence that it affords for the gods' metaphysical reality and involvement in human affairs.<sup>55</sup> Cotta responds briefly to Balbus' arguments from divination in his refutation of the Stoic position,<sup>56</sup> but so cursory is his response that Balbus objects and calls for a more detailed discussion of divination.<sup>57</sup> In *De Divinatione* itself, Quintus, the Stoic representative for this dialogue, renews Balbus' complaint and maintains that a much more serious treatment of divination is needed.<sup>58</sup> Most tellingly, Cicero even has Quintus say that Cicero the author had withheld from a detailed discussion of divination in *De Natura Deorum* "quia commodius arbitratus es separatim id quaeri deque eo disseri."<sup>59</sup> Finally, Cicero deliberately links the two dialogues in terms of their philosophic mode: "faciendum videtur ut diligenter etiam atque etiam argumenta cum argumentis comparemus, ut fecimus in eis tribus libris quos de natura deorum scripsimus."<sup>60</sup> On the basis of this evidence one can discern how significant an error it is for Linderski to cut the link between *De Natura Deorum* and *De Divinatione*, and at the same time learn a crucial lesson: any argument that accounts for the nature or purpose of *De Divinatione* must also take into consideration and account for its relationship to *De Natura Deorum*. Linderski's implicit claim that *De Divinatione* is a special project that can be considered in isolation flies in the face of the literary evidence.

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<sup>54</sup> Leonardo Taran, "Cicero's Attitude towards Stoicism and Skepticism in the *De Natura Deorum*," in Karl-Ludwig Selig and Robert Somerville (eds.), *Florilegium Columbianum: Essays in Honor of Paul Oskar Kristeller*, (New York: Italica Press, 1987), 9.

<sup>55</sup> *Nat. D.* 2.7-12.

<sup>56</sup> *Nat. D.* 3.14.

<sup>57</sup> *Nat. D.* 3.19.

<sup>58</sup> *Div.* 1.9.

<sup>59</sup> *Div.* 1.9. "because you thought it more fitting that it [i.e. divination] be inquired into and discussed separately."

<sup>60</sup> *Div.* 1.7. "It seems best that I should assiduously compare arguments with arguments again and again, just as I did in the three books which I wrote on the nature of the gods."

That Linderski takes *De Divinatione* in isolation, however, is comprehensible, for if he were to carry out the logic of his political interpretation to its final conclusion, he would arrive at a patent absurdity. The reason, in fact, that the weakness of his explanation is not more readily seen is precisely that he isolates *De Divinatione* and focuses his effort on making sense of Cicero's skepticism on this work alone. That same skepticism and the dialogical method in which it is couched, however, is first exhibited in *De Natura Deorum*. If Linderski wants to maintain that it was the elevation of Caesar and his increasing control over Roman religion that motivated *De Divinatione*, why does he not also maintain that this detestable event motivated *De Natura Deorum*? The answer is obvious: no one could reasonably assert that in order to stop the elevation of Caesar, Cicero would go so far as to raze the very foundations of Roman and all polytheistic religions. It seems more reasonable to assert that the still unexplained skepticism and philosophic mode of *De Natura Deorum* infuses *De Divinatione*, and, thus, that the skepticism of *De Divinatione* also finds its source in something other than the Roman political context of 46-44.

Clearly, then, as Matthew Fox has argued on different grounds,<sup>61</sup> taking the later religious dialogues as expressions of Cicero's own opinions on religion leads to all sorts of difficulties, and neither Momigliano nor Linderski makes an effort to address any of these difficulties. Rather, they treat the dialogues of Cicero as if they were transparent to the *cognoscenti* and refrain from dirtying the waters of these works with exacting exegetical questions. Even if one grants, however, for the sake of conversation, that Cicero embodied his own thinking in *De Natura Deorum* and *De Divinatione*, the political interpretation of Cicero's skepticism still has significant flaws. The primary flaw in this interpretation is that the elevation of Caesar, which Momigliano and Linderski suppose motivated Cicero's skepticism, does not provide sufficient

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<sup>61</sup> Matthew Fox, *Cicero's Philosophy of History*, (Oxford: Oxford University Press, 2007), 213-16.



motivation for the particular character of Cicero's skepticism. If it had been the elevation of Caesar that motivated the skepticism of Cicero, it would have been far more reasonable for Cicero to have attacked the rituals, the *sacra*, of Roman religion rather than its theoretical foundations and, in particular, its practices of divination, for Caesar and his minions achieved his divinization almost entirely through the manipulation of *sacra*. Moreover, when, as in the *Philippics*, Cicero explicitly stated what gave rise to his opposition, he invariably spoke not of divinatory practices, but of rituals and observances: supplications, a sacred couch at the *lectisternium*, a statue of Caesar as a god, a pediment on his official residence at the forum, and his possession of a priest.<sup>62</sup> The history of the rise of the cult of Caesar had little to do with theoretical arguments or with divination. Weinstock's *Divus Julius*, the most thoroughgoing study of this history, makes no explicit connection between the elevation of Caesar and divination.

Linderski attempts to make just such a connection in the list<sup>63</sup> of abuses to which Cicero took offence, but his attempt is transparently desperate. While Cicero did recognize all these maneuvers as abuses of the auspices, it is a stretch to assert that these abuses, which took place over a decade before Cicero wrote his later philosophical works and which, in spite of Ciceronian rhetoric, were revocable setbacks, guaranteed Caesar's control over the auspices. Moreover, most of these abuses took place during the 50s, when Cicero was composing his supposedly "credulous" dialogues or when, according to Linderski himself, Cicero was still composing his philosophical dialogues as a statesman. Linderski thus attempts to explain why

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<sup>62</sup> *Phil.* 2.110-11.

<sup>63</sup> *Supra*, 11.

Cicero resolved “to attack only divination” and did not explicitly “direct his criticism against *sacra* and *caerimoniae*.”<sup>64</sup> He argues that in the late republic

the fight for the gods reveals itself as a fight for control over the lines of communication between gods and men, and in this respect there is a profound difference between *sacra* and *auspicia*. As G. Dumézil put it, ‘the auspices descend from heaven; the *sacra* rise from earth. Men are the recipients of the former and originators of the latter...’ The gods of sacrifice and prayer... [are] politically... neither particularly helpful nor particularly troublesome.<sup>65</sup>

This statement refines Linderski’s position and separates it from Momigliano’s: for Linderski, the revulsion in Cicero that caused his skepticism was itself caused not so much by the rise of the Caesarian cult as it was by the fact that Caesar gained control over the auspices and thus could use them for his own political purposes. Cicero tried to undermine augury because augury had become Caesar’s weapon and no longer belonged to the *boni* as a means of combating Caesar and men of his sort.

The main problem with this argument is that, again, when in his actual writings Cicero complains specifically about Caesar’s victory in the “fight for the gods,” he always focuses on *sacra*. It is true that in the *Second Philippic*<sup>66</sup> Cicero criticizes Antony for the abuse of his augural power in the election of Dolabella (I assume Linderski has this and like passages in mind), but, as Linderski himself demonstrates, Roman writers as far back as Ennius recognized the possibility that someone could abuse the auspices;<sup>67</sup> Cicero recognized this possibility as well. It is one thing to recognize that a practice can be abused; it is another thing altogether to declare that practice to be itself an abuse. This approach also fails, then, because it runs roughshod over our historical evidence. Linderski cites events that *could* have influenced Cicero

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<sup>64</sup> Linderski, 37.

<sup>65</sup> Ibid.

<sup>66</sup> *Phil.* 2.81-84, 88.

<sup>67</sup> Linderski, 37.

and privileges this “evidence” over Cicero’s actual statements on the subject of Caesar’s divinization.

For all its refinement, then, the political interpretation is too rife with problems to command assent. Nonetheless, consideration of this approach has turned up a couple of important points that further refine the problem of Cicero’s later skepticism. First and foremost, one must interpret *De Natura Deorum* and *De Divinatione* together and conceive of them almost as a single philosophical work, since Cicero himself firmly connected them in purpose, content, and mode.<sup>68</sup> Second, any discussion of Cicero’s own opinions or even intentions for these two works is going to require detailed exegetical work to face up to and overcome a number of knotty textual problems. Before taking up these rather precise points in more detail, however, I still need to locate a basic context in which to situate Cicero’s later skepticism.

### **The Cultural-literary Approach**

“1986,” writes Wardle, “marks a watershed in the interpretation of *De Divinatione*”<sup>69</sup> and so also in the interpretation of Cicero’s later skepticism, for it was in that year that Mary Beard and Malcolm Schofield each published major papers on the meaning and purpose of *De Divinatione*, partly in response to the earlier essays of Momigliano and Linderksi.<sup>70</sup> Beard’s essay has its origin in her dissatisfaction with traditional readings of *De Divinatione*, readings that conceive of the dialogue either as a vehicle for the expression of Cicero’s own opinions or as a triumphal rationalistic protest against the irrational forces always awhirl in ancient Rome and distressing to men of Lucretius’ and Cicero’s ilk.<sup>71</sup> Beard is more alert to the argument of *De Divinatione*, noting that it is not merely a skeptical treatise, even if the skepticism is pronounced,

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<sup>68</sup> Wardle, 10.

<sup>69</sup> *Ibid.*, 8.

<sup>70</sup> Mary Beard, “Cicero and Divination: The Formation of a Latin Discourse,” *The Journal of Roman Studies*, 76 (1986): 33-46; for Schofield citation, see note 51.

<sup>71</sup> Beard, 33-36.

and that, in particular, “Cicero’s dialogue on divination offers the reader no directed conclusion” but ends with a “suspension of judgment.”<sup>72</sup> Beard appropriately takes this evasive character of the dialogue as central to its meaning and so seeks to construct a “wider cultural and intellectual context” within which to comprehend its significance.<sup>73</sup> Building on the work of Elizabeth Rawson, Beard conclusively demonstrates that the proper context in which to consider Cicero’s philosophical dialogues, be they late or early, is the literary context of the last hours of the Republic, when demand for philosophical writing, particularly on the subject of religion, was at its most feverish.<sup>74</sup> She goes on to discuss Cicero’s innovation within this cultural context, arguing in particular that “Cicero for the first time Romanized Greek philosophy, tackling Roman problems, with Roman *exempla*, in a Roman setting.”<sup>75</sup> In contending for Cicero’s profound originality Beard makes a point about the cultural context in which Cicero was writing that will become pivotal to the argument of this study: “one should bear in mind Cicero’s defensive stance in most of the philosophical works. He is concerned to justify his own activity in philosophy and its suitability for a Roman statesman by tracing back its roots into earlier Rome.”<sup>76</sup>

After laying this important groundwork, Beard comes to the central argument of her essay, and it is here that she becomes less persuasive. She argues that since Cicero took it as the goal of his philosophical encyclopedia to integrate “Hellenizing systems of thought with traditional Roman practice,” he was bound to run into problems when he forced the “‘scientific’ world view implicit in the Greek philosophical modes” up against Roman “‘pre-scientific,’

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<sup>72</sup> Beard, 35.

<sup>73</sup> *Ibid.*, 36.

<sup>74</sup> *Ibid.*, 36-38.

<sup>75</sup> *Ibid.*, 38.

<sup>76</sup> *Ibid.*, 39.

traditional ways of understanding.”<sup>77</sup> Nowhere was this collision more likely to happen than in a dialogue on religion. Thus Beard states her conclusion,

Cicero’s theological works can best be understood in the context of these problems of cultural integration. I shall highlight in the following pages some of the tensions, constraints and evasions within, particularly, *De Divinatione* and *De Natura Deorum*, and I shall argue that these, as a whole, may be explained by reference to the underlying confrontation between traditional Roman symbolic knowledge of the workings of the world and the developed Hellenizing encyclopaedic rules for comprehending the same phenomena.<sup>78</sup>

Cicero’s religious dialogues, therefore, are not literary masterpieces that Cicero directed towards a particular philosophical or rhetorical end, but cultural artifacts which necessarily exhibit the tensions and contradictions of the context in which they were composed. As Beard states in this essay and elsewhere, these literary artifacts are valuable sources for the “structural differentiation” of Roman religion from its “traditional... politico-religious amalgam of Roman public life.”<sup>79</sup>

Beard may be correct in her conception of Cicero’s religious dialogues as markers of religious differentiation, but her interpretation of these dialogues is reductive and comes nowhere near the level at which this inquiry will be conducted, the level of Cicero’s own intentions. In her historicist vision, Cicero becomes not an author with agency and an intentional purpose for his works but a vehicle for the expression of the cognitive conflicts of his age. Context looms so large for Beard that it all but forces discussion of Cicero as an author out of the picture. Since this is not the place to engage in a philosophical debate with Beard on historical agency, suffice it to point out that, while the literary and cultural context in which Beard situates Cicero’s theological dialogues is most useful, her argument that the tentative character of these dialogues

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<sup>77</sup> Ibid., 40.

<sup>78</sup> Ibid., 41.

<sup>79</sup> Beard, 46; Mary Beard, John North, and Simon Price, *Religions of Rome*, 2 vols., (Cambridge: Cambridge University Press, 1998), 149-151.

is the result of complex cultural integration has yet to reach the more basic question that is the subject of the present work, namely, why Cicero chose to infuse these dialogues with dialecticism and skepticism. Again, why did Cicero not just make things easy on himself and leave the Academy out of this discussion, as he had done in *De Republica* and *De Legibus* and as he was to do in his forthcoming works on friendship, old age, and moral duties? Beard's work cannot answer this question, or would refuse to do so on principle. Moreover, as Wardle has pointed out, Beard's position seems sound in the abstract, but when one reads *De Divinatione* (and certainly, I would add, *De Natura Deorum*) closely, one simply does not find "the complex process of active reinterpretation of the Roman inheritance within an overall Hellenising model [or] a rethinking of the theory itself in the light of Roman practice" that Beard says one is supposed to find.<sup>80</sup> Instead one finds that because Cicero was so alert to the fundamental differences between Hellenizing models and Roman practices, "he does not integrate them, but rather clearly differentiates them."<sup>81</sup>

In "Cicero for and against Divination," Schofield argues independently for and further develops the literary context in which Cicero composed his theological dialogues, but, refreshingly, he does so in a way that does not implicitly take away Cicero's agency as an author. In particular, he depicts most plainly the keen demand that existed in late Republican Rome for writings on the topic of religion and argues that this demand must have been among the prime motivations for Cicero's superabundant treatment of the topic of theology.<sup>82</sup> Schofield summarizes the context in which Cicero must have contemplated writing his theological works thus:

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<sup>80</sup> Wardle, 19-20.

<sup>81</sup> *Ibid.*, 20.

<sup>82</sup> Schofield, 48-50.

We know of (but little about) numerous books on augury, mostly by men who – like Cicero – were themselves augurs; the Latin version of the *disciplina Etrusca* made by A. Caecina... was a ‘major event’; and divination figured largely in the massive works of learned speculation composed by Cicero’s acquaintances Nigidius Figulus and M. Terrentius Varro, the leading religious writers of the age. Nigidius... is known to have practised astrology, and to have written separate treatises on Italian divination as well as the extensive *de Dis*.<sup>83</sup>

The same criticism made of Beard should be made of Schofield: this context is basically sound and certainly a more historically plausible motivator for Cicero’s theological works than the contemporary political scene, but on its own it cannot account for the peculiar character of these works, that is, their highly dialectical and skeptical character. To be fair, Schofield does attempt to explain why Cicero impressed upon his theological dialogues the mold that he did, but I shall deal with his contention at a much more suitable point in this thesis, specifically, when I present my own reading of *De Divinatione*. For now, it is important to recognize the value of the basic cultural and literary context that the “Cambridge approach,”<sup>84</sup> as Wardle calls it, has provided, for this general context does not admit of any objections and is evidently more satisfactory a context than the political events that were impinging on Cicero’s philosophical *otium* in 45 and 44. The problem with this context is not that it runs counter to our evidence or violates logic, but that it is underdeveloped: as the literary approach stands in Beard and Schofield it cannot account for the skeptical and dialectical character of Cicero’s religious dialogues. Before setting out on the project of developing this cultural-literary context and putting it to work on the problem of Cicero’s skepticism, it will be helpful to review some the major points gleaned from the preceding discussion and to state explicitly the criterion that has governed my critiques of other scholarly attempts to solve this problem and that will dictate the nature of my own solution.

