ACADEMIC ELOQUENCE AND THE END OF CICERO'S *DE FINIBUS* [*]

A.G.Long

Abstract

The paper considers why the structure of Cicero's *De Finibus* implicitly favours the Academy, even though Cicero avoids a decision between the Stoic theory and Antiochus' theory. Cicero's educational aims require him to illustrate not only a range of theories but a range of criteria by which theories and the exposition of theories should be judged. By one criterion – style of exposition – the entire Academic tradition, not Antiochus specifically, is endorsed.

Cicero's *De Finibus Bonorum et Malorum* stages debates between exponents and critics of three ethical theories, with the part of critic taken by Cicero himself in each of the three debates. The first theory is Epicurean, the second Stoic; the third is harder to label, as it is attributed by Cicero not to a single philosopher or school but to a trio: Antiochus, Peripatetics and the so-called 'Old Academy' (v 8; cf. ii 34 and v 21). Like others I shall refer to it as the 'Antiochian' theory, but it is important to keep in mind Cicero's claim (which evidently derives from Antiochus himself, v 14) that the theory's provenance is pre-Antiochian too.

In the survey of his philosophical writing in *De Divinatione* Cicero says that his aim in writing *De Finibus* was to make known the arguments for and against each of the philosophers' theories (ii 2). There is no suggestion that he intended to adjudicate on the debate between the schools and to promote one school's theory at the expense of the others' theories.[1] In *De Finibus* itself Cicero promises not neutrality so much as comprehensiveness: 'for my part, I consider that this work gives a more or less comprehensive discussion of the question of the highest goods and evils. In it I have investigated not only the views with which I agree, but those of each of the philosophical schools individually' (i 12).[2] Cicero has just mentioned jurists who took one side or the other in a debate about Roman law, and he may wish to show that as an educator in the sphere of philosophy (cf. i 10) he has done his Roman readership a greater service than he would have done if, like one of those jurists, he had restricted his discussion to a single option and the arguments in its favour. In such a context 'the views with which I agree', *quid nobis probaretur*, need not amount to a promise that a particular theory will be shown to have Cicero's approval; Cicero may intend merely to put his readers in mind of a more partial way of writing that he has, for sound educational

---

[1] Notice however that in the previous sentence (*De Divinatione* ii 1) he says that his dialogue *Academica* reveals which kind of philosophy he finds 'least arrogant and most consistent and elegant'. Compare *De Natura Deorum* i 11, *De Officiis* ii 8, *Tusculan Disputations* ii 4. See also n.3.

[2] Here and elsewhere I have used Woolf's translation in Annas and Woolf 2001.

reasons, avoided. On the other hand, the verb *probare* reminds us that when Cicero grants his approval, he does so as a member of the sceptical Academy.[3]

After the debate with Epicureans Cicero's own verdict (iii 1–2) is that pleasure is no longer a serious contender for the *summum bonum*; pleasure herself, if she could speak, would concede as much, even though her Epicurean advocates may not make the concession for her (iii 1).[4] In this paper I focus on the contest between Stoicism and the Academy in books 3–5. The problem I address concerns the following combination: why does Cicero *both* avoid a decision between the Stoic theory and Antiochus' theory *and* give the discussion a 'trajectory'[5] with the Academy as its destination? Given that the work's ending is inconclusive or 'aporetic', we would expect Piso's account of Antiochus to receive the same treatment as the account of Stoicism, but this does not happen. The first step, and the aim of the first section, is to establish that this puzzling combination (of aporetic ending and unequal treatment) exists. In the third section I suggest that the explanation does not lie, as might be thought, in Cicero's version of Academic scepticism.

1 UNEQUAL TREATMENT AND INDECISION

The most obvious disparity lies in the absence of a sixth book. Cicero devotes separate books, books 2 and 4 (and a little more: i 17–26 and iii 10–14), to the critique of Epicureanism and then of Stoicism, whereas book 5 contains both the exposition and the critique of the Antiochian theory. But the disparity goes beyond the absence of a book 6.[6] Cicero's critique of Antiochus (v 77–86) is much shorter than his critiques in books 2 and 4 and is followed by a riposte from Piso of almost equal length (v 86–95). It might be argued that there was no need to restate the Stoic position in a Book 6, given Cato's exposition of Stoicism in Book 3 – but then there was certainly no need to grant Piso, uniquely, a riposte of this length. It looks very much as if Cicero has chosen to end with the focus very much on an Academic theory, or on the way in which Academics expound and discuss theories.

This impression of an Academic destination is strengthened by the division of work between representatives of the schools. Book 5 opens with some justly celebrated scene-setting: Romans occupy the empty Academy and fill it once again with debate (v 1–2).[7] Cicero and his companions think of the discussions that once took place there and then

---

[3] Similarly *Quis enim potest ea quae probabilia videantur ei non probare?* (v 76) is intended not only to sound self-evidently reasonable but also to signal Cicero's own allegiance to the New Academy. For discussions of Cicero's sceptical vocabulary see Glucker 1995 and Thorsrud 2010, 76–7, n.21.

[4] Torquatus himself is not convinced by Cicero's objections (ii 119). His refusal to submit allows Cicero to acknowledge that there is more advanced or esoteric Epicurean literature, composed by such authorities as Philodemus (ii 119), to which the preceding discussion may not have done justice – not that his account, so far as it goes, has been inaccurate (see i 13). Compare Gildenhard 2007, 11 n.32.

[5] Schofield (2012, 246) suggests 'an Antiochian trajectory'; my own conclusion is that the trajectory takes us not specifically to Antiochus but to the Academic tradition, understood in such a way as to exclude neither Antiochus' theory nor the Stoic theory. I comment on this conception of the Academic tradition, and on the most relevant alternatives, in section 3.

[6] Compare Schofield 2012, 246.

[7] There are excellent comments on the setting in Annas and Woolf 2001, xvii. Notice that in v 1-4 speakers are put in mind of the Academics whom they will later represent: Plato and the Old Academy (Piso), Carneades (Cicero).

between themselves carry out an intra-Academic discussion, with Piso representing the Academic Antiochus and Cicero representing the New Academy (v 6–7). That points to a further contrast, namely that whereas in the critique of Stoicism (book 4) and Epicureanism (book 2) Cicero does not speak as some kind of Stoic or Epicurean, the Academic tradition is shown to furnish both the theory (as expounded by Piso) and Cicero's critique of that theory. Once book 5 has given the – or rather an – Academic account of the end, there is no need to step outside the Academy and get an external, non-Academic perspective, for the criticism of Academic theory can itself be Academic. We might even suppose that the retrogression of the dialogue in time (Book 5 is set 27 years before books 3–4 and 29 years before the first two books) is a nod to Antiochus' view that in order to make headway his contemporaries need to look behind them, so to speak, and consider pre-Hellenistic and early Hellenistic thought and discourse in the Academy and Lyceum.[8]

Cicero nonetheless avoids a decision, even a provisional or tentative decision, in favour of Antiochus' theory.[9] The division of the text into three separate debates (books 1–2, 3–4 and 5) makes it impossible to have a decision *by the characters* that is informed by all the arguments put forward; Piso and the other characters of book 5 must remain oblivious to the debate (within the fiction of the dialogue, a debate yet to take place) with Cato in books 3 and 4. The authorial Cicero, in contradistinction to the character Marcus, could have offered a closing verdict on the arguments of both Cato and Piso (as well as those of Marcus), but refrains from doing so. Instead the third and final debate ends with disagreement between the characters. Piso's exposition of Antiochian ethics convinces two members of Cicero's family, his young cousin Lucius (v 75–6) and his brother Quintus (v 96), but Cicero's friend Pomponius (that is, Atticus) indicates that he still sides with the Epicureans, and Marcus Cicero himself says that Piso's position is in need of further 'strengthening' (v 95). The last word on the philosophical discussion goes to Atticus, and it concerns the successful translation of Greek ideas into Latin, the topic with which *De Finibus* began (i 1–10). But while all can agree that Piso has made Greek philosophy a naturalized Roman (cf. iii 40), the debate between philosophers – now a debate between Roman philosophers – has not yet settled on a single option. It is hardly surprising, then, that *De Finibus* has been said to end in '*aporia*'.[10]

Parallelism in the philosophical exchange adds to the sense of indecision. The more prominent of Cicero's objections (I shall now revert to 'Cicero' for the character as well as the author) to Antiochus' theory (v 77–86) concerns the logical relationship between two Antiochian claims and one Ciceronian assumption.[11] Antiochus claims both that (a) virtue is sufficient for happiness and that (b) some of the states or conditions that are independent of one's moral character, such as illness and bodily pain, are genuine evils. Precisely because

---

[8] These features of *De Finibus* have been set out well in a recent collection on Antiochus. See especially Tsouni 2012 and her suggestion that 'the nostalgic mood is suggestive of a return to old authority' (2012, 131).

[9] In the *Academica* Cicero declares himself unable to choose between Stoic and Antiochian theories (ii 134). In *De Officiis* iii 33 he still wavers between them (now associating the second theory with the Peripatetics) but dismisses all the alternatives.

[10] Griffin 1997, 5.

[11] Cicero asks not only (i) how the virtuous person can be happy despite the presence of evils, but also (ii) how the virtuous person can be happy despite the absence of goods (see for example v 84). Irwin focuses on (ii) (2012, 161–4) and says less about the presence of evils. In v 81 Cicero himself put the emphasis on (i): he says that he does not oppose Antiochus' more expansive view of goodness, but objects that if 'evils' can befall the sage, then virtue or wisdom cannot be sufficient for happiness.

these states – 'dispreferred indifferents' in Stoic jargon, or, as Antiochus would want to call them, 'evils' – are independent of moral character, it sometimes happens that virtuous people fall victim to them. But is a person *happy* if his life includes evils? Cicero assumes that (c) the presence of evils prevents one from being happy, and regards assumption (c) as so uncontroversial that he donates it to Antiochus as well: the inconsistency between (a), (b) and (c) is, he suggests, an inconsistency *within the theory outlined by Piso*. 'Learned specialists' (*prudentes*) would, he says, return the verdict that 'the Stoic system is self-consistent, whereas yours is self-contradictory' (v 85). Piso mentions in response Antiochus' distinction between happiness and supreme happiness and his doctrine that virtue is sufficient merely for happiness (v 81; cf. v 71). Not surprisingly, Cicero questions this distinction and asks how one can be 'happy but not happy enough'. It is worth emphasizing that Antiochus' higher or fuller ideal – supreme happiness, involving both happiness and such non-moral desiderata as health and good looks – is an ideal *for human beings*, not gods, and it is natural to wonder how one can attain *happiness* without attaining the highest or fullest *human good*. Cicero suggests that this inconsistency (as he sees it) alone prevents him from joining Piso as an Antiochian (v 95). This sounds rather encouraging for Antiochus, until we attend to the parallel with book 4. Despite making a range of objections to Stoicism, Cicero suggests that only a *single* difficulty prevents him from joining Cato (iv 2). In his closing remark on Piso's theory Cicero echoes his older self's remark on Stoic theory.[12]

The 'single' objection to Stoicism is one to which Cicero often returns (iii 10, iv 2, iv 22, iv 57, iv 60, iv 72).[13] It is that Zeno and his followers in the Stoa were original only in their vocabulary and otherwise shared the doctrines of the Peripatetics. It might be thought that in making this challenge – the 'neutralizing argument', as Schofield calls it[14] – so frequently Cicero shows some measure of commitment to Antiochus,[15] given that the challenge is associated with the Antiochian Piso (iv 73) and is used by Piso in book 5 (v 74, v 90). But Cicero associates it with Carneades too: Carneades 'would tirelessly contend that on the whole issue known as "the problem of good and evil" there was no dispute between the Stoics and the Peripatetics other than a verbal one' (iii 41).[16] Cicero does not, then, present his use of the neutralizing argument as narrowly Antiochian. 'Academic' would be a better label.