### **Toward a Literary Reading**

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<sup>83</sup> Ibid., 49.

<sup>84</sup> Wardle, 8.

In the course of this introduction the problem with which I started has been modified significantly, and so I offer here a synopsis of the most important modifications. First, when I examined Cicero's supposed shifts in philosophical affiliation I showed that it is more reasonable to account for the earlier, more credulous and traditional outlook towards Roman religion of *De Legibus* by interpreting the dialogue as a literary text rather than by endeavoring to pry into the historical Cicero's actual philosophical commitments. The upshot of this position is that my explanation of Cicero's later skepticism will necessarily treat this skepticism as a literary, rather than a biographical, problem, and will not ask why Cicero himself became more skeptical but why he chose to permeate his theological dialogues with skepticism and dialectic. Second, my discussion of the political interpretation of Cicero's later skepticism yielded the insight that if I am to discuss anything like Cicero's own views or intentions, such a discussion must contain extensive, meticulous, exegetical discussion of the actual text or texts under discussion. It is noteworthy that much of the literature on Cicero's later religious dialogues is markedly theoretical and non-exegetical in character, as if the meaning of Cicero's dialogues were, again, transparent to the *cognoscenti*. Third, in my critique of the political interpretation I also demonstrated that it is necessary to interpret *De Natura Deorum* and *De Divinatione* as a unit, since Cicero intentionally unified them in purpose and mode. Finally, from my discussion of the essays of Beard and Schofield, I gleaned the basic context within which one should situate the theological works: the cultural and, in particular, literary world of the late Republic. It is my aim in the subsequent chapter of this study to describe this world in as much detail as possible by clarifying the audience for whom Cicero was writing and by pointing up the anxieties to which he was responding.



I shall need, however, the entirety of this thesis to prove that this context is the right one for discerning the specific purpose Cicero had in mind for his theological dialogues, for the criterion that I am using to judge the soundness of my or anyone else's interpretation of these dialogues is how effectively and how comprehensively any given interpretation accounts for all the complex literary features and textual problems of the dialogues. Such an approach is commonplace in scholarship on Plato's dialogues, the chief models for Cicero's works.<sup>85</sup> Mitchell Miller, for instance, in his study of Plato's *Parmenides* writes, "For any interpretive stance, what counts is the actual richness of sense and range of coherence that it allows to come to light on the text."<sup>86</sup> Fox has recounted the depressing history of how, in comparison with Plato's dialogues, scholars have rarely treated Cicero's literary compositions with the same level of respect.<sup>87</sup> Scholars have generally either ransacked Cicero's works as sources for earlier Hellenistic philosophers or they have pretended that their meaning was straightforward and easy of interpretation. Fox gives the likely explanation of this scholarly treatment: "[Cicero's] place in the Roman historical record is too prominent. Our unparalleled knowledge of his daily movements, rhetorical techniques, and political relationships make him an unlikely target for formalist, poststructuralist, or even... literary reading."<sup>88</sup> Whereas we know next to nothing for certain about the historical Plato and so allow his historical absence to infuse his dialogues with ambiguity and even mystery, we know all too much about Cicero. This fact, however, should not dissuade us from examining Cicero's dialogues as primarily literary works. Fox makes this liberating point forcefully,

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<sup>85</sup> Elaine Fantham, *The Roman World of Cicero's De Oratore*, (Oxford: Oxford University Press, 2004), 50.

<sup>86</sup> Mitchell Miller, *Plato's Parmenides: the Conversion of the Soul*, (Princeton: Princeton University Press, 1986), 12.

<sup>87</sup> Fox, 57-68.

<sup>88</sup> *Ibid.*, 7-8.

There is... no intrinsic reason why the knowledge of Cicero that is available should act as a limitation on the kinds of readings to which his writings are amenable: although we know something about the composition of some of his works, that does not mean that Cicero tells us how to read them, and even if he did, we would be under no obligation to read them as he dictates. So part of my strategy is to accept that, like other texts, Cicero's theoretical writings can legitimately bear plural or ambiguous interpretation.<sup>89</sup>

I adopt a similar strategy in my reading of Cicero's religious dialogues. I do not treat them as source materials, nor do I take their meaning to be transparent solely under the light of historical research. Rather, I shall treat Cicero's theological dialogues as what Cicero himself originally intended them to be: literary compositions. I have settled on this approach neither from a puerile impulse to go against the grain of many centuries of Ciceronian scholarship nor because this approach is undoubtedly the direction in which scholarship on Cicero's dialogues is headed, but because I have found, and shall show, in my readings of *De Natura Deorum* and *De Divinatione* a level of literary complexity and profundity that rivals anything in the Platonic corpus. Since, then, I intend to treat these dialogues above all as literary compositions, I also oppose any non-exegetical approach that simply bypasses their textual obstacles and leaves their literary knots tied. Only an interpretation that renders the literary and philosophical complexity of Cicero's dialogues comprehensible should meet with approval.

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<sup>89</sup> Ibid., 8.

## Chapter 2: The Theological Dialogues in Their Cultural and Literary Context

This second chapter is largely functional. It is intended to establish the cultural context that most influenced the form and content of *De Natura Deorum* and *De Divinatione* and thus to set up the perspective from which we can most readily discern his intentions for those dialogues. To sound consonant with one of the interpretive guidelines worked out in my introduction, however, I should emphasize that I do not conceive of the context traced here as the determining factor of the skeptical shape and character of the theological dialogues. Far from it: I respect Cicero's authorial agency and intentionality throughout this study and use this examination of the context in and for which he wrote merely as a means of detecting his intentions. Such an approach, however, raises a few problems that may cause some dissonance for my readers as they proceed through this chapter, so I would like to address these potential problems before moving on to my central topic.

First, some readers may bring to this discussion the assumption that Cicero himself provides the necessary contexts for understanding his late philosophical output. After all, he affirms repeatedly in his proems that what gave occasion to his later dialogues was the *otium* imposed on him by the ascendancy of Julius Caesar<sup>90</sup> as well as the death of his daughter Tullia in February 45.<sup>91</sup> Under the pressures of political exclusion, whether self-imposed or not, and personal loss, Cicero formulated the plan of educating his fellow Romans in Greek philosophy,<sup>92</sup> and for some, these statements may seem adequate to explain Cicero's motives for producing his later philosophical works. These statements do present the requisite personal stimuli for Cicero's

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<sup>90</sup> Cicero, *Acad.* 1.11; *Tusc.* 1.1; *Nat. D.* 1.7; *Div.* 2.6.

<sup>91</sup> *Acad.* 1.11; *Nat. D.* 1.9.

<sup>92</sup> *Acad.* 1.11; *Nat. D.* 1.7.

philosophical project of the mid-forties, but they offer no explanation of how Cicero would carry out his project. Recall that the particular question this study seeks to answer is not why Cicero decided to write philosophy in the last years of his life, but why he chose to write philosophy the way he did. Cicero's leisure, his loss of Tullia, and his professed intention to educate the Roman public in Greek philosophy do not explain why he chose to foreground Academic skepticism and to impose a dialogical form in his *Academica*, *De Finibus*, *Tusculans*, and, in particular, *De Natura Deorum* and *De Divinatione*. Again, he could have chosen to conduct his discussions in the more eclectic and less agonistic mode that he created for *De Republica* and *De Legibus*. To determine why he framed his theological discussions as he did, a much broader and more nuanced understanding of Cicero's literary culture is needed.

Second, and more importantly, I have asserted that the approach taken here has as its goal to determine Cicero's intentions for his theological dialogues, but is not such an approach equivalent to asking about Cicero's own views, an investigation apparently forbidden in my introductory chapter? The first point to be made here is that I do not by theoretical fiat forbid any inquiry into the views of the historical Cicero, nor do I discount any inquiry that argues that either or both of the theological dialogues under investigation here represent Cicero's own views. Wardle, for instance, makes a strong case that the second book of *De Divinatione* does in fact represent the views of the historical Cicero.<sup>93</sup> And one must remain open to this possibility, especially since Cicero undoubtedly conceives of his earlier dialogues as expressions of his own views. In *De Legibus*, for example, Cicero has the character of Marcus make the statement that he has already presented "quaeque de optima re publica sentiremus in sex libris."<sup>94</sup> No one doubts that Cicero is here referring to Scipio's contentions that the best form of government is a

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<sup>93</sup> Wardle, 10-14.

<sup>94</sup> *Leg.* 3.4. "what I think about the best constitution in six books."

mixture of monarchy, oligarchy, and democracy,<sup>95</sup> and thus that he is claiming Scipio's views in the six books of *De Republica* as his own. Moreover, the fact that the Marcus of *De Legibus* presents himself as the writer of *De Republica* indicates that, to some extent, Cicero means to embody his historical personage in the character of Marcus. If the Marcus of *De Legibus* embodies Cicero the writer and historical personage, it seems the more likely that Marcus is also mouthing the views of Cicero in this dialogue. Thus, in two of Cicero's earlier dialogues, one finds what is arguably an authorial stance that allows for the expression of the author's own views through a mouthpiece-character. Scholars like Wardle suppose that the same stance is in place in the later dialogues. Wardle goes so far as to argue that the burden of proof that in the theological dialogues Marcus does not represent the views of Cicero "lies with those [e.g. Beard] who suggest this."<sup>96</sup> The central point made in my introduction about a position that identifies the character of Marcus with the historical Cicero is not that such a position is indefensible, but that such a position must be meticulously and rigorously argued for and must not, as in the works of Momigliano and Linderksi, simply be assumed.

Furthermore, although Wardle's case is much more sophisticated than that of earlier scholarship, it too is unpersuasive. Wardle clearly conceives of the theological dialogues as a unified work,<sup>97</sup> yet he does nothing to reconcile one of the major interpretive problems that stands in the way of anyone who attempts to delineate a consistent Ciceronian character in the theological works. I touched on this problem briefly in my introductory chapter,<sup>98</sup> but it is significant enough to demand recapitulation. It is true that in the second book of *De Divinatione* Cicero plays the thoroughgoing skeptic, skillfully and zealously arguing against the Stoic

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<sup>95</sup> *Rep.* 1.45, 69.

<sup>96</sup> Wardle, 14.

<sup>97</sup> *Ibid.*

<sup>98</sup> *Supra*, 16.

position on divination, but at the end of the previous dialogue, *De Natura Deorum*, Cicero has Marcus cast his vote in favor of the Stoic case, a case that Balbus makes in large measure on the basis of the reality of prophecy and divination.<sup>99</sup> Wardle fails to resolve this interpretive problem, in fact does not even raise it, in spite of the fact that Beard sets it forth with great precision and that he is directing his response largely against Beard.<sup>100</sup> I shall argue later in this study that a better way to understand this apparent disagreement between the two “Marci” is as a rhetorical gesture on Cicero’s part to illustrate the Academic method, but here I need only draw the conclusion contra Wardle that the burden of proof that, in the theological dialogues, the character of Marcus embodies the views of the historical Cicero lies with those who make this claim, not because earlier precedent for this view is wanting, but precisely because the character of Cicero is so seemingly inconsistent in the theological dialogues.

And this returns me to the central point. In this study I shall not attempt to locate the views of the historical Cicero by examining the context in which he wrote. Such an investigation must remain fundamentally speculative, even when the evidence of Cicero’s letters is available.<sup>101</sup> Instead of probing directly into Cicero’s own philosophical views, then, I shall attempt to determine his authorial or rhetorical intentions for the two theological works under investigation by reference to his literary context. It is essential that the distinction between Cicero’s philosophical views and his rhetorical intentions for his theological dialogues be as unambiguous as possible, so I present here an example of this distinction from one of Cicero’s speeches, *Pro Milone*, in the hopes that this example will elucidate my meaning and approach.

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<sup>99</sup> *Nat. D.* 2.7-12.

<sup>100</sup> Beard, 35.

<sup>101</sup> Fox, 7-8.

At three points in his speech on behalf of Milo,<sup>102</sup> Cicero asserts that the gods provoked Clodius to attack Milo by putting this idea and this madness (*amentia*) into his mind. Cicero presents this thought most clearly in his first statement of it: “*ea vis igitur ipsa, quae saepe incredibiles huic urbi felicitates atque opes attulit, illam perniciem extinxit ac sustulit, cui primum mentem iniecit, ut vi irritare ferroque lacessere fortissimum virum auderet vinceretque ab eo.*”<sup>103</sup> The unwarranted conclusion to draw from this statement is that Cicero is here actually endorsing this theological position. A.R. Dyck has argued persuasively that Cicero’s aim in this theological excursion is both to provide his speech with a winsomely poetic narrative and to employ a Stoic theology that will be highly palatable to the jurors.<sup>104</sup> In other words, it would be unreasonable, at best, to deduce Cicero’s own theological leanings from this passage in *Pro Milone*. But this passage does not leave us entirely empty-handed. Although one cannot deduce the author’s own views from this statement, one can at least deduce the rhetorical purpose of this passage: it is yet another strategy that Cicero employs to impugn the character of Clodius and thereby to restore the failing reputation of Milo. In this passage and others that follow Cicero represents Clodius as the dupe of providence, the raving enemy of the gods and the *boni*, and so seeks to provide his jurors with the most elevated reasons to acquit Milo. Whatever Cicero’s own views on the *vis divina*, his rhetorical intention in this passage stands out plainly. So too, I shall argue, does his central rhetorical aim for *De Natura Deorum* and *De Divinatione* stand out when the reader is

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<sup>102</sup> Cicero, *Mil.* 84, 88-89. Cicero makes a similar argument at *Cat.* 3.22 to explain Lentulus’ folly in putting on paper (in the form of a letter to the Allobroges) the plans of the conspirators in Rome under the command of Catiline.

<sup>103</sup> *Mil.* 84. “Therefore this [divine] force itself, which has often bestowed unbelievable good fortune and prosperity on this city, wiped out and destroyed that destructive man [Clodius], into whose mind it first inserted an impulse, so that he would dare to harass with violence and provoke with the sword a very brave man [Milo] and be conquered by him.”

<sup>104</sup> A.R. Dyck, “Narrative Obfuscation, Philosophical Topoi, and Tragic Patterning in Cicero’s *Pro Milone*,” *Harvard Studies in Classical Philology* 98 (1998): 234.

looking from the proper angle, while his actual views must always be seen through a much foggier lens.

The third source of dissonance that may occur for readers as they proceed through this chapter is that the texts that I shall interpret in this study are also the main sources of information in existence concerning the context in which they were written, and it is precisely this context that I am proposing to use as my interpretive framework. Thus, my reasoning and presentation of evidence will frequently be subject to charges of circularity. In response to this potential objection, I should make three logically related points. First and foremost, given the nature of our sources circularity is unavoidable in any serious examination of Cicero's dialogues.<sup>105</sup> Second, the best one can do in this situation is, like Linderski, to gather all the external evidence that has or may have a bearing on the topic at hand and then fashion this evidence into a general context for understanding Cicero's motivations and intentions in his dialogues. But, third, as stressed earlier, one must go further than Linderski and all scholars who merely set forth a possibly enlightening context for interpreting Cicero's dialogues but fail to treat the numerous interpretive problems in the dialogues themselves that their perspectives either do not address or do not resolve. One must positively demonstrate how the context one has constructed illumines the interpretive problems of the dialogues. This is the safest bulwark an interpreter can secure against circularity: the more comprehensive an explanation of Cicero's dialogues one's context provides, the less susceptible to charges of circularity will one's reasoning and presentation of evidence be. But such an approach, again, requires us to throw out approaches to Cicero's dialogues that treat them merely as source materials for Hellenistic philosophy or as transparent exhibitions of Cicero's own views. Such an approach requires us to treat Cicero's dialogues as

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<sup>105</sup> Fox, 10-11.



complex literary compositions, designed by their author to provoke thought and perhaps even transformation, and written within and for a particular literary culture.

### **Hellenizing Eggheads?**

As I pointed out earlier, Beard's and Schofield's readings of *De Divinatione* mark a watershed in the interpretation of Cicero's later religious dialogues because they argue so persuasively that, rather than political and personal factors, cultural and literary pressures most influenced Cicero's theological works. Their essays, however, point up only one useful component of the literary context in which Cicero was writing, namely, the contemporary demand for writings on religious praxis and divination.<sup>106</sup> This fact may serve as a well-documented starting point for my investigation, but it scarcely advances this inquiry into Cicero's intentions for the specific way he chose to conduct his discussion of religion: dialogically and with an overbearing skepticism. Like the personal context of enforced leisure, personal loss, and the educational project that these events produced, the context that Beard and Schofield sketch requires significant expansion if it is to function as a lens through which we can make out these intentions. The primary evidence for the literary context that informed Cicero's writings will come from the proems to his philosophical works and the works themselves. Before I survey the information that these proems and dialogues afford, however, I should make their contents more comprehensible by situating them within a larger historical context of Roman cultural development and the shifting attitudes that Romans exhibited towards philosophy. For, as Beard points out, in the philosophical dialogues we see Cicero repeatedly posturing in a "defensive stance" with regard to his enthusiasm for philosophy.<sup>107</sup> Since it is so conspicuous,

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<sup>106</sup> Beard, 36; Schofield, 49. To be fair to Beard, I should say that her essay sets up a much larger context than this sentence suggests, but the context that she establishes on 37-38 is much too summary and has little bearing on her final conclusion about Cicero's *De Divinatione*.

<sup>107</sup> Beard, 39.

this defensive stance is easily exaggerated to produce statements like the following: “Cicero well reasoned that to the average Roman[,] philosophic speculation in itself was a rather undignified, not to say suspect, activity of Hellenizing eggheads.”<sup>108</sup> Philip Levine wrote these words in an important study of the proems and marked characteristics of Cicero’s dialogues, and, if one takes this sentence out of context and judges its fairness, one might come to the conclusion that Levine is correct. As becomes clearer over the course of his essay and in his previous study of *De Natura Deorum*,<sup>109</sup> however, Levine takes this conception of “the” Roman attitude towards philosophy too far, so far that he has it practically cripple Cicero’s authorial autonomy. Levine’s study serves as a useful example of those who impute too stark a dislike of philosophy to the Romans and too timorous a response to Cicero.

Erich Gruen has argued more plausibly that, while in the early second century BC the Romans were anxious over the growing influence of Greek philosophers on Roman society, by the early first century BC Rome had achieved a level of cultural maturity that allowed it to accept and even embrace, with some nagging reservations, the cultural amalgam that it had become.<sup>110</sup> Specifically, Gruen concentrates his study of Roman anxieties concerning rhetoric and philosophy on documented events from the early 180s BC down to 92 BC. During the 180s through the 160s, “in the aftermath of eastern wars that exposed Rome to Hellas... [and] which saw a notable increase of Greek intellectuals in Italy,”<sup>111</sup> the Roman senate resisted this Greek influx and influence.<sup>112</sup> In 181, for instance, the senate ordered the burning of “Numa’s Pythagorean books,” which, allegedly found in the coffin of Numa himself, had turned up in

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<sup>108</sup> Philip Levine, “Cicero and the Literary Dialogue,” *The Classical Journal* 53 (1958): 146.

<sup>109</sup> Philip Levine, “The Original Design and the Publication of the *De Natura Deorum*,” *Harvard Studies in Classical Philology* 62 (1958): 7-36.

<sup>110</sup> Erich Gruen, *Studies in Greek Culture and Roman Policy*, (Brill: Leiden, 1990), 158-92.

<sup>111</sup> Gruen, 192.

<sup>112</sup> *Ibid.*, 191-92.

excavations on the Janiculum.<sup>113</sup> For Gruen, this burning was a statement on the part of the senate that Rome's institutions had transcended Greek philosophical influence and were culturally independent.<sup>114</sup> Gruen also points up a number of sumptuary laws that indicate Roman "posturing" against eastern opulence and that account for expulsions of philosophers such those of 161 and 154.<sup>115</sup> These expulsions suggested "a still abiding cultural insecurity that demanded a symbolic removal of the alien presence."<sup>116</sup>

In 155, however, an event occurred which revealed that the Roman people did not share the senate's anxiety over the influence of Greek rhetoric and philosophy and that, even within the senate, this anxiety was atrophying rapidly. In 155 the Athenians sent an embassy of three philosophers, the Stoic Diogenes, the Peripatetic Critolaus, and the Academic skeptic Carneades, to Rome to plead for the remission of a fine imposed on Athens for its unauthorized sack of Oropus. During their stay in Rome, these renowned philosophers used their spare time to deliver lectures to large audiences, which were made up partly of senators.<sup>117</sup> Carneades in particular gave two memorable lectures on "the role of justice in international affairs."<sup>118</sup> On the first day, he argued that such a thing as natural justice exists and should govern international affairs, and on the next day he argued the contrary, that no such thing as natural justice exists to govern international affairs. Most traditional accounts of this event stress Cato's intervention at this point. For instance, Miriam Griffin writes that it was Carneades' lectures that induced Cato "to urge the senate to settle the matter of the fine quickly 'so that these men may return to their schools and lecture to the sons of Greece, while the sons of Rome give ear to their laws and

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<sup>113</sup> Ibid., 163.

<sup>114</sup> Ibid., 166-68; 191.

<sup>115</sup> Ibid., 171-73; 177; 191.

<sup>116</sup> Ibid., 191-92.

<sup>117</sup> Cicero, *De Orat.* 2.155.

<sup>118</sup> Miriam Griffin, "Philosophy, Politics, and Politicians," in J. Barnes and M. Griffin (eds.), *Philosophia Togata: Essays on Philosophy and Roman Society*, (Clarendon Press: Oxford, 1989), 3.

magistrates, as in the past.”<sup>119</sup> Such an account leaves Griffin with a problem, however, for in her next sentence she writes, “It was precisely in this period, the middle of the second century BC, that Greek school philosophy really began to establish its hold on educated Romans.”<sup>120</sup> Why should philosophy flourish at Rome at a time when, as Griffin implies, it evoked such apprehension in the city? Whereas Griffin founders on these “facts,” Gruen offers a much more plausible reinterpretation of the whole episode. He argues that this “event did not betoken a mighty confrontation between cultures,”<sup>121</sup> as those who accent the role of Cato tend to claim or imply. Building up his interpretation on a closer reading of Plutarch’s *Cato* and of Cicero’s account of the event in *De Oratore*, Gruen emphasizes the popularity of these philosophical lectures and the success of the embassy: “Cato’s complaints were swallowed up in the enthusiasm.”<sup>122</sup> Thus Gruen concludes that the embassy of 155 does not suggest a cultural clash but

discloses a markedly increased zeal for Greek learning among the Roman intelligentsia by the mid 2nd century. Athens had sent her eminent professors in the first instance in expectation that they would get a warm reception. The expectation was fulfilled, both in the lecture halls and in the *curia*.<sup>123</sup>

But this interpretation leaves Gruen himself with a problem, for he also makes the claim that two Epicurean philosophers, Alcaeus and Philiscus, were exiled in the year that followed this embassy, 154. Gruen’s virtuoso explication of this fact takes us deeper into Roman cultural anxiety about philosophy. He notes that, in its embassy to Rome, Athens had not included an Epicurean philosopher and that the banishment of 154 targeted two Epicureans. Gruen further notes that “the texts indicate that Alcaeus and Philiscus were removed because they introduced

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<sup>119</sup> Griffin, 3.

<sup>120</sup> Ibid.

<sup>121</sup> Gruen, 176.

<sup>122</sup> Ibid.

<sup>123</sup> Ibid.

unnatural pleasures to the young.”<sup>124</sup> Then, taking into consideration the Romans’ persistent distrust of Epicureanism, evinced in the writings of Cicero, Gruen concludes that although it was enamored of Hellas’ philosophers and their rhetorical skills, the Roman upper class retained a sufficient amount of anxiety about philosophy to “take a stand against the one philosophy for which pleasure itself was the central principle. Rome’s officialdom drew the line at Epicureanism.”<sup>125</sup> This official line, however, legitimated the “cultivation of the other philosophic disciplines,”<sup>126</sup> Stoicism, Aristotelianism, and Academic skepticism. In the remainder of his essay Gruen shows how “the Hellenic component in the schooling of Roman intellectuals swelled in the next half century [roughly 150-92]” to the extent that the practice of philosophy became ever more accepted and acceptable at Rome. And, of course, the Epicureans eventually had their day. By the time of Cicero, Epicureanism was the “prevailing philosophy.”<sup>127</sup> Griffin records a number of prominent men, some of them practicing politicians, who were unquestionably committed to the Epicurean sect: Cicero’s friend Atticus, L. Calpurnius Piso (consul in 58 BC), L. Manlius Torquatus (praetor in 49), Vibius Pansa (consul in 43), and Cassius, instigator of the conspiracy against Caesar.<sup>128</sup>

We should not conclude from the foregoing survey of Roman attitudes to philosophy that by the time of Cicero the Romans were lovers of the love of wisdom. The proem to *De Finibus* contains Cicero’s blunt statement that some Romans altogether disapprove of philosophy and some consider it acceptable only if one practices it with moderation and does not get too caught up in the subject.<sup>129</sup> There exists good evidence to suggest that, when Cicero says such things,

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<sup>124</sup> Ibid., 177.

<sup>125</sup> Ibid., 178.

<sup>126</sup> Ibid.

<sup>127</sup> J.G.F. Powell, “Introduction: Cicero’s Philosophical Words and their Background,” in J.G.F. Powell (ed.), *Cicero the Philosopher*, (Oxford: Clarendon Press, 1995), 31.

<sup>128</sup> Griffin, 6, 29.

<sup>129</sup> Cicero, *Fin.* 1.1.

he is not just setting up straw men that he can take down with minimal effort. The Christian writer Lactantius quotes a letter in which Cicero explains how Cornelius Nepos so disliked philosophy that he judged philosophers not to be teachers of right living, but those most in need of such teachers.<sup>130</sup> For this reason we find, in a letter to Atticus, Cicero expressing genuine pleasure and surprise that Nepos desires to peruse his philosophical works, for, as Cicero puts it in this letter, Nepos normally thinks that such works do not merit reading.<sup>131</sup> Whatever Nepos' reasons for seeking Cicero's philosophical works, his case is perhaps indicative of the situation many upper class Roman men found themselves in: stridently resisting the practice of philosophy but also needing to know the philosophical literature in order to stay current with Roman cultural development.

I have drawn out this exposition of Roman attitudes towards philosophy before and during the time of Cicero because it is not the standard take on this cultural milieu but is the broader historical context within which I shall now trace the more immediate cultural and literary influences on Cicero's late theological works. Following Gruen, I have tried to paint a brighter picture of the Roman disposition towards philosophy than one customarily sees. Still, I am quite aware that no matter how accepting the Romans can be imagined to be of the subject, philosophy was always "marginal to Rome."<sup>132</sup>

### **An Eristic Literary Context**

As shown above, however the Romans marginalized philosophy, they also accepted it and permitted its adherents to hold their discussions and live out their precepts in accord with the tradition of Hellenistic philosophy. This tradition, with its four rival schools, was uniquely belligerent and agonistic. These philosophical schools wrangled with one another on matters

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<sup>130</sup> Lactantius, *Div. Inst.* 3.15.10.

<sup>131</sup> Cicero, *Att.* 16.5.

<sup>132</sup> Fox, 24.

great and small, from the metaphysical nature of the cosmos to the correct interpretation of the figure of Socrates.<sup>133</sup> One of the most distinctive characteristics of much of Cicero's later philosophical dialogues is that their conversations, in contrast to the genteel, yielding conversations of *De Republica* and *De Legibus*, are marked by disagreement, competition, and even, on occasion, invective. The standard procedure of the dialogues from *Academica* to *De Divinatione* is to pit representative speakers from each school against one another. In the *De Natura Deorum*, for instance, Cicero casts Velleius as the representative Epicurean, Balbus as the Stoic, and Cotta as the Academic skeptic, and each fervidly upholds the teachings of his own school.

This feature of the later dialogues provides a crucial hint to the context in which Cicero is writing and situating his work. This context is what I shall call an eristic literary context. As A.E. Douglas has shown, the conflict and competition that marked the Hellenistic tradition continued into Cicero's time: "Certainly down to Cicero's early years philosophical controversy was lively and acrimonious, and it is from the debates of this period that Cicero draws his material."<sup>134</sup> It is easy to demonstrate, moreover, that this agonistic context persisted into Cicero's productive, and not merely his "early," years. While it is impossible to be sure exactly when Lucretius wrote his *De Rerum Natura*,<sup>135</sup> Cicero had certainly read it by February of 54,<sup>136</sup> at a time when he had just begun composing his *De Republica*,<sup>137</sup> whose proem is a sharp polemic against the Epicureanism that Lucretius so reverently defends. Powell notes, moreover, that sometime in this period "the learned Varro wrote a *De Philosophia* in which he

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<sup>133</sup> A.A. Long, "Socrates in Hellenistic Philosophy," *The Classical Quarterly* 38 (1988): 156.

<sup>134</sup> A.E. Douglas, *Cicero: Tusculan Disputations I*, (Chicago: Bolchazy-Carducci, 1985), 9.

<sup>135</sup> See G.O. Hutchinson, "The Date of *De Rerum Natura*," *Classical Quarterly* 51 (2001): 150-162.

<sup>136</sup> Gian Biagio Conte, *Latin Literature: a History*, Joseph Solodow (trans.), (Baltimore: Johns Hopkins University Press, 1994), 155-56.

<sup>137</sup> James Zetzel, *Cicero: De Republica, Selections*, (Cambridge: Cambridge University Press, 1995), 2.

distinguished 288 possible philosophical systems, singling out that of Antiochus of Ascalon as the best.”<sup>138</sup> When we set these polemical works over against those of Cicero’s that clearly advocate in favor of Academic skepticism or against another school, this eristic context come clearer.

This context comes clearest in the proems to several of Cicero’s dialogues. The proem to the *De Republica*, for instance, is an assault on Epicureanism and, in particular, its central tenet that one should not pursue a political life. The procedure that Cicero follows in this proem is to raise an Epicurean objection to participation in political life and then to refute it. Thus he rebuts the Epicurean protest that political life necessarily involves grave hardships and dangers.<sup>139</sup> Next he throws out the Epicurean claims that politicians are a base lot to consort with and that, in any case, reason can never rule an unruly mob.<sup>140</sup> Finally, he deals with the Epicurean proviso that the wise man should not participate in politics unless some period of crisis compels him.<sup>141</sup> Cicero’s polemic against Epicureanism, therefore, structures this entire proem and is its main impetus. Now, to claim that the proem to Cicero’s *De Republica* is in any way a direct response to Lucretius’ *De Rerum Natura* is to advance much too far into the realm of evidentiary speculation, but it is not unlikely that the increasingly apparent ascendancy of Epicureanism at that time, punctuated by literary events like Lucretius’ poem, influenced Cicero to fashion his proem into a rebuttal of contemporary Epicureanism. Furthermore, that the success of Epicureanism at this time was a concern of Cicero’s is evinced in his *Pro Caelio*, delivered in 56 BC,<sup>142</sup> where he laments the fact that the deterioration of Roman morals has, in Griffin’s words,

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<sup>138</sup> Powell, 31-32.