Nor does Cicero really *commit* himself to the neutralizing argument. At this point I need to outline the sequence that leads to the final objection to Antiochus. After the exposition of Epicureanism in Book 1 one of Cicero's central complaints against the Epicureans is that they do not regard virtue as a good in itself (i 25, ii 44-57, ii 69); we then hear from a school, the Stoa, where virtue is in itself a good, vice in itself an evil, but where

---

[12] Notice the similar wording in his offer to Cato in book 4 (*si istud obtinueris, traducas me ad te totum licebit* iv 2) and his offer to Piso in book 5 (*si tenueris, non modo meum Ciceronem* [that is, his cousin Lucius] *sed etiam me ipsum abducas licebit* v 95).

[13] See also *Tusculan Disputations* iv 6 and v 32–3.

[14] Schofield 2012. For discussion see also Patzig 1979, 311–2; Schofield 2008, 83; Bonazzi 2009, 36; Irwin 2012, 152.

[15] Schofield 2012, 246 seems to suggest this, but then notes the challenge to Antiochus' theory in book 5.

[16] For Carneades' use of this challenge see also *Tusculan Disputations* v 120. Compare Brittain's suggestion (2001, 262–3) that the substructure of *De Finibus* 4 and 5 is Carneadian, although 'slightly recast by Cicero owing to his interest in Antiochus' (262 n.15). Schofield explores particularly well the relationship between the neutralizing argument and Carneades' division of moral theories (2012, 240), and argues that the relationship *changed* when Antiochus applied the neutralizing argument (2012, 242).

other candidates for goodness and badness, such as bodily health and illness, are dismissed on inadequate grounds, at least according to Cicero's objections in book 4: 'how and where did you suddenly abandon the body and all those things that are in accordance with nature but not in our power?' (iv 26). In the final stage of the sequence, book 5, Antiochus' theory treats not only virtue and vice but also these further candidates as genuine goods and evils – but this is achieved, as Cicero objects, at the cost of consistency. Stoic claims about goodness and happiness have no such problem, whatever their other demerits might be; for Stoics it is not difficult to show how their own evaluation of the so-called 'indifferents' is consistent with their view of the sufficiency of virtue for happiness. Notice the implication here that, contrary to the neutralizing argument, Antiochus' theory and the Stoic theory are in fact two distinct theories. If, as 'learned specialists' (v 85) would recognize, the Stoic theory is self-consistent and Antiochus' theory is not, the Stoics cannot be offering the same theory as the one revived by Antiochus.[17]

When Cicero suggests overlap between the Stoics and Antiochus, or Stoics and the Old Academy, he does not always suggest *total* overlap. He also makes the more subtle, and far more persuasive, suggestion that they share merely the same *starting-point*. That is, in their developmental accounts of the end they agree about the attitude to oneself with which human life begins (iv 25), and agree that one should develop in such a way as to live in accordance with nature (iv 14), but they disagree when describing proper, or natural, development and the attitudes and evaluations that the mature moral agent should have formed. As Cicero puts it, Zeno and Polemo set out from the same starting-point but at a later point Zeno 'stopped' – not that Zeno himself made this relationship clear (iv 26, iv 45). The claim that the overlap is merely partial, when spelled out thus, implies that Stoics and Antiochus actually *disagree* about questions of the highest importance – namely, the character of a fully developed human being, and so what is genuinely good and evil.

Even Piso wavers between claims of partial and total overlap.[18] Piso observes that the Stoics adopt the same starting-point as that of the ancients (v 23), but he has just made the more indiscriminate claim that the Stoics took over 'everything' from the Peripatetics and Academics (v 22). Near the end of his exposition he criticizes those – the Stoics – who do not keep in mind the *principia naturae* that they themselves recognize (v 72; compare iv 45), presumably regarding these principles as uncontroversial common property. But he then suggests that the Stoics have taken over the *entire philosophy* of the Old Academy (v 74). Cicero himself implies, as I have argued, that the two theories have different content (v 85), only for Piso then to deny it (v 88–9). So at the end of book 5 it is not agreed whether, or to

---

[17] An anonymous referee points out to me that the following combination is possible: one person offers consistent arguments for a theory, while someone else offers inconsistent arguments for the very same theory. But this relies on a contrast between argument and theory, whereas in the Ciceronian passage (v 85) there is no such contrast.

[18] The distinction between these claims is more carefully observed in the critique of book 4. Cicero's critique is divided into sections by requests for Cato's permission to proceed (iv 2, iv 24, iv 44), and these sections contain different lines of attack. Cicero first aims to show how little the Stoics added to the achievements of their predecessors (iv 3–23), and here the polemic gains from asserting *total* overlap in content (iv 22). Then (iv 24–44) he allows that the Stoics did innovate – but by abandoning the body, and so abandoning the *principia* shared by the Stoics and their predecessors in ethics (iv 26). Here he needs to allow for some disagreement. When shifting to the second set of objections Cicero describes himself as approaching Stoic doctrines 'more closely' (iv 24), which may constitute an acknowledgement that the suggestion of only partial or initial overlap is more accurate.

what extent, the Stoics and Antiochus offer different theories[19] – nor has it been agreed which theory is stronger, if the theories do in fact differ from one another in the way Cicero (sometimes) suggests. This is an important reason not to interpret the structural imbalance as if it were intended to promote Antiochus' theory. The debate has indeed become extremely focussed or localized, but not in such a way as to exclude either the distinctness or the truth of Stoic theory. Why, then, the movement towards the Academy – and to what does it lead, if not to Antiochus' theory?