<sup>139</sup> Cicero, *Rep.* 1.4.

<sup>140</sup> *Rep.* 1.9.

<sup>141</sup> *Ibid.*, 1.10.

<sup>142</sup> Cicero, *Cael.* 40-41.



“given the sect which pronounced pleasure to be the end for man the edge over the austerity of Stoicism.”<sup>143</sup>

It is of the utmost significance that Cicero only returns to this sort of out and out polemicism in the two works in which he most clearly declares his allegiance to Academic skepticism, *Academica* and *De Natura Deorum*,<sup>144</sup> and, somewhat surprisingly, Cicero’s emphasis on his allegiance to the skeptical school is even more pronounced in the latter work. On four occasions in this proem to *De Natura Deorum* he states outright or strongly suggests his commitment to Academic skepticism,<sup>145</sup> and in the process of doing so provides the crucial contextual information needed to discern his purpose for the later theological writings. After noting the varied reaction that the first works (*Hortensius*, *Academica*, *De Finibus*, and *Tusculans*) of his philosophical project of 46-44 have produced, Cicero makes the following claim: “multis etiam sensi mirabile videri eam nobis potissimum probatam esse philosophiam, quae lucem eriperet et quasi noctem quandam rebus offunderet, desertaeque disciplinae et iam pridem relictæ patrocinium necopinatum a nobis esse susceptum.”<sup>146</sup> The point to focus in on here is Cicero’s claim that his “disciplina,” Academic skepticism, was a long neglected school. Charles Brittain explains what Cicero is talking about here: “The Academy ran out of steam, and probably ceased to exist as an organized institution in Athens, after Philo’s death” in 83 or 84 BC.<sup>147</sup> Cicero gives several instructive responses to this contemporary conception of the Academy as a philosophical school that has been abandoned. His first response is that the four books of his *Academica* explain his allegiance to the skeptical Academy and offer clear proof

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<sup>143</sup> Griffin, 9.

<sup>144</sup> Douglas, 17.

<sup>145</sup> *Nat. D.* 1.6, 1.11, 12, 13.

<sup>146</sup> *Ibid.*, 1.6: “I also perceived that it seemed remarkable to many that I approved above all of that philosophy which snatched away the day and poured night, as it were, over the issues, and that I had undertaken unexpectedly the defense of a school that had been deserted and long ago abandoned.”

<sup>147</sup> Charles Brittain, *Cicero: On Academic Skepticism*, (Indianapolis: Hackett, 2006), 8, n.9.

that it is not an abandoned school.<sup>148</sup> He is perhaps alluding to the fact that in the second book of *Academica*, whose fictional date is 62 BC,<sup>149</sup> he has Lucullus make the claim that Academic skepticism is at that moment being summoned back to life from virtual extinction.<sup>150</sup> Whatever his precise meaning, Cicero proceeds in the proem of *De Natura Deorum* to argue that Academic skepticism is not outmoded: “nec vero desertarum relictarumque rerum patrociniū suscepimus; non enim hominum interitu sententiae quoque occidunt, sed lucem auctoris fortasse desiderant.”<sup>151</sup> Cicero’s argument here is that even though the Academy as an official institution came to an end and thus no authoritative interpreter (“lucem auctoris”) of its principles (“sententiae”) can be found, these principles and, as he goes on to argue, the Academic method of investigation, inaugurated by Socrates, have continued to be influential right up to Cicero’s present.<sup>152</sup> In this proem Cicero also intimates his desire to combat another misconception that the public has concerning his philosophical school: “nec tamen fieri potest ut qui hac ratione philosophentur hi nihil habeant quod sequantur. dictum est omnino de hac re alio loco diligentius, sed quia nimis indociles quidam tardique sunt admonendi videntur saepius.”<sup>153</sup> Cicero claims, then, that some consider the skeptics to have no principles at all and that, although he has already addressed this misconception in his *Academica*,<sup>154</sup> he apparently needs to reiterate for those who are slower of apprehension. With this latter claim that he is writing for slow learners, polemically tinged as it is, one gets a sense of what Cicero sees as his educative mission at this point in his philosophical project, for as I shall show in my third chapter, one can best

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<sup>148</sup> *Nat. D.* 1.11.

<sup>149</sup> *Brittain*, xv.

<sup>150</sup> *Acad.* 2.11.

<sup>151</sup> *Nat. D.* 1.11: “Nor indeed have I undertaken the defense of deserted and abandoned positions; for the thoughts of humans do not die when they do, although perhaps they lack the light of an authority.”

<sup>152</sup> *Ibid.*

<sup>153</sup> *Ibid.*, 1.12: “Nevertheless it is not the case that those who philosophize by this method [i.e., skeptics] have nothing to which they are committed. I have written at great length on this matter in another place [i.e., in *Academica*], but since certain people are so ignorant and slow, they seem to need repeated instruction.”

<sup>154</sup> *Acad.* 2.103.

understand *De Natura Deorum* and *De Divinatione* as instruction in the *ratio* of Academic skepticism.

For now, however, I need to recapitulate the main points of this discussion of Cicero's eristic literary context and show how it sets up the most useful perspective from which to discern Cicero's intentions for *De Natura Deorum* and *De Divinatione*. The first, and basic, point that this discussion has brought out is that in his later philosophical dialogues Cicero is participating in and to some degree reinvigorating the agonistic tradition of Hellenistic philosophy. Within this eristic context, he is specifically concerned to contest two public misconceptions about the school to which he claims allegiance: that it is an outmoded philosophical school and that it has no guiding principles. With some sarcasm he suggests that he will provide additional instruction in his philosophic method so that his audience will better understand it and his allegiance to the skeptical school. Cicero suggests elsewhere in his proem that this biting comment about additional instruction is directed at his philosophical enemies ("vituperatores").<sup>155</sup> Nonetheless, he is intent to give this instruction, since he will thereby prove the superiority of his school. All he needs, then, is a good topic.

### **The Purpose of *De Natura Deorum* and *De Divinatione***

cum multae res in philosophia nequaquam satis adhuc explicatae sint, tum perdifficilis, Brute – quod tu minime ignoras – et perobscura quaestio est de natura deorum, quae et ad cognitionem animi pulcherrima est et ad moderandam religionem necessaria. de qua tam variae sunt doctissimorum hominum tamque discrepantes sententiae ut non magno argumento esse debeat, principium philosophiae esse inscientiam prudenterque Academicos a rebus incertis assensionem cohibuisse. quid est enim temeritate turpius aut quid tam temerarium tamque indignum sapientis gravitate atque constantia quam aut falsum sentire aut quod non satis explorate perceptum sit et cognitum sine ulla dubitatione defendere?

Up to the present many topics in philosophy have been not at all satisfactorily explained, and, as you well know, Brutus, [one] exceedingly demanding and obscure inquiry is that concerning the nature of the gods, which [inquiry] is both most attractive

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<sup>155</sup> *Nat. D.* 1.5.

to the knowledge of the mind and essential for regulating religious practice. On this [topic], the fact that the opinions of the most learned men are so diverse and inconsistent ought to serve as a strong argument [for the claim that] the beginning of philosophy is ignorance and [that] the Academics hold back their assent on uncertain topics wisely. For what is more dishonorable than imprudence or what is so imprudent and so unworthy of the dignity and consistency of a wise man as believing something that is false or as defending, without any hesitation, that which has not been perceived or known with adequate certainty?<sup>156</sup>

Cicero more or less trumpets his foremost intentions for *De Natura Deorum* and *De Divinatione* in these first words of the proem to *De Natura Deorum*. Cicero first singles out theology as the distinctively obscure, however attractive, branch of philosophical learning. He then turns to a point that he will overemphasize in the early part of this preface: virtually no one agrees on this topic. He goes on, after this initial statement of how varied opinions are on divine matters, briefly to recount a number of points on which people disagree and hold wildly differing opinions: whether the gods exist at all, what forms they take, where they live, how they live, and, above all, how much of an interest they take in human affairs.<sup>157</sup> Cicero concludes that there is no topic on which both the learned and the unlearned disagree so much as theology.<sup>158</sup> All of this disagreement constitutes what, as Cicero says in this introductory paragraph, amounts to an argument in itself that Academic skeptics are wise to withhold their assent on matters theological. Cicero then impresses on his audience the virtue of this philosophical posture on the grounds that it keeps men from rash behavior and from defending what is false.

I am now in a position to explain why skepticism and the dialogical format are so dominant in *De Natura Deorum* and *De Divinatione*. In his philosophical project of 46-44 BC, Cicero chose vigorously to engage the eristic literary and philosophical context in which he found himself. After publishing his protreptic discourse *Hortensius*, Cicero published

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<sup>156</sup> Ibid., 1.1.

<sup>157</sup> *Nat. D.* 1.2-4.

<sup>158</sup> Ibid., 1.5.

*Academica* and openly declared his allegiance to Academic skepticism and his intention to defend this school “to the general Roman audience he was trying to create.”<sup>159</sup> His positions met with some resistance, however, and he eventually perceived that his audience considered skepticism an outmoded form of philosophy and failed to understand (or concede) its basic tenets, or even that it had basic tenets. He continued to exhibit his skeptical orientation in *De Finibus* and, to some extent, *Tusculans*, but when he came in his philosophical curriculum to theology, he realized that he had come upon the ideal topic both to vindicate Academic skepticism and to illustrate its method. As he indicates in his proem to *De Natura Deorum*, Cicero chooses theology as the arena in which he can best exhibit the power and usefulness of skepticism because precisely this subject provides the finest grist for his skeptical mill.

Before closing this chapter, I should raise a potential and perhaps even likely objection to my approach. I shall present two lines of evidence for my thesis that Cicero’s foremost intention for *De Natura Deorum* and *De Divinatione* was that these two dialogues justify and illustrate Academic skepticism. In my next chapter, I shall demonstrate how this point of view resolves the major interpretive problems of these two dialogues and so makes the dialogues more comprehensible than do other approaches, but in this chapter my main source of evidence for this thesis has come from the proem to *De Natura Deorum*. This form of evidence presents a problem, however, because scholars have known for a long time that Cicero did not necessarily write his proems for the works to which he eventually attached them. In a letter to Atticus,<sup>160</sup> Cicero reveals that he had a “volumen proemiorum” (“a volume of proems”), which he had written in advance for his philosophical compositions and from which he could draw at any time. In this particular letter, Cicero tells Atticus that he has attached the wrong proem to a version of

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<sup>159</sup> Brittain, viii.

<sup>160</sup> *Att.* 16.6.4.

*Academica* that he had recently sent to his Epicurean friend. On account of this historical evidence, scholars are often leery of interpretations that rely excessively on the information from a given proem, since that proem may not actually have been written for the work to which it was subsequently attached. Thus, some may object to my putting so much interpretive weight on the proem of *De Natura Deorum* to discern the meaning of that dialogue and *De Divinatione*.

A couple of responses should be made to this objection. First, Douglas has shown that, in some cases, the proems appear to have been written for the works to which they are attached and thus have important bearing on the meanings of those works.<sup>161</sup> The primarily literary mode of interpretation that I committed to in my introduction would prompt me to follow Douglas' lead and simply take the proem and dialogue as text, historical considerations aside. Fortunately, however, I do not have to be so nonchalant about historical scholarship in this case, for the two major English commentators on this proem have come to the same conclusion that I have come to, namely, that this proem is uniquely suited to the work to which it is attached.<sup>162</sup> In particular, although he does not develop this point, Dyck admits that the emphasis on skepticism in the proem to *De Natura Deorum* "is appropriate to this treatise, which constructs the state of discourse on theology as a validation of skepticism."<sup>163</sup> This is my central claim.

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<sup>161</sup> A.E. Douglas, "Form and Content in the *Tusculan Disputations*," in J.G.F. Powell (ed.), *Cicero the Philosopher*, (Oxford: Clarendon Press, 1995), 197-198.

<sup>162</sup> Dyck, 62; Arthur Pease, *M. Tulli Ciceronis De Natura Deorum*, 3 vols., (Cambridge: Harvard University Press, 1955-58), 29-30.

<sup>163</sup> Dyck, 62.

### Chapter 3: The Vindication of Academic Skepticism in *De Natura Deorum* and *De Divinatione*

*De Natura Deorum* and *De Divinatione* represent a two-stage justification of Academic skepticism and repudiation of its main opponents, the Epicureans and Stoics. Towards this end, *De Natura Deorum* accomplishes the marginalization of Epicureanism, suggests some of the shortcomings of Stoicism, and, most importantly, demonstrates the sensibleness, social acceptability, and the flexibility of the Academic *ratio*. With this ground cleared, Cicero proceeds in *De Divinatione* to show how the dogmatic philosophy of Stoicism easily passes into superstition and so becomes the very denial of philosophy. At the end of *De Divinatione*, the only philosophy still standing and the philosophical method approved by both interlocutors, Quintus and Marcus, is that of Academic skepticism. The proof of this interpretation of *De Natura Deorum* and *De Divinatione* does not rest on a claim that the skeptical arguments of Cotta and Marcus are superior to those of the Epicurean and Stoic representatives or stand-ins. Although Cicero's audience was undoubtedly superior both in social class and in education,<sup>164</sup> it was still diverse, composed of the young and the old,<sup>165</sup> of philosophical devotees like Atticus and Brutus, and philosophical dissenters like Cornelius Nepos. Moreover, even if some scholars feel that they know Cicero's audience, very little evidence survives to tell us the exact extent of that audience. In recognition of this and other uncertainties surrounding Roman religious thinking, Schofield has pointed out that it is not possible to determine exactly how Cicero's contemporaries would have reacted to the various arguments set forth in the theological works

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<sup>164</sup> Luciana Repici, "Gli Stoici e la divinazione secondo Cicerone," *Hermes* 123 (1995): 192.

<sup>165</sup> *Div.* 2.4-5; Elaine Fantham, *Roman Literary Culture: from Cicero to Apuleius*, (Baltimore: Johns Hopkins University Press, 1996): 9.

and that, at the least, the reaction cannot have been univocal.<sup>166</sup> In an essay on *De Divinatione*, Nicholas Denyer has argued that the seven central arguments which Marcus makes are all ineffective against the Stoic rationale for divination, which does not pretend to be scientific.<sup>167</sup> It is fair to assume that some of Cicero's readers would have accepted this Stoic rationale and been turned off by the niggling questions and pesky rebuttals of Marcus the Academic.

My argument, then, will not rest on an appeal to skeptical logic-chopping or on the assumption that their philosophical arguments, as arguments, are better; rather, it will repeatedly direct the reader's attention to the rhetorical strategies, coloring, and gestures of the dialogues and ultimately to their dramatic action. The reader will see how Cicero has the Academic representatives paradoxically defend their citadel of reason by means of rhetorical maneuvers designed either to denigrate a rival school or to establish how well Academic philosophy comports with Roman society and its normal operations. The reader will watch Cicero the author initiate and join in these rhetorical maneuvers on behalf of his Academy. When considered in the light of Cicero's statement of his intentions for these dialogues in the proem to *De Natura Deorum*, these rhetorical and literary features of *De Natura Deorum* and *De Divinatione* point up the central purpose and meaning of these theological works.

Consider first the basic structure of both of the theological dialogues: Cicero has the rival school speak first and the Academic representative, Cotta in *De Natura Deorum* and Marcus in *De Divinatione*, speak last. Cicero<sup>168</sup> the orator well knew that the last speaker always has the

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<sup>166</sup> Schofield, 61-3.