2 CICERO AND PLATONIC DIALOGUE

There are precedents in the dialogue tradition for Cicero's combination of indecision and unequal treatment. Some of the Platonic dialogues that are usually called 'aporetic' contain not only *aporia* but progression – albeit incomplete – towards a Socratic moral position. Consider for example Plato's *Laches*, the second part of which is an attempt to define courage. Once Laches has been shown that his definition of justice needs to be sufficiently broad to cover all the ways of acting courageously, courage is defined by him as 'a kind of endurance of the soul' (192b), then as 'wise endurance' (192d) and finally by Nicias as 'a kind of wisdom', namely 'the knowledge of what is to be dreaded or ventured' (194c-195a). Nicias claims that he is using Socrates' own view about courage, but this does not cause Socrates to lose his critical edge, for he shows Nicias that if we spell out what Nicias means, or if we spell out to what Nicias is committing himself, it becomes impossible to isolate courage as merely one part of virtue (199c-e). The *Laches* ends without reaching a successful definition of courage. The label 'aporetic' is therefore appropriate,[20] but it does not tell the whole story. The *Laches* contains a sequence in which the discussion focuses more and more on the epistemic character of one virtue, courage; the dialogue thus takes us most of the way, though not all the way, to Socrates' view of the virtues as forms of knowledge. The point of the impasse at the dialogue's end is to impress upon Plato's readers that if, like Nicias, they flirt with Socratic views of the nature of virtue, they had better be more prepared than Nicias was to rethink the relationship between the virtues. Revising one's view of the inter-virtue relationship may be a price worth paying; seeing how large a price must be paid and whether it is worth paying is a matter not for the *Laches* but for the dialogue *Protagoras*. But Plato's readers must recognize that Socrates' view of virtue as knowledge cannot simply be annexed to whatever else they might believe about the virtues. That, I suggest, is what Plato is saying when he leads the discussion further and further in the direction of Socrates' view and then halts that progression by making Socrates throw the discussion of his own view into *aporia*.

It is helpful to consider some of Plato's aporetic writing, not only because Plato's dialogues were an important literary model for Cicero, but also because the contrast with Plato brings into view two features of Ciceronian philosophical dialogue. First, Ciceronian

---

[19] But see the end of n.18.

[20] The phrase 'aporetic dialogue' is now very familiar, but in using it we should not suppose that we are referring to a subgenre that was recognized in antiquity. Notice the absence of ἀπορητικός from the classification of Platonic dialogues in Diogenes Laertius iii 49. Proclus uses ἀπορητικός to refer to part of the *Parmenides* (*In Prm.* 631 and 983), but, insofar as there was a debate in antiquity about Plato and the term ἀπορητικός, it concerned the question 'was Plato himself ἀπορητικός?', not 'is this Platonic dialogue ἀπορητικός?'. See Sextus Empiricus *Pyr.* i 221–6; there is a reference to that debate, or at least to a similar debate, at Diogenes Laertius iii 51.

dialogue, at least in *De Finibus*, lacks a 'Socrates' figure – or rather it lacks a figure whose role actually matches Socrates' role in dialogues like the *Laches*.[21] Cicero himself acts throughout the dialogue as the critic; to that extent he resembles Socrates, and he may have thought of his role in the dialogue as Socratic. But in Plato Socrates is not just a critic. Socrates is associated with moral positions or paradoxes, such as the thesis that virtue is knowledge, towards which the discussion is or could be taken; Cicero is not. Cicero associates himself rather with second-order or epistemological claims about the level of commitment we should give to moral and other doctrines.[22] In a first-order discussion of ethics Cicero cannot have the same kind of centripetal effect on the discussion that Socrates has in Socratic dialogues like the *Laches*. More generally, the fact that Cicero's dialogues, unlike Plato's Socratic dialogues, were not in origin part of a literary movement commemorating a single great philosopher is surely one reason for the greater open-endedness of Ciceronian dialogue.[23]

Secondly, Cicero's dialogue asks its readers to make a wider range of choices. Readers of the *Laches* are asked by Plato to consider how far they are willing to go in the direction of one central philosopher's thought. Cicero, by contrast, confronts his reader not only with a choice between philosophical theories but also with a choice between philosophical *traditions* – Academic (or Academic-Peripatetic), Stoic and Epicurean. So when we consider the outcomes of Ciceronian dialogue we need to distinguish between two questions: (i) within which tradition, or within which family of traditions, should we seek and discuss answers to questions about goodness, badness and happiness, and (ii) what are the answers to those questions? With regard to (ii) the dialogue excludes one option, the Epicureans, but does not choose between the Stoic theory and Antiochus' theory; I shall argue that with regard to (i), the choice between traditions, the dialogue is committed to the Academy. Hence the combination of indecision and partiality.

3 CHOOSING BETWEEN TRADITIONS

What exactly does it mean to explore ethics within the Academic tradition? As Cicero knew particularly well, there were several ways in which the Academic philosophical tradition could be given a single identity or character and contrasted with other traditions. Some characterizations or contrasts may require specific Academics to be excluded – and in some contrasts members of the Peripatetic tradition can be added on the Academic side. The most relevant attempts to characterize the Academic tradition can be summarized as follows:

(a) *Epistemology*. Academics oppose the dogmatism of the Stoa and other schools.
     [Non-sceptical Academics must be excluded.]
(b) *Mode of exploration*. Academics examine a thesis or doctrine by arguing both for it and against it.
     [Academics who argue in some other manner must be excluded.]
(c) *Ethical doctrines*. Academics (and Peripatetics) share doctrines on goodness and happiness.
     [Non-doctrinal or heterodox Academics (and Peripatetics) must be excluded.]
(d) *Rhetoric*. Academics (and Peripatetics) study rhetoric and cultivate eloquence.

---

[21] Contrast Annas and Woolf 2001, xvii. I am grateful to Raphael Woolf for discussion of this point.
[22] See n.3 above and Schofield 2008, 81.
[23] For which see again Schofield 2008.

From Cicero's perspective, which of these can most plausibly unify the entire Academic tradition? I begin with (a). Cicero of course knew Philo's version of the epistemological characterization of the school. Philo may have gone so far as to suggest that all Academics held the same epistemological views, and so that *no* professed Academics need be excluded after all.[24] After Antiochus had written his attack on Philo (*Academica* i 13, ii 11–12), reviving Philo's suggestion of a single Academic epistemology would demand either a defence or a modification of Philo's historical claims, and in *De Finibus* Cicero offers neither. When Lucius suggests that Antiochus and Carneades pull him in different directions (v 6), he is not corrected – instead he receives from Piso arguments to draw him from the New Academy to the Old (v 7). Cicero for his part signals his allegiance to the New Academy, for which he is teased by Piso, and restricts his approval to the verdict of plausibility (v 76).[25] Cicero does not attempt to unite the entire Academic tradition in epistemological terms. The rift in Academic epistemology is simply taken for granted.

Argument *pro* and *contra* is of course built into the structure of *De Finibus*.[26] But this kind of adversarial discourse is difficult to associate with the entire Academic tradition. For one thing it is not how Piso, Cicero's fellow Academic, argues. Piso sees his task as to argue for Antiochus and to answer Cicero's objections, not to give the case against Antiochus as well. A further difficulty is that the Academy provides different models of adversarial discourse, with different conceptions of what the argument *pro* should involve. Cicero himself makes this clear (*De Finibus* ii 2–3). One model, connected by Cicero with Arcesilaus, is for one person to provide an argument for a thesis or theory and another the argument against it; as author Cicero provides exactly this combination, making one character, such as Piso or Torquatus, defend a theory before it is attacked by the character Cicero. Just as Arcesilaus' pupils 'defended' their view, so Torquatus gives his reasons for his view (ii 2–3). But a second model is to provide merely a *thesis* and then arguments against the thesis. According to Cicero, this second, inferior model is currently followed 'even in the Academy'. Cicero is evidently encouraging his readers to view his design of the dialogue as faithful *to Arcesilaus*, rather than 'Academic' in some broader sense.[27]

With (c), ethical doctrines, we come back to Antiochus. At the start of book 4 (iv 3–19) Cicero outlines a system shared, as he suggests, by Speusippus, Aristotle, Xenocrates, Polemo and Theophrastus (iv 3), one claim of which is that there are goods of both body and mind (iv 16). The aim of this reconstruction is to show the insignificance of the Stoics' contribution to philosophy – an aim that has both a Carneadian and an Antiochian origin.[28] But Carneades himself can hardly be included as a member of this doctrinal tradition, and Cicero's own place in it is uncertain, for Cicero's task at the end of book 5 is to challenge the

---

[24] See Philo's denial of two Academies (*Academica* i 13). Brittain provides a reconstruction (2001, 166–8) and full contextualization (2001, 169–219) of Philo's 'redefinition' of the Academy.

[25] See n.3. It is now widely recognised that Cicero can retain the standpoint of a sceptical Academic and yet also endorse as plausible theses belonging to non-sceptical Academics or even to non-Academics, such as Stoic theses concerning the goodness of virtue or the providence of god. See e.g. *Tusculan Disputations* iv 7 and Long 1995, 41.

[26] Annas and Woolf 2001, x and xii.

[27] Notice also that Piso speaks contemptuously about Arcesilaus' procedure (v 10), although he is more sympathetic to Aristotle's practice of arguing on either side. For the attribution to Aristotle of argument on either side compare *De Oratore* iii 80 and *Tusculan Disputations* ii 9.

[28] See the text to n.16 above.

consistency of this venerable system. As we have seen, Cicero suggests there that Stoicism offers an account of the end that is more consistent than (and so of course distinct from) Antiochus' account.

This leaves (d), which concerns not the content of theories but the eloquence with which they are expounded. Notice now that the history of Plato's successors at the start of book 4 does not only set out doctrines; it also contrasts the style of Academic and Peripatetic writing with that of Stoic writing, reprising criticism of Stoic style made in Cicero's rhetorical works (*De Oratore* i 50, iii 66). Now in *De Finibus* 4 he contrasts the Peripatetics and Academics, who wrote in a suitably polished and full style, with the Stoics, latecomers who wrote in a pedantically 'hair-splitting' style (iv 3–7).[29] Moral philosophy was originally rhetorical, but then Zeno entered the scene and introduced an impoverished style of arguing and writing. (This kind of story, in which an innovator is blamed for disrupting the old marriage between rhetoric and philosophy, obviously appealed to Cicero; compare his account in *De Oratore* iii 60–1 and 72, where Socrates is blamed for ending the marriage.) We can compare the history at the start of book 4 with the extraordinary challenge to Cato later in the book. Cicero imagines the followers of Plato returning to life and asking Cato why on earth he prefers the Stoics to them (iv 61). At first the Platonists' case is based on Zeno's lack of original *doctrines*, but then they add that studying with them would have enhanced Cato's *eloquence* (iv 61).

Characterizing the Academy in terms of its cultivation of rhetoric may seem philosophically unexciting. That rather depends on whether one regards as parts of philosophy the tasks of applying philosophical theory to life and persuading others to do so. At least from Cicero's point of view, a strong attraction of a rhetorical characterization of the Academy, and of the contrast with Stoicism, is that the New Academy need not be excluded.[30] Carneades' eloquence has already been noted at iii 41, and Cicero the character has already made a point of using 'the rhetoric of philosophers' (ii 17) in his critique of Epicureanism.[31] An *epistemological* account of Academic unity would require either some omissions or some Philonian ingenuity of the kind so objectionable to Antiochus. Rhetoric, by contrast, can more easily unite Academics.