<sup>167</sup> Nicholas Denyer, "The Case Against Divination," *Proceedings of the Cambridge Philological Society* 31 (1985): 1-10.

<sup>168</sup> For the remainder of this study I shall follow the traditional distinction made between Cicero and Marcus. When I refer to Cicero, I am referring to the historical person and the author of the dialogues. When I refer to Marcus, I am referring to the character in *De Natura Deorum* and *De Divinatione*, who may or may not represent the views or intentions of the historical Cicero.



most influence on his hearers,<sup>169</sup> so this strategy already prejudices his audience towards the Academic case, especially since the Academics' speeches are so long. When Cicero conjoins with this speaking order the characteristic Academic mode of philosophizing, which is marked by questioning and criticizing, he sets up the Academic representatives as philosophic arbiters. In *De Natura Deorum*, Velleius<sup>170</sup> and Balbus<sup>171</sup> both pitch their cases to Cotta and seek to persuade him, and, to lesser degree, to young Marcus, another Academic.<sup>172</sup> In *De Divinatione*, Quintus directs his case at his brother Marcus in an effort to examine the efficacy of divination.<sup>173</sup> In the case of both works, then, the Academic skeptic is the truth-seeking judge who, by virtue of speaking last, has the responsibility of sorting out what is false and what resembles the truth. The general structure of the theological works, therefore, is one component of Cicero's strategy to uphold the Academic cause, but he makes use of numerous other rhetorical schemes towards this end. The best way to explore some of these schemes and to watch Cicero's two-stage vindication of skepticism develop is to consider each theological dialogue in turn.

### **The Marginalization of Epicureanism**

On reading *De Natura Deorum* and *De Divinatione*, one finds that the competition between rival schools is a zero-sum game: for one school to win, the others must lose. In Cicero's dialogues on religion, this is more true of Epicureanism than any other school. Given Cicero's contempt for Epicureanism,<sup>174</sup> this may come as no surprise, but given the increasing success of Epicureanism among his contemporaries, one would expect Cicero to engage it

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<sup>169</sup> Cicero *Brutus*, 190.

<sup>170</sup> *Nat. D.* 1.17.

<sup>171</sup> *Ibid.*, 2.20.

<sup>172</sup> *Ibid.*, 1.17.

<sup>173</sup> *Div.* 1.9.

<sup>174</sup> Pease, 31.

directly and forcefully, as he had done in his proem to *De Republica*. Cicero does have Cotta engage Velleius' arguments directly,<sup>175</sup> but his central strategy is much subtler. Rather than treat Epicureanism as a philosophical school with an important contribution to make to the subject of theology, as undoubtedly every Epicurean would claim, Cicero treats it as trivial at best to any discussion of specifically Roman religion and points up the unacceptability of its tenets for Roman religious praxis. The first signal of this strategy is, again, structural. Cicero gives Velleius a speech of some 39 sections.<sup>176</sup> Compare this with the 68 sections he gives to Cotta<sup>177</sup> to rebut Velleius' speech and, even more tellingly, the 168 sections he gives to Balbus<sup>178</sup> to unfold the Stoic case. Moreover, of those 39 sections, Velleius spends 26 criticizing other schools for their views on the divine and running through a history of how philosophers, poets, and non-Greek religions have failed to understand the nature of the gods.<sup>179</sup> For this reason Velleius spends only 14 sections on a positive account of Epicurean theology<sup>180</sup> while, again, Cotta takes 68 sections to rebut this account. To top it off, Velleius apologizes for speaking at such length when he is finished.<sup>181</sup> Earlier scholars attributed this compression of Epicurean theology to Cicero's source materials. Writing of how much more space Cicero gives to Balbus than to Velleius, Pease contends, "Such disproportion in space probably reflects, not so much Cicero's own likes and dislikes in relation to the Epicurean and Stoic schools respectively, as the use of diverse sources, themselves of differing conciseness or prolixity."<sup>182</sup> In Pease's discussion of the sources Cicero used for his account of Epicurean theology, however, he merely states that "the brief but abstruse exposition of positive Epicurean theological views has been

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<sup>175</sup> *Nat. D.* 1.57-124.

<sup>176</sup> *Ibid.*, 1.18-56.

<sup>177</sup> *Ibid.*, 1.57-124.

<sup>178</sup> *Ibid.*, 2.1-168.

<sup>179</sup> *Ibid.*, 1.18-43.

<sup>180</sup> *Ibid.*, 1.43-56.

<sup>181</sup> *Ibid.*, 1.56.

<sup>182</sup> Pease, 31.

traced to quite different sources,”<sup>183</sup> and so proves nothing about their concision. Diversity of scholarly opinion also marks Pease’s discussion of Cicero’s sources for Stoic theology in the second book, with the result that he cannot conclusively locate any single prolix source nor even a single set of prolix sources.<sup>184</sup> The source theory, then, is hardly persuasive.

A better way to see why Cicero compresses Velleius’ account of Epicurean theology is to take Cicero’s rhetorically embedded “likes and dislikes” into account by considering how he treats Epicureanism within the whole of *De Natura Deorum*, rather than by reasoning on the basis of the largely unknown sources on which he drew. As is appropriate, Cicero has Cotta meet Velleius on the level of philosophical argument. Cotta’s first move against Velleius’ account is to argue against the basic epistemological presupposition of Epicurean philosophy: the argument *ex consensu gentium*.<sup>185</sup> Again, it would be irresponsible to claim that Cicero’s audience would have sided with Cotta on this point, especially since the Stoics also argued *ex consensu gentium*.<sup>186</sup> Nonetheless, Cicero’s overarching strategy to undermine Epicureanism is apparent. As he proceeds through the dialogue Cicero carefully constructs Epicurean theology as a ludicrous system of thought unalterably at odds with Roman religious praxis and thus marginal to any discussion of religion in a Roman context. Cicero first has Velleius put the noose around his own neck by the way in which, as Velleius nears the end of his disquisition, Cicero has him summarize the basics of Epicurean theology. Velleius’ summative claim is that the Epicurean gods are wholly inactive and do not bother themselves with the interests and lives of the human race.<sup>187</sup> And his final claim, a parting shot at the Stoics, mocks the practice of divination:

“sequitur *mantikē* vestra, quae Latine divinatio dicitur, qua tanta inbueremur superstitione, si vos

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<sup>183</sup> Ibid., 42.

<sup>184</sup> Ibid., 45-48.

<sup>185</sup> *Nat. D.* 1.62-4.

<sup>186</sup> Ibid., 2.5, 2.12.

<sup>187</sup> Ibid., 1.51-2.

audire vellemus, ut haruspices, augures, harioli, vates, coniectores nobis essent colendi. his terroribus ab Epicuro soluti.”<sup>188</sup>

These two claims, which do eloquently convey the central tenets of Epicureanism, effectively eliminate Velleius from the conversation, as Cotta will soon point out.<sup>189</sup> Cicero has already stated in his proem that the conversation in *De Natura Deorum* finds its justification partly in its practical applicability, for the dialogue is supposed to move its readers to think and to communicate what they think not only about general theological matters like “religione, pietate, sanctitate, caerimoniis, fide, iure iurando,” but also what they think about the more concrete structures and practices of Roman religion: “templis, delubris, sacrificiisque sollemnibus... ipsis auspiciis quibus nos praesumus.”<sup>190</sup> Velleius’ theology certainly does speak to all of these aspects of religion, so in that sense he does make a contribution to the discussion. As Velleius himself admits, however, his theology is such that it largely dismisses what most people, and what the Roman state, judge to be essential religious tradition.<sup>191</sup> Since the other two interlocutors are in agreement that, whatever their conversation turns up, Roman religious practice should be upheld as it is, Velleius’ contribution to the discussion turns out to be of secondary importance, at best. Cotta drives this point home decisively – decisively enough even for his Stoic counterpart.<sup>192</sup> In fact, to add rhetorical emphasis to this point, Cicero has Cotta end his refutation on it.<sup>193</sup> Cotta says that although Epicurus talked piously, like a Coruncanus or a Publius Scaevola, his theology actually “sustulerit omnem funditus religionem nec manibus ut

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<sup>188</sup> Ibid., 1.55-6: “Your practice of mantike, which in Latin is called divination, follows. If we wished to listen to you, we would be so steeped in superstition on account of this [practice] that we would have to cultivate soothsayers, augurs, fortune-tellers, prophets, and interpreters of dreams. Epicurus has freed [us] from these terrors.”

<sup>189</sup> Ibid., 1.115-24.

<sup>190</sup> Ibid., 1.14: “religion, divine observance, holiness, religious rituals, good faith, loyal oath-taking... temples, shrines, and solemn sacrifices... the very auspices over which I myself preside.”

<sup>191</sup> Ibid., 1.51-56.

<sup>192</sup> Ibid., 2.3-4.

<sup>193</sup> Ibid., 1.115-23.

Xerxes sed rationibus deorum immortalium templa et aras evertit.”<sup>194</sup> Pressing this same point, Cotta proceeds to claim that Epicurean theology undermines religious devotion and law,<sup>195</sup> that the Epicurean belief that the gods have no concern for the human race uproots all religious care from human hearts,<sup>196</sup> and that the Epicurean gods cannot be subject to reverence.<sup>197</sup> These various charges, spread out over several sections of text, amount to the same charge, and that Cotta reformulates them over and over suggests that he has abandoned the mode of philosophical reasoning and is indulging in rhetoric.

Indeed these are not philosophical arguments; this is rhetorical mud-slinging – and rhetorical mud-slinging that Cicero reserves in *De Natura Deorum* for Epicureanism alone. The subsequent lengthy exchange between Balbus and Cotta is a model of philosophical propriety, but Cotta treats Velleius with contempt and marginalization. Of rhetorical moves like these, in contradistinction to philosophical reasoning, it is reasonable to say that we know how Cicero’s audience would have responded. Only the most diehard Epicureans would have argued in favor of utterly expurgating traditional Roman religious observance and practice, so Cicero’s coloring of Epicureanism as a theology that leads to such consequences and his repression of Velleius’ response<sup>198</sup> would have left the genuine Romans in his audience with a negative opinion of that school. That, at least, is what he intended.

That this intent is Cicero’s own is further signaled by the fact that he has his characters heap an extraordinary amount of scorn and sarcasm on Epicureanism and its exponents. Marcus, for instance, describes Velleius thus as the Epicurean sets out to expound his views: “tum

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<sup>194</sup> Ibid., 1.115: “fundamentally destroyed all religion, and overturned the temples and altars of the immortal gods not with force like Xerxes, but with arguments.”

<sup>195</sup> Ibid., 1.116.

<sup>196</sup> Ibid., 1.121.

<sup>197</sup> Ibid., 1.123.

<sup>198</sup> Ibid., 2.1.

Velleius fidenter sane, ut solent isti, nihil tam verens quam ne dubitare aliqua de re videretur, tamquam modo ex deorum concilio et ex Epicuri intermundiis descendisset.”<sup>199</sup> Velleius is the unjustifiably pretentious Epicurean. The contempt, which words like *sane* and *ipsi* emphasize, that Marcus openly expresses towards Velleius and the sarcasm that he directs at Velleius’ divine certainty appear nowhere else in the dialogue. No other character gets such negative treatment from the narrator. In fact, the narrator treats neither Balbus nor Cotta negatively at any point in the dialogue. That Cicero has Marcus impute such an ethos to Velleius is of the utmost literary importance, for this description leads directly into Velleius’ speech and thereby imbues that speech with an off-putting tone; Cicero confirms this tone by the way in which he has Velleius speak. Velleius is far the prickliest interlocutor in the group. It is not just that he is critical, for Cotta is more critical. It is, rather, the condescension inherent in his manner of his criticism that marks Velleius out as an odious, or at least wearisome, figure. When, for instance, Velleius has completed his criticism of all philosophers since Thales and all poets since Homer, he sums up his case thus: “exposui fere non philosophorum iudicia sed delirantium somnia. nec enim multo absurdiora sunt ea quae poetarum vocibus fusa.”<sup>200</sup> For the mighty Velleius, Thales, Heraclitus, Parmenides, Plato, and Aristotle were all madmen, and Homer and Hesiod even worse. Contrast this attitude with Balbus’ praise of Plato and Aristotle,<sup>201</sup> with Cotta’s approving citations of Simonides and Diogenes,<sup>202</sup> and with both of their extensive quotations from the poets. Like a typical Epicurean who has just descended from the *intermundia*, Velleius thinks that only Epicurus got anything, and everything, right. Only the author of the dialogue, Cicero himself,

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<sup>199</sup> Ibid., 1.18: “Then Velleius [began speaking], of course in the brash manner that is customary with those men [Epicureans], afraid of nothing so much as that he might appear in doubt about anything, as if he had just recently descended from an assembly of the gods and the *intermundia* of Epicurus.”

<sup>200</sup> Ibid., “I have explicated [what are], generally [speaking], not the judgments of philosophers but the dreams of madmen. Nor indeed are those things which the poets have poured out much more absurd.”

<sup>201</sup> Ibid., 2.32, 44, 94.

<sup>202</sup> Ibid., 1.60; 3.83, 88.

could have arranged this coherence between the judgment of Marcus and the department of Velleius, and that he did so suggests his approach to Epicureanism in *De Natura Deorum*.

But Marcus is not the only character who ridicules Epicurean philosophy. Cotta pours a massive amount of scorn and sarcasm on this school.<sup>203</sup> In particular, when Cotta reacts to Velleius' critical account of the history of philosophy and his repeated assertions that the eminent men (*summos viros*) of the past were fools and madmen, in exasperation he bursts out, "nam ista quae vos dicitis sunt tota commenticia, vix digna lucubratione anicularum."<sup>204</sup> Even the stolid Balbus joins in the derision and pokes fun at Epicurus' lack of wit,<sup>205</sup> his ignorance of aesthetics and geometry,<sup>206</sup> and his inability to add two plus two.<sup>207</sup> Balbus also drops, in a subordinate clause, one of the best-loved criticisms of Epicureanism in the ancient world: that the real reason anyone becomes an Epicurean is that only this philosophy encourages him to indulge his lust.<sup>208</sup> Since this sort of repartee is a customary part of Hellenistic philosophical discourse, my point here is not that this type of discourse is unusual or out of place among philosophers in the ancient world. My point, or, more precisely, textual observation, is that within the *De Natura Deorum* Cicero directs virtually all of the disrespectful philosophical banter at Epicureanism.

The other literary feature that argues in favor of the interpretation that Cicero is rhetorically embedding his own dislike of Epicureanism in *De Natura Deorum* is the manner in which he dismisses this philosophical school over the course of the dialogue. After Cotta has concluded his criticisms of Epicurean theology, Balbus sums up with two statements that the

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<sup>203</sup> Ibid., 1.66, 69, 70, 72, 74, 84, 89, 97, 104, 107, 108, 109, 123.

<sup>204</sup> Ibid., 1.94: "For the things which you [Epicureans] say are wholly fictitious, scarcely worthy of the evening gossip of little old women."

<sup>205</sup> Ibid., 2.45-6; 74.

<sup>206</sup> Ibid., 47-8;

<sup>207</sup> Ibid., 2.49.