More specifically, it can connect Cicero's Academic allegiance to that of Brutus, an Antiochian[32] and the dedicatee of *De Finibus*. In *Brutus* 119–20 Cicero contrasts Stoic discourse with the eloquence shared by Peripatetics and Academics, and says that this

---

[29] He then describes Stoic writing on the subject of rhetoric as perfect reading for someone who wishes to stop speaking (iv 7). See also iii 3 (*subtile vel spinosum potius disserendi genus*). I shall not consider what could be said in defence of Stoicism, but see Atherton 1988, 403 and 414–5.

[30] The eloquence of Arcesilaus and Carneades is mentioned already in *De Oratore* (iii 67–8), and in *De Oratore* iii 80 Arcesilaus and Carneades (and Aristotle) are used to illustrate the intellectual qualities of the 'complete' orator. On the other hand, Arcesilaus' predecessors in the Academy are said to have failed – 'perhaps' – to attain Aristotle's high level of eloquence (iii 67); the Academy had to wait until Arcesilaus for the Aristotelian standard to be matched. There is no intention in this part of *De Oratore* to show the unity of the Academic tradition; on the contrary, it is suggested that the Academy is a unit only in name. Contrast the unitary picture of Academic eloquence in *De Finibus* iv 61.

[31] Cicero's rhetorical critique of Epicureanism is the object of an important analysis by Inwood (Inwood 1990). Whereas Annas suggests that Piso 'has won the rhetorical battle' (Annas and Woolf 2001, 150 n.70; cf. 143 n.55.), I suggest that, so far as the battle concerns rhetoric, the palm belongs more generally to the Academics.

[32] See *De Finibus* v 8 and Sedley 1997.

eloquence is a point in favour of Brutus' choice of the Academy. Elsewhere in his overtures to Brutus Cicero relies on a characterization of the Academy that is partly rhetorical, partly doctrinal (no mention of the divisive subject of epistemology): 'we make more use of that philosophy which produced fluency in speaking and in which what is said does not greatly disagree with popular opinion' (*Paradoxes of the Stoics* 2). 'We', *nos*, must in this context mean 'Brutus and I', not 'I', for Cicero has just contrasted Cato with 'you and me'.[33] In this other work, *Paradoxes of the Stoics*, Cicero tries to expound Stoic doctrines in such a way as to gain approval for them (4), and in showing the particular challenge that this poses he contrasts Stoic and Academic doctrine without fussing about whether the Academy really was a doctrinal school. (The vagueness of 'what is said', *dicuntur*, may show awareness of the difficulty of treating the Academy as a doctrinal ethical tradition, a question that can hardly be overlooked in the more comprehensive ethical work that *De Finibus* purports to be.) But in *Paradoxes of the Stoics* Cicero also draws a contrast between the Stoic neglect of rhetorical ornament and expansiveness and the eloquence on which he and Brutus, as Academics, can both draw.

A further advantage of rhetorical characterization is that Cicero can decide in favour of the Academy – that is, in favour of the Academic style of discourse – without deciding between Stoic and Antiochian theories. As Cicero says to Cato, 'Stoic doctrines may be true, and they are certainly important, but they are not handled as they should be' (iv 7). If the demand is that ethics – or at least the most important ethical topics, such as virtue[34] – be treated with Academic rhetorical polish, the ethical doctrines given rhetorical treatment could be *either* Stoic *or* a more rigorous version of Antiochus' compromise. From this perspective it is already intelligible that Cicero later presented the *Tusculan Disputations* as the climax of his ethical works.[35] One of Cicero's own contributions in *Tusculan Disputations* is to improve on the Stoics in making Stoic doctrine persuasive: for example, the Stoics' own way of showing virtue to be sufficient for happiness is not good enough for Cicero's interlocutor (v 13),[36] and it falls to Cicero himself to do better. Cicero even suggests that rhetorical fullness and ornamentation are part of good philosophy: 'I have always judged perfected philosophy to be that which can speak on the greatest subjects in a full and ornate style' (*Tusculan Disputations* i 7). The pose is retrospective, but Cicero is warming up his readers for the highly rhetorical treatment of ethics that lies ahead (cf. *Tusculans* i 112).

---

[33] This is less certain when Cicero later says that he is translating Stoic doctrines into 'our oratorical kind of discourse' (*ad nostrum hoc oratorium ... dicendi genus*, 5). Unless in this claim of ownership *nostrum* means merely 'my' (which seems quite possible), there is here another attempt to unite the Academies of Cicero and Brutus.

[34] In iii 19 Cicero concedes that the discussion of certain topics, such as the 'basic elements of nature' (self-awareness, self-love and the desire for bodily health), does not need rhetorical ornamentation. (At this early point in Cato's discussion virtue, or the perfection of human nature, is not yet in sight; contrast the flourish at iii 75-6.) In book 1 Cicero says to Torquatus that he does not demand eloquence 'very much' (*admodum*) from a philosopher who lacks it (i 15). This is puzzling, given the comments on Stoic style in iv 5-7. But in book 1 he wishes to place the emphasis on the content of Epicurean theory, which (he will argue) offers more than enough problems.

[35] See *De Divinatione* ii 2 and the imbalance in the summaries there of *De Finibus* and *Tusculan Disputations*. Schofield discusses the Philonian context (2002, 100–3). 'What the *Tusculans* offer us is writing fascinated with its own performance as a paradigm of philosophy and of the communication of philosophy' (Schofield 2002, 105).

[36] See Gildenhard 2007, 223–4.

Let us see how the contrast between Stoic and Academic style is developed in books 3–5 of *De Finibus*, now taking into account Cicero's portraits of the Roman speakers. When Cicero wishes to illustrate the deficiencies of Stoic discourse he does not do so by making Cato, the spokesman for Stoicism, a bad speaker. Instead Cicero makes Cato speak well or well enough – lucidly (iv 1) but without ornamentation and expansiveness (iii 26) – and lets his reader glimpse enough of Greek Stoic writing to suggest that it is not thanks to that Stoic tradition that Cato speaks well. The deficiencies in Cato's speech arise precisely when he defers to the Greek Stoic tradition and uses Stoic syllogisms (iii 27); Cicero points out that these syllogisms are about as effective as a dagger made of lead (iv 48; cf. iv 7).[37] This is one of several contrasts in Cicero's writing between Cato and Stoicism. We might compare the point that Cicero had made about Cato in the *Pro Murena*,[38] where he was criticising the harshness of Stoic moral doctrines: what we admire in Cato, Cicero says, Cato got from his own nature, not from his Stoic teachers (61). Elsewhere Cicero gives the credit, or some of the credit, to Cato's non-Stoic teachers: in Cicero's *Brutus* Cato is the most notable exception to the generalization that Stoics are not eloquent, and he is said to have learned his eloquence not from Stoics but from specialists in oratory (118–9).[39] Similarly, in *De Finibus* the rhetorical high points of Cato's speech, particularly the powerful peroration on wisdom and virtue (iii 75-6), are to the credit of his teachers in rhetoric ('you borrowed that from the rhetoricians', iv 7), not to the credit of Stoicism. And even Cato, when trying to persuade Cicero about the truth of Stoicism, falls back on entirely unpersuasive syllogisms. Cato can to a great extent make up for the rhetorical deficiencies of Stoicism, but even in his speech these deficiencies remain visible.

As we have seen, Cicero suggests that Cato would have benefited from studying Plato's successors (iv 61).[40] At the start of book 5 the scene changes to the Academy, where Romans have been doing just that – studying Plato's successors. Piso's speech is addressed to the young Lucius (v 8), and much of it is devoted to showing Lucius the intrinsic value of virtue: 'come now, Lucius, construct a mental picture of the virtues' lofty grandeur. You will then be left in no doubt that those who possess the high-minded character and the uprightness to attain them live happy lives' (v 71). It might seem unnecessary, after an outline of Stoicism in book 3, to hear arguments for the goodness and desirability of virtue all over again. But Cicero is going back to doctrines shared by Antiochians and Stoics in order to show how much more persuasive they become in Academic hands. Lucius is thoroughly won over (v 76). Contrast the Stoics: 'a Stoic inspire anyone? More likely to dampen the ardour of the keenest student' (iv 7). It might be argued that Lucius' youth makes his approval less significant or telling. But according to a plausible interpretation Cicero uses *young* interlocutors in order to connect philosophical education to more established Roman educational models.[41] On this interpretation, Piso's speech to Lucius shows how Academic eloquence can address educational needs that are already recognized in Roman society.

---

[37] At iv 7 the problem is merely one of bad style, although at iv 48 Cicero objects that nobody would concede to the Stoics one of the syllogism's premises. Compare *Tusculan Disputations* ii 29 and ii 42. The leading treatments of the syllogisms are Schofield 1983 and Ierodiakonou 2002.

[38] In *De Finibus* Cicero recalls but tries to distance himself from that speech (iv 74).

[39] See also Cicero's suggestion in *Paradoxes of Stoics* that Cato was persuasive *despite* his Stoicism (1–2). At *De Finibus* iv 50 the Greek Stoics, not Cato, are blamed for the clumsiness of Stoic argument.

[40] Compare iv 79.

[41] 'The mingling of ages makes the conversations a means of transmitting knowledge and opinions to younger generations, and thus embodies the Roman ideal of learning how to be a

It might also be supposed that Piso's eloquence in Book 5 is intended by Cicero to make a point about *Piso* himself, not a point about the Academy more generally. On the contrary, Cicero may have chosen Piso precisely in order to prevent that kind of interpretation. In the portrait of Cato the contrast between nature and teaching is important; the same contrast applies to the Epicurean Torquatus, who is said to be better than the moral doctrine he asserts (ii 62, ii 80), a point confirmed in hindsight by the way in which the historical Torquatus died (fighting against Caesar).[42] One reason for emphasizing Torquatus' failure to live up – or rather down[43] – to Epicureanism is to reassure Cicero's Roman readers that there is no risk of their being corrupted by the moral theories Cicero is inviting them to study: if there is conflict between an inadequate moral theory and an admirable Roman nature, Roman nature will assert itself appropriately. But the contrast between nature and teaching also helps us see why Cicero chooses *Piso* to act as Antiochus' representative. Piso is a less substantial figure than Cato – even though he achieved, or rather received from Pompey, the consulship – and, unlike the other exponents, Torquatus and Cato, Piso did not die in the fight against Caesar's rise to power. So why Piso? In the *Brutus* (236) Cicero says that 'whatever Piso had, he got from his studies'.[44] This allows for the strongest contrast with Cato – a good speaker *despite* his study of Stoicism – and ensures that the credit for Piso's success goes to his Academic education. Cato's own eloquence, such as it is, reflects his innate qualities and his specifically rhetorical education; Piso, on the other hand, is closer to being a cypher where the benefits of an Academic rhetorical education can be shown without Piso's own innate qualities intruding.

Cicero's criticisms of Stoicism in book 4 thus fare very differently in book 5. His objection to Stoic evaluation of non-moral 'goods' and 'evils' falters, for it is shown at the end of book 5 that the Stoic position at least has the merit of consistency. But the contrast with Academic rhetoric, as exemplified in Piso's speech, only strengthens the objection in book 4 to Stoic style. It is surprising that it should be *this* objection, one that does not obviously belong to moral philosophy, that is sharpened in the final book, and I conclude by considering Cicero's philosophical motivation for contrasting Stoic and Academic style.