<sup>208</sup> Ibid., 2.61.

views of Epicurus have been refuted.<sup>209</sup> The reader expects Balbus to make such a claim on account of his commitment to Stoicism, but only the reader who has taken sufficient notice of Cicero's expressed intentions in his proem to bolster the cause of Academic philosophy and who has surveyed the contempt for Epicureanism that Cicero has built into this dialogue would expect to see the author shore up Balbus' dismissal. The way to see that Cicero is in fact upholding this dismissal is to contrast what happens at the end of the exchange between Velleius and Cotta with what happens at the end of the exchange between Balbus and Cotta. After Cotta finishes his spirited response to Velleius' Epicurean theology, the only comment made about this theology is that it has been sufficiently refuted. Then, when Cotta is about to begin his response to Balbus' case for Stoicism, Velleius expresses his eagerness to hear Cotta's criticisms and implies that all three participants are of equal standing.<sup>210</sup> Cotta rebukes Velleius and informs him that his discussion with Balbus will be on a higher plane than the discussion he conducted with Velleius,<sup>211</sup> since Stoic philosophy is so much more consistent and systematic than Epicurean philosophy.<sup>212</sup> After Cotta finishes his response to Balbus' Stoic system, something unexpected happens. Instead of simply closing the discussion, Marcus the narrator sums up everyone's reaction to the exchange: "haec cum essent dicta, ita discessimus ut Velleio Cottae disputatio verior, mihi Balbi ad veritatis similitudinem videretur esse propensior."<sup>213</sup> When Marcus offers no such summation of opinions at the end of Velleius' and Cotta's exchange, this is probably a suggestion that Velleius has persuaded no one but himself, and this fact in itself predisposes the audience to react negatively to Epicureanism. But when Marcus, after Cicero has given so much

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<sup>209</sup> Ibid., 2.2-3.

<sup>210</sup> Ibid., 3.2.

<sup>211</sup> Ibid., 3.3.

<sup>212</sup> Ibid., 3.3-4.

<sup>213</sup> Ibid., 3.95: "When we had said these things, we departed; the result [of the discussion was that] Cotta's discourse seemed truer to Velleius, but that of Balbus seemed to me more inclined to the likeness of the truth."



more space to the exchange between Balbus and Cotta, provides this summation at the end of their exchange and actually has Velleius vote in favor of an Academic skeptic, this can only mean that the discussion has become so focused on Stoicism and Academic skepticism that Epicureanism is no longer a consideration. Moreover, Philip Levine has explained how “when the Epicurean Velleius is described as thinking the arguments of Cotta truer than those of Balbus, it means that he is also, in a sense, slighting his own cause and thus belying the distinguished position which he is said to have held in his school.”<sup>214</sup> That Cicero has an Epicurean scorn his own school in this way is the ultimate calumny that he can throw at Epicureanism.

The compression of Velleius’ account, then, probably owes more to Cicero’s general marginalization and derision of Epicurean theology on the grounds that it has little to contribute to a discussion of Roman religion than to Cicero’s source materials. In the zero-sum game that is played out over the course of *De Natura Deorum* and *De Divinatione*, Epicureanism is the first loser.

### **The Shortcomings of Stoicism**

Although Cotta argues vigorously against Stoic theology in Book 3, Cicero depicts the Stoics favorably in *De Natura Deorum*, in part because the Stoics’ conception of the nature of the gods coheres with Roman religious practice. When Cotta is attacking Epicurean theology on the grounds that it undermines Roman religion,<sup>215</sup> he twice comments on how much better the Stoics’ views are than those of the Epicureans, precisely because they provide a more stable philosophical foundation for the edifice of Roman religion.<sup>216</sup> This chumminess between the Stoics and Academics will not last into *De Divinatione*, and even within *De Natura Deorum* Cicero begins artfully to develop certain strands of Stoicism that, while they seem inoffensive or

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<sup>214</sup> Levine, 18-19.

<sup>215</sup> *Nat. D.* 1.115-24.

<sup>216</sup> *Ibid.*, 1.121-23

even insignificant when the discussion concerns the nature of the gods, drive the Stoic system of thought into superstition in *De Divinatione*. By developing these hazardous lines of Stoic thought, Cicero will set up a fundamental contrast between Stoicism and Academic skepticism, a contrast that he will fully exploit in *De Divinatione*. He will portray Academic skepticism as the authentic philosophy of reason and Stoicism, in contrast, as tending towards superstition and thus as a denial of philosophy. In *De Natura Deorum* Cicero begins to draw this contrast by pointing up four Stoic modes of appeal that are by no means equivalent to philosophical argumentation, as the Academics understood argumentation, and by providing Cotta's skeptical critique of each of these appeals.

The first appeal that Balbus the Stoic makes is to anecdotal experience. This form of appeal is most in evidence when Balbus attempts to prove his first major thesis: that the gods exist. After stating that the existence of the gods is self-evident and scarcely in need of affirmation, Balbus proceeds to demonstrate this self-evident proposition for 44 sections. The mode of argumentation that he puts at the forefront of his account is anecdote. He claims that one can know the gods exist because they often make appearances on earth.<sup>217</sup> He then proceeds to recount a number of anecdotes from the Roman historical tradition that offer evidence for his claim. For instance, he recounts how, during the dictatorship of Aulus Postumius, Castor and Pollux fought with the Romans against the Latins at Lake Regillus and how many people have overheard the voices of Fauns and seen apparitions of the gods.<sup>218</sup> Another line of argument that Balbus uses to defend his self-evident claim that the gods exist is that there is such a thing as divination,<sup>219</sup> and to support the idea that divination is genuine Balbus again turns to anecdote. This particular segment of *De Natura Deorum* and the response that Cotta makes to it are

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<sup>217</sup> Ibid., 2.6.

<sup>218</sup> Ibid.

<sup>219</sup> Ibid., 2.7-12.

significant, since they foreshadow the conversation that will take place in *De Divinatione*. Balbus appeals to several anecdotes, including Publius Claudius' sacrilege of throwing the sacred chickens into the sea and the divine retribution he received for this act, and the augural staff of Attus Navius, which the famed augur used to locate his pig.<sup>220</sup> In his rebuttal of this appeal, Cotta insinuates that these stories are fictions and claims that they raise more questions than they answer.<sup>221</sup> Balbus presses the point, however, citing witnesses, like the temple dedicated to Castor and Pollux by Aulus Postumius, for the truth of these anecdotes. Cotta's response to the witnesses is most telling: "rumoribus... mecum pugnas, Balbe, ego autem a te rationes requiro."<sup>222</sup> The Stoic tells stories while the Academic demands arguments. This will become something of a refrain in the exchanges between Academics and Stoics, as Cicero constructs them.

Balbus also appeals to poetry as evidence. As a part of his essay on *De Divinatione*, Brian Krostenko has written an illuminating analysis of how, in that dialogue, Quintus, who argues for the Stoic position, and Marcus, who argues for the skeptical position, make use of poetry differently. He notes that, in the first place, Quintus uses "four times more poetry than does Marcus."<sup>223</sup> More importantly, however, he notes that whereas Marcus uses poetry "generally to anchor already established points" and in a manner no way central to his argument, Quintus uses poetic passages "for their evidentiary value."<sup>224</sup> Krostenko's analysis of how Stoics and Academics treat poetry is also born out in *De Natura Deorum*. Balbus draws on poetry much more frequently than does Cotta, and he occasionally uses poetry as evidence for his philosophical doctrines, whereas Cotta uses poetry most often to reinforce a point that he has

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<sup>220</sup> Ibid., 2.7-9.

<sup>221</sup> Ibid., 2.11-12.

<sup>222</sup> Ibid., 2.13: "You are contesting me with hearsay, Balbus, but I am seeking reasons from you."

<sup>223</sup> Krostenko, 366.

<sup>224</sup> Ibid., 366-67.

already proven.<sup>225</sup> When, for instance, Balbus is discussing the nature of the gods, the second point in his speech, he argues that the story of the castration of Caelus (Ouranos) at the hands of his son Saturn, as told in Hesiod, provides an alternate, unscientific form of evidence for the Stoic idea that the fire at the summit of heaven, which creates all things, can engage in this procreation without the need of joining itself to another entity.<sup>226</sup> Cotta's response to appeals of this sort to poetry as evidence for scientific or philosophical truths is ridicule, but his ridicule suggests where Cicero is leading his discussion. Cotta claims that the Stoics defend these stories and others like them "ut ii qui ista finxerunt non modo non insani sed etiam fuisse sapientes videantur."<sup>227</sup> That the Stoics take fools to be wise men again suggests their ignorance of what philosophy really is.

The third appeal that Balbus makes to convince Cotta that he should embrace Stoicism is that of personal consistency. In his *Pro Murena*, Cicero playfully depicts the Stoic Cato as a noble but harsh and rigid man, and politically consistent to a fault.<sup>228</sup> Cicero's depiction of Cato obviously has a rhetorical function within that speech, but it is general enough to hint at one of the minor gripes Cicero may have had with Stoicism: it demands personal consistency to a degree beyond what truth and nature demand.<sup>229</sup> Someone familiar with Cicero's depiction of the true Stoic in *Pro Murena*, then, is hardly surprised to find that Cicero has imputed to his character Balbus a demand for personal consistency. Since Balbus makes this appeal at the very beginning and very end of his speech,<sup>230</sup> its significance to Balbus as a mode of persuasion is

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<sup>225</sup> Cotta does, however, use poetry for its evidentiary value at 3.66-75, but there he is drawing on poetic evidence to prove certain facts about human nature, not about divine natures or activities. Krostenko's point is that the Stoics use poetic evidence for their claims about the divine realm.

<sup>226</sup> *Nat. D.* 2.63.

<sup>227</sup> *Ibid.*, 3.62: "in such a way that those who contrived these [stories] come off not only as sane men but even as philosophers."

<sup>228</sup> Cicero, *Mur.* 60-66.

<sup>229</sup> *Mur.* 60.

<sup>230</sup> *Nat. D.* 2.2, 2.168.

definite. In his first statement of this appeal, Balbus bluntly asserts that, as a priest,<sup>231</sup> Cotta should not cling to the vacillating system of the Academics, but should adopt the firm convictions of the Stoics. At the end of his speech, Balbus reiterates this appeal and expands on his meaning: “tu autem, Cotta, si me audias, eandem causam agas teque et principem civem et pontificem esse cogites et, quoniam in utramque partem vobis licet disputare, hanc potius sumas... mala enim et impia consuetudo est contra deos disputandi.”<sup>232</sup> According to Balbus, it would be wrong for Cotta to hold a religious post like *pontifex maximus* and yet to have anything other than the steadiest belief in the existence of the gods. Cotta clearly takes this appeal more seriously than the other non-philosophical appeals that Balbus has made, but he persists in his practice of turning this appeal into an occasion for instructing the Stoic on the nature of authentic philosophy.

Since the speech in which Cotta directly addresses this appeal will be examined at some length in the next section of this chapter, I offer only a paraphrase here of Cotta’s response to Balbus concerning his personal consistency. Cotta first interprets Balbus’ appeal to mean that, as a priest, he should defend the beliefs about the immortal gods that their ancestors have handed down to them, and he affirms that he will defend these beliefs and always has.<sup>233</sup> He then proceeds to stress how enamored he is of the leading Roman religious figures and how devoted he is to maintaining all aspects of Roman religious cult and observance.<sup>234</sup> Then Cotta makes his crucial distinction: “habes, Balbe, quid Cotta quid pontifex sentiat; fac nunc ego intellegam tu quid sentias. a te enim philosopho rationem accipere debeo religionis, maioribus autem nostris

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<sup>231</sup> Cotta was *pontifex maximus*.

<sup>232</sup> *Nat. D.* 2.168: “If, however, you would hear me, Cotta, you should take up the same cause [Stoicism] and be mindful that you are both a leading citizen and a high priest and, since you [Academics] are permitted to argue on either side [of a topic], you should adopt this [system]... for it is an evil and irreverent practice to argue against the [existence of] the gods.”

<sup>233</sup> *Ibid.*, 3.5.

<sup>234</sup> *Ibid.*

etiam nulla ratione reddita credere.”<sup>235</sup> For Cotta, personal consistency does not lie in exact correspondence between one’s public role and one’s private thinking and conversation. Consistency lies in fulfilling the duties inherent in whatever role one is performing. If one is acting as a priest or considering some facet of practical religious observance, one should accept the customs handed down by the *maiores* on their authority, but if one is conducting a philosophical discussion, one should seek rational proof and accept the authority of nothing other than one’s own reason. In his own person Cicero makes this point in the proem to the *De Natura Deorum*: he tells of how improper, in philosophical terms, was the behavior of Pythagoras’ students when they settled their disputes by appealing to what their master had said rather than testing his teachings against their own thinking.<sup>236</sup> The correspondence between what Cicero says in his own voice and what Cotta says in his rebuttal of Balbus’ appeal again signals Cicero’s rhetorical intentions.

The final form of appeal that Balbus employs is to the authority of the *maiores* in matters philosophical.<sup>237</sup> When Balbus is trying to prove the authenticity of divination, for instance, he cites the respect his ancestors showed towards this practice as sufficient proof that it is authentic.<sup>238</sup> Cotta’s response to this mode of persuasion should already be clear: the only authority that matters in a philosophical discussion is one’s own reason. These four forms of non-philosophical persuasion look rather innocuous and even unimportant in the context of a discussion about the nature of the gods, but they signal a contrast that Cicero will further develop

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<sup>235</sup> Ibid., 3.6: “You have now, Balbus, what Cotta the priest thinks. Come now and help me understand what you think. For it is right that I receive from you, a philosopher, a rational account of religion. I should, however, believe our ancestors even though no reason is given.”

<sup>236</sup> Ibid., 1.10.

<sup>237</sup> Ibid., 2.10-11, 60, 62, 71.

<sup>238</sup> Ibid., 2.10.

in *De Divinatione* and there put to use to show the dangers inherent in the Stoic system and method.

### **The Defense of Academic Skepticism**

Far and away the most important task Cicero accomplishes in the *De Natura Deorum* is the task that he suggests for himself in his proem: to exhibit the power and flexibility of the Academic method. Specifically, Cicero states outright or intimates that his theological dialogues will accomplish three things. First, he states that his dialogues will show how an infinitely complex topic like theology argues in favor of the skeptical method of examining both or all sides and of keeping in mind that every truth contains at least a modicum of error.<sup>239</sup> Second, Cicero's vigorous response to the preconception that Academic skepticism is an outmoded philosophical mode which does nothing other than suck the light out of every issue it delves into indicates an anxiety on his part that the Academy may not seem socially acceptable.<sup>240</sup> And third, Cicero makes a sardonic promise that he will provide further instruction in the guiding principles of the Academic school.<sup>241</sup> While the sarcasm of this promise might suggest that Cicero has no intention of acting on it, underneath this sarcasm lies a genuine concern that some members of his audience, even if they are his philosophical opponents, have not understood (and so might misconstrue) what Academic philosophy is all about. These three points of concern, as expressed in the proem, serve as interpretive guidelines that direct the reader to Cicero's central rhetorical strategy in his presentation of the Academy.

The core of that strategy is to construct the Academy as the school of reason, sensibility, and even commonsense, and in no field of inquiry, as Cicero indicates in his proem, does that sensibility show up so clearly as in the topic of theology. Within the dialogue proper, Cicero

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<sup>239</sup> Ibid., 1.1-2; 12

<sup>240</sup> Ibid., 1.6.

<sup>241</sup> Ibid., 1.12.

reinforces this notion at the very beginning of Cotta's rebuttal of Velleius, where Cotta approvingly cites Simonides' response to Hiero when the tyrant asked him to explicate the nature of the gods.<sup>242</sup> Simonides first asked for a day's grace to consider the matter, and after that period, for two more days. After repeatedly doubling the number of days he needed to consider the question, Simonides finally admitted that he kept putting off his answer "quia quanto diutius considero... tanto mihi res videtur obscurior."<sup>243</sup> The parallel between Simonides' saying and Cicero's statement in the proem of the difficulty of theology is evident: in his proem Cicero refers to theology as the *perobscura quaestio*,<sup>244</sup> which Simonides' *obscurior* deliberately echoes in this passage. But Cotta presses the point further when he characterizes Simonides as "non poeta solum suavis verum etiam ceteroqui doctus sapiensque."<sup>245</sup> Simonides' response, Cotta implies, is the response that any urbane person should have when the question of the nature of the gods is put to him.

Another way Cotta strengthens Cicero's point about the obscurity of theology and thereby presents skepticism as the proper mode for considering claims about the nature of the gods is that he turns Velleius' criticisms of all the major philosophers since Thales to his own use, asserting that if none of these men were able to discern the truth about the gods, one might conclude that no such truth exists.<sup>246</sup> And to put a fine point on the matter, Cicero has Cotta conclude his rebuttal of Balbus in this way: "haec fere dicere habui de natura deorum, non ut eam tollerem sed ut intellegeretis quam esset obscura et quam difficilis explicatus haberet."<sup>247</sup>

That this conception of theology runs through the entirety of *De Natura Deorum* and has the

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<sup>242</sup> Ibid., 1.60

<sup>243</sup> Ibid.: "because the longer I consider the matter, the more obscure it seems to me."

<sup>244</sup> Ibid., 1.1.

<sup>245</sup> Ibid., 1.60: "not only a charming poet but also in all other respects learned and wise."

<sup>246</sup> Ibid., 1.94.

<sup>247</sup> Ibid., 3.93: "This is nearly all I have to say about the nature of the gods; [it has not been my intention] to destroy this [field of inquiry], but to make you understand how obscure it is and how difficult it is to explain."



approbation both of Cotta and of Cicero points to its centrality to the meaning of this dialogue and to the sort of influence that Cicero wants to have on his audience.

Cicero's design to present the Academy as socially acceptable to a Roman audience is even more apparent, textually speaking, even if it is not as urgent a concern. The foremost textual evidence for Cicero's strategy to control his audience's reaction to what some might consider a radical school of thought comes in Cotta's long speech of self-disclosure at the beginning of his rebuttal of Balbus. Because of the marked significance of this self-disclosure, I quote it here in full:

sed ante quam de re, pauca de me. nam enim mediocriter moveor auctoritate tua, Balbe, orationeque ea quae me in perorando cohortabatur ut meminissem me et Cottam esse et pontificem; quod eo credo valebat, ut opiniones quas a maioribus accepimus de dis immortalibus, sacra caerimonias religionesque defenderem. ego vero eas defendam sempersemperque defendi, nec me ex ea opinione quam a maioribus accepi de cultu deorum immortalium ullius umquam oratio aut docti aut indocti movebit. sed cum de religione agitur, Ti. Coruncanium P. Scipionem P. Scaevolam pontifices maximos, non Zenonem aut Cleanthen aut Chrysippum sequor, habeoque C. Laelium augurem eundemque sapientem, quem potius audiam dicentem de religione in illa oratione nobili quam quemquam principem Stoicorum. cumque omnis populi Romani religio in sacra et in auspicia divisa sit, tertium adiunctum sit, si quid praedictionis causa ex portentis et monstris Sibyllae interpretes haruspicesve monuerunt, harum ego religionum nullam umquam contemnendam putavi mihi que ita persuasi, Romulum auspiciis, Numam sacris constitutis fundamenta iecisse nostrae civitatis, quae numquam profecto sine summa placatione deorum immortalium tanta esse potuisset. habes, Balbe, quid Cotta quid pontifex sentiat; fac nunc ego intellegam tu quid sentias. a te enim philosopho rationem accipere debeo religionis, maioribus autem nostris etiam nulla ratione reddita credere.<sup>248</sup>

But before we turn to the matter at hand, a few things about myself. For I am stirred somewhat by your authority, Balbus, and by the closing of your speech when you urged me to remember that I am both Cotta and priest. This remark meant, I believe, that I should defend the beliefs which we received from our ancestors concerning the immortal gods, as well as the rituals, ceremonies, and religious observances. Indeed I will always defend them, and I always have. No speech from any person, either learned or unlearned, will ever move me from those beliefs which I received from my ancestors concerning the worship of the immortal gods. When a discussion is conducted concerning religion, I follow Tiberius Coruncanius, Publius Scipio, and Publius Scaevola, all of whom were chief priests, not Zeno or Cleanthes or Chrysippus, and I

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<sup>248</sup> Ibid., 3.5-6.

cling to Gaius Laelius, who was both an augur and a philosopher and whom I would rather hear speaking about religion in that noble writing of his than any leading Stoic. The entire religion of the Roman people has been divided into rituals and auspices, [and] a third division is added if the interpreters of the Sybil or the soothsayers make any advisory predictions on the basis of portents and prodigies. I have never considered any of these [divisions] of our religion worthy of contempt, and I have been persuaded that Romulus by the auspices and Numa by establishing rituals laid the foundations of our state, which would never have been able to be so great without the utmost benevolence of the immortal gods. You have now, Balbus, what Cotta the priest thinks. Come now and help me understand what you think, for it is right that I receive from you, a philosopher, a rational account of religion. I should, however, believe our ancestors even though no reason is given.

It is maddening that Cotta never reveals to his interlocutors how he settled on this affirmative stance towards the religion of his ancestors, but for Cicero, who is trying to paint as positive a picture of the Academy as he can, the stance is the point. The point is that the Academic philosopher is not forced by his philosophical commitments to reject traditional behavior or belief, but is free to embrace tradition when he can reconcile himself to it, and free also to go on philosophizing as if he had never accepted tradition. Cotta makes this last point just moments after his self-disclosure, when he stuns Balbus by claiming that Balbus has provided no justification for belief in the existence of the gods, a belief which Cotta has just said he accepts on the authority of his ancestors.<sup>249</sup> In his astonishment, Balbus asks why he needs to prove something to Cotta that Cotta already believes, and Cotta rejoins that he is approaching the discussion as a raw pupil, as someone who has never given any thought to the existence or nature of the gods.<sup>250</sup> This sort of talk may have annoyed some in Cicero's audience, but the overriding message that the Academic skeptic is no radical and represents no real threat to the social cohesion secured by Roman religion would undoubtedly receive his audience's approbation and would have made the Academic position much more palatable to that audience. Cicero was undoubtedly aware of the significance of presenting the Academy in this manner, for he has

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<sup>249</sup> Ibid., 3.7.

<sup>250</sup> Ibid.

Cotta make several explicit and extended references to the fact that he believes that all Roman religious observances should be upheld<sup>251</sup> and that he believes firmly in the existence of the gods.<sup>252</sup>

Cicero's presentation of the sensibility and social acceptability of the Academy also provides much of the instruction in the guiding principles of the school that Cicero acerbically promises in his proem to provide. As Cicero suggests in his proem, Academic skeptics do not hold that nothing is true, but that error impinges on all true statements and thus that some beliefs are more probable than others.<sup>253</sup> The outcome of this position is not that one commits to nothing, but that, like Cotta, one allows oneself to be guided only by what one has judged to be most probable. The person so guided is truly wise. But Cicero evidently felt that this instruction did not adequately capture the full range of the Academy's reasonableness, for at the end of the dialogue he makes a pointedly dramatic effort at instruction when he displays the rational flexibility of Academic skepticism. Through Balbus Cicero emphasizes that the Academic philosopher has the right to approve of whatever philosophical position he finds most reasonable,<sup>254</sup> but this feature of the Academy seems<sup>254</sup> to be of such significance to Cicero that he reinforces it through the dramatic action of the dialogue: "haec cum essent dicta, ita discessimus ut Velleio Cottae disputatio verior, mihi Balbi ad veritatis similitudinem videretur esse propensior."<sup>255</sup> Lest there be any confusion on the matter Cicero indicates within *De Natura Deorum* itself that Marcus is an impartial, but committed, skeptic.<sup>256</sup> In addition, given the dramatic date of the dialogue, between 77 and 75 BC, Cicero is around the age of thirty and has

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<sup>251</sup> Ibid., 1.61, 3.43, 60.

<sup>252</sup> Ibid., 1.62, 3.7, 15, 44.

<sup>253</sup> Ibid., 1.12.

<sup>254</sup> Ibid., 1.168.

<sup>255</sup> Ibid., 3.95: "When we had said these things, we departed; the result [of the discussion was that] Cotta's discourse seemed truer to Velleius, but that of Balbus seemed to me more inclined to the likeness of the truth."

<sup>256</sup> Ibid., 1.17.

just returned from Greece and his first philosophical studies.<sup>257</sup> Thus Marcus is, in Taran's words, "old enough and sufficiently trained to follow the discussion and to make up his mind as he does at 3.95."<sup>258</sup> Moreover, when Marcus casts his vote in favor of Stoicism he does so as a consistent Academic. The wording of this passage is crucial. First, note that Marcus does not say that he considered Balbus' account to be true, but that he judged it to be "more inclined to the likeness of truth." This type of circumlocution is not Stoic dogmatism, but Academic hesitation. Also note, as Pease points out, that Marcus does not grant his assent to Stoic principles per se, but to Balbus' account: "it is not the principles of the Stoics but the argument (*disputatio*) of Balbus which Cicero is said to consider more probable."<sup>259</sup>

Pease elegantly explains the significance of this scene:

[Cicero] wishes to show to the reader an example of Academic method rather than of a dogma which might have been (even though wrongly) inferred from the consensus of two Academics, and to suggest that an Academic might use his individual liberty to select and accept any practical working principle, no matter from what school.<sup>260</sup>

Powell agrees and explains how, for an Academic, a choice like the one Marcus makes is scarcely unusual:

An Academic of Cicero's type, after due consideration of all relevant issues, may conclude that the most plausible view is one which happens to be held by one of the rival schools. This does not, in theory, matter in the least. Hence, at the end of *De Natura Deorum*, Cicero can say, without relinquishing his credentials as an Academic, that the Stoic view seemed to him on balance more likely to be true.<sup>261</sup>

This scene, then, this dramatic action, is the most powerful form of instruction in the Academic *ratio* that Cicero can provide for his audience. With this instruction Cicero has fulfilled all that he suggested he would fulfill in the proem to *De Natura Deorum*, but his vindication of

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<sup>257</sup> Leonardo Taran, "Cicero's Attitude Towards Stoicism and Skepticism in the *De Natura Deorum*," in Karl Selig and Robert Somerville (eds.), *Florilegium Columbianum: Essays in Honor of Paul Oskar Kristeller*, (New York: Italica Press, 1987): 3.

<sup>258</sup> Taran, 3.

<sup>259</sup> Pease, 35.

<sup>260</sup> Ibid., 36.

<sup>261</sup> Powell, 20.

Academic skepticism has another stage, a stage which will advance beyond the tied vote of *De Natura Deorum* and prove that the Academy also surpasses the Stoa.

### ***De Divinatione***

My reading of *De Divinatione* will be markedly less extensive and detailed than my reading of *De Natura Deorum*. I have adopted this approach for several reasons, not the least of which is that so much contemporary scholarship has focused on *De Divinatione* and has all but excluded *De Natura Deorum*, to the extent that the explicit connections Cicero makes between the two works is almost forgotten. As this reading will show, to perceive what Cicero is about in *De Divinatione*, one must first perceive its connection to the larger work of which it is a less comprehensive extension. The main reason I have taken this approach, however, is precisely the comprehensiveness of *De Natura Deorum*: the earlier work contains most of what Cicero wanted to communicate about theology and its relation to Academic philosophy, whereas *De Divinatione*, as an offshoot of *De Natura Deorum*, takes up a subject that comprises only a small subsection of the discussion in *De Natura Deorum* and treats it with much greater precision.<sup>262</sup> This means that while the central points made in *De Natura Deorum* are evidenced and developed in *De Divinatione*, the numerous details of the subsequent work have little bearing on this study. Moreover, now that I have surveyed the landscape of Cicero's intentions in the proem and the dialogue proper of *De Natura Deorum*, the textual space of *De Divinatione* will be that much easier to navigate. By bearing in mind the rhetorical methodology Cicero implemented in *De Natura Deorum* to carry out his intentions for that work, one can discern the central significance of *De Divinatione*, for it is in this dialogue that Cicero attempts to undermine Stoicism by arguing that the Stoics err gravely when they uphold the validity of divination. Cicero turns the Stoic affirmation of divinatory practices into a proof of the faultiness of

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<sup>262</sup> *Div.* 1.8-9.

Stoicism. He uses this topic to develop the criticisms he suggested in *De Natura Deorum* to the point that Stoicism turns over into superstition and thus becomes the denial of authentic philosophy. In contrast to the ending of *De Natura Deorum*, at the end of *De Divinatione*, both interlocutors agree that the Academic method is the proper philosophic *ratio*.

Among the most conspicuous literary parallels between *De Natura Deorum* and *De Divinatione* is that in both treatises the Academic cause is represented by a religious authority whose authority is directly related to the subject at hand. In *De Natura Deorum*, Cotta the *pontifex maximus* discourses on the nature of the gods and the relation of their nature to Roman religious observance. In *De Divinatione*, Marcus the augur discourses on divination, of which augury itself is a subcategory. In part, this parallel allows Marcus to make his way on a road already paved by Cotta, so there is less concern in *De Divinatione* to justify the idea of a skeptical religious authority, like Cotta, theoretically undermining, or seeming to undermine, Roman religion. By now the audience is presumably not afraid of the skeptical bugbear, so Marcus shows more freedom in his expressions of skeptical contempt and ridicule. This parallel also prompts the reader to take note of the fact that, in spite of his vote favoring Balbus in *De Natura Deorum*, Marcus holds to an outlook markedly similar to Cotta's. Like Cotta, for instance, Marcus maintains that all Roman religious observance should be upheld, whatever their discussion turns up.<sup>263</sup> And like Cotta, Marcus does not question the existence of the gods.<sup>264</sup> Cicero presents Cotta as being most concerned to stress these two points about his own personal beliefs, so their reassertion by the Academic Marcus cannot be anything other than intentional. In *De Divinatione*, then, one meets another fully developed skeptic and fully dedicated Roman. And as a thinker and rhetorician Marcus is now the equal of Cotta.

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<sup>263</sup> Ibid., 2.28, 71, 148.

<sup>264</sup> Ibid., 2.148.

But Quintus is no Balbus, at least not in the scholarly literature.<sup>265</sup> Timpanaro, for instance, claims that Cicero does not try to make Quintus' defense of the Stoic position even remotely persuasive.<sup>266</sup> Even interpretations sympathetic to Quintus note how chaotic and difficult to follow his arguments are.<sup>267</sup> One might at first be inclined to attribute Quintus' failure to present the Stoic cause properly to the fact that he is not a committed Stoic,<sup>268</sup> but Cicero himself, or at least Marcus, is of a different opinion and opens up a different avenue for interpreting Quintus' mode of argumentation. Marcus does not think Quintus' argument poor at all. He considers it, rather, an accurate representation of Stoic reasoning: "accurate tu quidem... Quinte, et Stoice Stoicorum sententiam defendisti."<sup>269</sup> According to Marcus, Quintus has not bungled the Stoic defense of divination: he has presented it just as a good Stoic would. Schofield has done the best work on discerning exactly what Marcus' statement means,<sup>270</sup> but even he fails to make out its full significance because he also fails to connect the purpose and meaning of this work back to the more comprehensive *De Natura Deorum*. If one recalls the shortcomings of Stoic "argumentation" that Cicero points up in that dialogue and watches how they recur and are given a more thorough treatment and thrashing in *De Divinatione*, one can more precisely discern what Cicero means when he has Marcus call Quintus' account Stoical.

Like Balbus, the archetypal Stoic, Quintus appeals to poetry for its evidentiary value.<sup>271</sup>

Krostenko usefully summarizes these appeals:

To illustrate that prophetic dreams really happen, Q. cites not only a number of dreams recorded in history, such as the dreams of Hannibal... and C. Gracchus... but also literary representations of such dreams: from Ennius he takes two dreams, one of Ilia... and one of Priam... and from Accius he takes a dream of Tarquinius Superbus... The

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<sup>265</sup> Wardle, 17.

<sup>266</sup> Ibid.

<sup>267</sup> Schofield, 52.

<sup>268</sup> Ibid., 61.

<sup>269</sup> *Div.* 2.8: "You have defended the system of the Stoics accurately and in a Stoic manner."

<sup>270</sup> Schofield, 51-52.

<sup>271</sup> Krostenko, 366-67.

existence of a natural prophetic ability housed in the soul... is illustrated by Q. with a description of Cassandra taken from Ennius... Among the *exempla* cited to prove that divination is used among “all the best nations”... is a portent received by Marius, related by Cicero in the poem named for him.<sup>272</sup>

Cotta’s response to Balbus’ like appeals to poetry as evidence was ridicule.<sup>273</sup> Marcus too ridicules this form of argumentation, but he also presents such an appeal as an instance of how, when the Stoics lend credence to such stories, they are denying the very essence of philosophy: “num igitur me cogis etiam fabulis credere? quae delectationis habeant quantum voles, verbis, sententiis, numeris, cantibus adiuventur; auctoritatem quidem nullam debemus nec fidem commenticiis rebus adiungere.”<sup>274</sup> When one recalls that Cicero goes out his way in the proem to *De Natura Deorum* to make the point that in philosophy, one’s reason is the sole authority, one can begin to see that Cicero’s depiction of Stoic reasoning is leading his audience to the conclusion that in some instances, the Stoics reason in a manner that is wholly non-philosophical. And Krostenko has shown that to make this form of reasoning, and thus Stoicism, even more unpalatable to his Roman audience, Cicero has Quintus extol poetic passages that have “grave social implications” in that they embrace forms of divination that lay well outside “official Roman divination.”<sup>275</sup> Just as Cicero the author had Velleius hang himself by presenting a vision of religion that did not correspond to officially sanctioned Roman practice, so he has Quintus affirm religious practices that had been long condemned by the Roman state.

In keeping with his Stoic mode, Quintus also renews the Stoic demand for consistency between one’s public station and one’s private beliefs, statements, and habits. Quintus first notes that in his poetry, Marcus has defended divination in general and augury in particular, and so, the

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<sup>272</sup> Ibid., 367.

<sup>273</sup> *Nat. D.* 3.62.

<sup>274</sup> *Div.* 2.113: “You are not going to force me to believe in myths also, are you? Let them have as much charm and be as polished in diction, thought, meter, and melody as you please; nevertheless, we should impute no authority, no credibility to fictitious events.”

<sup>275</sup> Krostenko, 369.



argument goes, he should now argue in a manner consistent with his poetic formulations.<sup>276</sup>

Quintus also relates a prophetic dream that, he has heard from a certain Sallustius, Marcus had of his return from exile.<sup>277</sup> The point of this anecdote is to urge that surely Marcus cannot argue against the validity of prophetic dreams, since he has been reported to have experienced one himself. Most to the point, Quintus charges Marcus that, as an augur, he is bound to defend augury.<sup>278</sup> To this demand of personal consistency, Marcus makes much the same response Cotta had made, only more forcefully. Marcus says to Quintus,

‘tu igitur animum induces (sic enim mecum agebas) causam istam et contra facta tua et contra scripta defendere?’ frater es; eo vereor. verum quid tibi hic tandem nocet? resne, quae talis est, an ego, qui verum explicari volo? itaque nihil contra dico, a te rationem totius haruspicinae peto.<sup>279</sup>

‘Will you therefore convince yourself,’ for it was thus that you argued with me, ‘to defend that cause which is contrary both to your own deeds and [your own] writings?’ You are [my] brother; I am respectful of that. But what is it that is disturbing you here? Is it the type of subject [we are discussing], or is it I, who want the truth to be explained? And so I [shall] say nothing in response, [for] I am asking for an explanation of the whole of soothsaying from you.

Like Cotta, Marcus flips the tables on his Stoic interlocutor and argues that what is at issue in a specifically philosophical discussion is not a correspondence between one’s private views and one’s public sayings and doings, but the truth and, more pointedly, the explication of the truth. What the Academic, for Cicero, attempts to do in a philosophical conversation is to uncover a true explanation of some entity or event, but the fact that his interlocutor cannot provide such an explanation does not prove that the entity or event under investigation is false. As Marcus puts it bluntly, “non equidem plane despero ista esse vera, sed nescio et discere a te volo.”<sup>280</sup> The fact

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<sup>276</sup> *Div.* 1.17-23, 106.

<sup>277</sup> *Ibid.*, 1.59.

<sup>278</sup> *Ibid.*, 1.105-6.

<sup>279</sup> *Ibid.*, 2.46.

<sup>280</sup> *Ibid.*, 2.48: “I do not wholly despair that these things are true, but I do not know, and I want to learn from you.”

that both Balbus and Quintus, the Stoic stand-in, are baffled by this approach is most telling. Stoics, as Cicero depicts them, simply cannot wrap their minds around the idea that one could seek an explanation for an entity or event in which one already believes or is inclined to believe, but for the Academics, this is the essence of philosophical discourse. The Stoics, then, do not understand the nature of authentic philosophical discourse.

Nor, again, do they understand the nature of philosophical authority, for, even more so than Balbus, Quintus repeatedly appeals to the authority of their ancestors to anchor his theoretical pronouncements. Marcus rebuts this appeal in a couple of ways. First, on more than one occasion Marcus attributes to the *maiores* considerations of expediency.<sup>281</sup> Of the official decree that it is impious to hold an election when lightning appears, for instance, Marcus maintains that the ancestors probably settled on this practice because it was convenient to have an excuse for not holding elections sometimes.<sup>282</sup> It was not, therefore, their superior piety and closeness to the divine that motivated the ancestors to establish this practice, but everyday political expediency. Such a view undermines the Stoic assumption that the views of the ancestors are sacrosanct. A second approach that Marcus takes to undermine this Stoic mode of argumentation is simply to assert that the ancestors were often wrong: “*errabat enim multis in rebus antiquitas.*”<sup>283</sup> This latter approach presses the Stoic once again to converse in a genuinely authentic manner and thus to provide an explanation that authorizes itself by persuasive reasoning rather than a reference to an exterior authority. This point is important to Cicero, so much so that he takes it up in his own person in the proem to *De Divinatione*. In the opening sentence of this work and soon again thereafter he points up the fact that the Roman people have

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<sup>281</sup> Ibid., 2.43, 74, 83.

<sup>282</sup> Ibid., 2.43.

<sup>283</sup> Ibid., 2.70: “for antiquity was mistaken in many matters.”

always endorsed divination.<sup>284</sup> Nevertheless, their endorsement of divination does not command philosophical endorsement, as Cicero's Stoics would have it: "haec, ut ego arbitror, veteres rerum magis eventis moniti quam ratione docti probaverunt."<sup>285</sup> The precise translation of this statement is open to debate, but that Cicero intends to contrast the ancients' acceptance of divination, on whatever grounds, with a philosophical understanding of its truth is apparent. For Cicero and the Academics in general, ancient authority cannot verify the philosophical validity of a given practice. That the Stoics in particular fail to grasp this point is further evidence of their failure to grasp the nature of genuine philosophical discourse.

But what is fundamentally Stoical about Quintus' speech, as Schofield has shown, is its ubiquitous appeals to anecdote, and it is this characteristic of Stoic reasoning that Cicero is most concerned to portray and then to undermine.<sup>286</sup> One passage announces succinctly the Stoic strategy to which Quintus adheres: "quarum quidem rerum eventa magis arbitror quam causas quaeri oportere."<sup>287</sup> According to Schofield, this "slogan, *eventa, non causae*" is the distinctive feature of Quintus' argument and is distinctively Stoic: "In general Stoics would insist that one can know the that... without knowing the why."<sup>288</sup> But, as pointed out just above, in the proem to *De Divinatione* Cicero himself contrasts appeals to outcomes, *eventa*, with persuasion by reason, *ratione doceri*, and both he and Cotta have asserted again and again that the purpose of a philosophical discussion is to provide and probe explanations of a given entity or event and to judge the soundness of an explanation according to its reasonableness, however one feels about it or lives in relation to it. The Stoic approach to justifying divination, then, is deeply non-

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<sup>284</sup> Ibid., 1.1, 3-4.

<sup>285</sup> Ibid., 1.5: "As I see it, the ancients approved of these [divinatory] practices more because they were mindful of the outcomes of events than because they were taught [the truth of these practices] by reason."

<sup>286</sup> Schofield, 51-52.

<sup>287</sup> Ibid., 51; *Div.* 1.12: "I think that the outcomes of these events should be looked into rather than the causes."

<sup>288</sup> Schofield, 51.

philosophical, relying not on an appeal to reason but to heaps of examples and anecdotes. Schofield summarizes the strategy: “pile up the evidence; if there is a lot of it, the reader may begin to think there must be something in it.”<sup>289</sup> This approach contrasts markedly with the Academic approach as Cicero presents it in *De Divinatione*. Krostenko puts the contrast thus: “where Marcus’ skepticism admits of rigor and rejects anecdote, Quintus’ fideism appears to embrace anecdote at the price of cogency.”<sup>290</sup> Such a statement of contrast could not be fairly made of Balbus and Cotta, and this literary fact suggests that Cicero has moved the Stoics onto philosophical ground that is more favorable for indicating their weaknesses. Divination is that ground, for it is in this conversation that the Stoics more readily reveal their weaknesses and Cicero more thoroughly trounces them.

These developments of Stoic philosophical weaknesses lead finally to the conclusion that Stoicism is apt to turn over into a denial of philosophy, even to superstition. Cicero expresses this idea rhetorically through the dramatic action of the dialogue. He first has Marcus make a couple of seemingly harmless statements that when the Stoics defend haruspicy, they deny philosophy.<sup>291</sup> In one stunning metaphor, Marcus says that by supporting haruspicy the Stoics are surrendering (*proditis*) the very city of philosophy while they are defending its outer fortifications (*castella*), meaning that while they appear to be arguing philosophically for a certain divinatory practice, they are at the same time undermining the natural laws that govern the universe and that are the basis of all natural philosophy.<sup>292</sup> One could reasonably pass over this statement as mere Academic rhetoric, however, if Cicero had not intentionally reinforced it in the dramatic narrative of the dialogue. When Marcus has completed two-thirds of his

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<sup>289</sup> Ibid., 52.

<sup>290</sup> Krostenko, 373.

<sup>291</sup> *Div.* 2.37, 43.

<sup>292</sup> Ibid., 2.37.

skeptical critique of divination and has done his best to demolish haruspicy, augury, *sortes*, and Chaldean astrology, he pauses to preview the main topics that lie ahead, vaticination and dreams, and he asks if Quintus wishes him to proceed.<sup>293</sup> Quintus' decisive response is as follows: "mihi vero... placet; his enim, quae adhuc disputasti, prorsus adsentior, et, vere ut loquar. Quamquam tua me oratio confirmavit, tamen etiam mea sponte nimis superstitiosam de divinatione Stoicorum sententiam iudicabam."<sup>294</sup> The significance of this statement and of this dramatic action cannot be overstated. Perhaps its primary significance is that it shows Marcus' interlocutor, the Stoic stand-in, deny the Stoic account of divination, and in effect casts two votes against this philosophical school. Cicero emphasizes the failure of the Stoic account of divination by having Quintus go on to contrast it with the more reasonable account of the Peripatetics.<sup>295</sup> And it is also important that it is not Stoicism in general, but the Stoic account of divination that both Marcus and Quintus single out as superstitious. The point is that on this topic the Stoics show their weaknesses to the point that they seem more superstitious than philosophical.

Cicero returns to the superstitious character of Stoicism at the end of the dialogue. After he has finished his skeptical account of dreams, Marcus connects all of divination to superstition and then dubs the Stoics the foremost defenders of this particular form of superstition.<sup>296</sup> And what is the antidote for the superstitious Stoic approach to divination? The antidote is Carneades, the New Academy. Marcus asserts that the Stoics might seem the only philosophers and implies that they would have freely propagated their superstitious view of divination had not

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<sup>293</sup> Ibid., 2.100.

<sup>294</sup> Ibid.: "Indeed it is agreeable to me, for, to speak truthfully, I absolutely agree with the [views] which you have so far articulated. Although your speech has strengthened [my own view], nevertheless I had also on my own judged the Stoic position on divination to be excessively superstitious."

<sup>295</sup> Ibid.

<sup>296</sup> Ibid., 2.148-150.

Carneades opposed them, and he concludes the dialogue with an encomium of the Academic method:

cum autem proprium sit Academiae iudicium suum nullum interponere, ea probare quae simillima veri videantur, conferre causas, et quid in quamquam sententiam dici possit expromere, nulla adhibita sua auctoritate iudicium audientium relinquere integrum ac liberum. tenebimus hanc consuetudinem, a Socrate traditam, eaque inter nos, si tibi, Quinte frater, placebit, quam saepissime utemur.<sup>297</sup>

Moreover, it is characteristic of the Academy to make no judgment of its own, to approve those things which seem most like the truth, to compare explanations, to bring out whatever is able to be said in any matter [and], not asserting its own authority, to leave the judgment of the audience unbiased and free. We shall hold to this method, handed down by Socrates, and, if it is agreeable to you, Quintus, my brother, we shall we shall use it as often as possible in our [conversations].

Quintus responds, “mihi vero... nihil potest esse iucundius,”<sup>298</sup> and both men rise committed to the Academic method. With Quintus’ statement, Cicero has shown what he said he would show in the proem to *De Natura Deorum*: in the field of theology, Academic skepticism is supreme.

## Conclusion

The aim of this study has been to uncover Cicero’s intentions for, and thus the original meaning of, his late religious dialogues, *De Natura Deorum* and *De Divinatione*. The argument presented here has focused on discerning the right context for interpreting these works and has used as its central criterion how much a given context accounts for the particular literary and rhetorical strategies embedded in the two dialogues. Thus, the first step in this investigation was to explain how other contexts previously put forth to account for the trenchant skepticism of the religious dialogues either fail or inadequately expound the full literary complexity of these works. The second step in the argument was to outline a more likely context for Cicero’s dialogues by considering the cultural and literary milieu in which he was writing and the crucial information about his intentions that he gives his readers in the proem to *De Natura Deorum*.

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<sup>297</sup> Ibid., 2.150.

<sup>298</sup> Ibid.: “Nothing could be more pleasing to me.”

The final step in the argument was a comprehensive reading which applies the context worked out in the first two chapters of this study to the theological dialogues and demonstrates how this context makes the most sense of these works.

In a certain sense the late theological dialogues are not about theology, and so it is wrong to look to Cicero's personal theological views or the theologico-political context in which he was writing to determine the meaning of these dialogues. This study has attempted to prove that Cicero's foremost intention for *De Natura Deorum* and *De Divinatione* was to vindicate and provide further instruction in the method of Academic skepticism. His late philosophical project is marked by this aim, as, for instance, in *Academica*, where Cicero shows the superiority of Academic epistemology, but, as the proem to *De Natura Deorum* suggests, Cicero found the much debated subject of theology uniquely suited to exhibiting the pre-eminence of Academic skepticism and offering instruction in its method. Within the dialogues themselves, Cicero employs a number of literary, rhetorical, and dramatic strategies to establish the superiority of Academic skepticism. He shows how Epicurean and Stoic philosophies lead to conclusions that are incompatible either with Roman society or with the nature of philosophy. Conversely, he exhibits the social compatibility and philosophical authenticity of Academic skepticism. In the end, therefore, it is Simonides' intellectual hesitation to probe the divine that Cicero puts forward as the supreme embodiment of philosophical wisdom.

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