The demand for eloquence is made in disappointingly vague terms. Cicero comes closest to a technical discussion of rhetoric in ii 1–5, where he defends the form of the dialogue (argument on either side, not just a thesis and a response) and criticizes the lack of clarity in Epicurean discourse. But Cicero does not explain exactly how Piso's speech manages to be persuasive. No doubt this is because the *De Finibus* is a work about ethics, not rhetoric. But then why include rhetorical style as a consideration at all? The answer lies, I

---

politician by shadowing one's seniors' (Steel 2005, 110). 'Technical knowledge of rhetoric and philosophy thus acquires a rightful place within the traditional educational set-up of authority figures imparting their wisdom and expertise to the next generation' (Gildenhard 2007, 31). Compare Tsouni 2012, 149. In the *Lucullus* Cicero talks disparagingly about the discernment of *rudes et indocti* (*Academica* ii 9), but his point is specifically that the untrained cannot pronounce on who is wise and who is not – so the untrained had better be wary of trusting authorities who *seem to them* to be wise, as this favourable impression is quite unreliable.

[42] Notice *mortis* in ii 80. Torquatus' Epicurean doctrine is contrasted with the behaviour of his ancestors (i 23–4, ii 60–1, ii 72–3), which suggests that in Torquatus' life the influence of Epicureanism was countered by inherited nature.

[43] *Facere melius quam dicere* (ii 81). Compare the charge that Epicurus himself did not live in accordance with his doctrines (ii 99).

[44] For Cicero's unflattering remarks on Piso's consulship see *Letters to Atticus* i 13.2 and i 14.6.

suggest, in Cicero's aim to make the dialogue, so far as possible, a comprehensive introduction to philosophical discourse on goodness and the end. For Cicero this requires more than an outline of the leading theories; it also requires an introduction to the most important criteria (I do not use the term in its technical, Hellenistic sense) by which both a theory *and the exposition of a theory* should be assessed. Cicero is showing his Roman readers how to judge philosophical discourse on the subject of the end, and this requires him to show how to judge persuasiveness of argument and exposition as well as doctrinal content narrowly understood. When judging the content of the theories, consistency is singled out for prominent treatment, and by this measure the Stoic theory is strong (v 79, 83, 85). But of course consistency is not the only criterion. For example, Cicero also applies what we might call the criterion of publishability: if a moral theory is true, it should be possible to bring it into the public domain. 'In my view true beliefs are those that are honourable, praiseworthy and noble, the sort which can be openly expressed before the Senate and the people, in every assembly and gathering. You should not be unashamed to think what you are ashamed to say' (ii 77; cf. ii 76, iv 23, *De Oratore* iii 66).[45]

Persuasiveness becomes a key criterion when critical attention turns to the *exposition* of a theory. For an essential task of philosophy is to engage with opinions and change them (iv 52).[46] The problem with Stoic discussions is that they leave their audience or readership unchanged. Cicero does not only complain about the deficiencies of Stoic style, but argues that these deficiencies cause Stoics to be unpersuasive. Not surprisingly, he takes aim at Stoic syllogisms: 'even those who accept the conclusions are not converted in their hearts, and leave in the same state as when they came' (iv 7). Behind the demand for persuasiveness lies the therapeutic or medicinal conception of philosophy that would become more prominent in the *Tusculan Disputations*,[47] but its importance for the *De Finibus* should not be overstated. Insofar as we expect the philosopher to change or 'cure' his audience, we expect him to be persuasive – and a judgement in favour of the Academy becomes inescapable. But the theory itself must satisfy further criteria, and the major Academic theory of goodness, namely the theory of Antiochus, does not obviously satisfy them all, in particular the criterion of consistency.

Too sharp a distinction between persuasiveness and consistency would of course be implausible. (If we are attracted to a theory but then find it to be inconsistent, we shall hardly find it or its exponent as persuasive as we did before.) In Cicero's dialogue Lucius is persuaded by Piso, but *before* Cicero argues that Piso's theory is inconsistent (v 76). After Cicero's objections Lucius does not offer a second verdict, and it is left open how much his attitude has to change. In retrospect he should see both the value of Piso's eloquence and the importance of the difficulty Cicero has raised. The rhetoric cultivated in the Academy should be applied to the exposition of ethical theory, but it is not certain that the theory should be that of Antiochus.

School of Classics
University of St Andrews
KY16 9AL, UK

---

[45] For discussion of this requirement see Inwood 1990, 153–4.

[46] See also the objection at iv 73 (*avaritiamne minuis?*) and Annas and Woolf 2001, 106 n.26.

[47] See e.g. ii 45 and iii 6, and for fuller references see Douglas 1995, 214. For the Philonian background see Reinhardt 2000, 540; Brittain 2001, 255–95; Schofield 2002.

BIBLIOGRAPHY

Annas, J. and Woolf, R. 2001. *Cicero: On Moral Ends*. Cambridge: Cambridge University Press.

Atherton, C. 1988. 'Hand over Fist: The Failure of Stoic Rhetoric' *Classical Quarterly* 38.2: 392-427.

Bonazzi, M. 2009. 'Antiochus' Ethics and the Subordination of Stoicism' 33-54 in M. Bonazzi and J. Opsomer edd. *The Origins of the Platonic System: Platonisms of the Early Empire and their Philosophical Contexts*. Louvain: Peeters.

Brittain, C. 2001. *Philo of Larissa: The Last of the Academic Sceptics*. Oxford: Oxford University Press.

Douglas, A.E. 1995. 'Form and Content in the *Tusculan Disputations*' 197-218 in J.G.F. Powell ed. *Cicero the Philosopher*. Oxford: Oxford University Press.

Gildenhard, I. 2007. *Paideia Romana: Cicero's* Tusculan Disputations *(Proceedings of the Cambridge Philological Society, supplementary volume 30)*. Cambridge: Cambridge University Press.

Glucker, J. 1995. '*Probabile*, *veri simile*, and Related Terms' 115-43 in J.G.F. Powell ed. *Cicero the Philosopher*. Oxford: Oxford University Press.

Griffin, M. 1997. 'The Composition of the *Academica*: Motives and Versions' 1-35 in B. Inwood and J. Mansfeld edd. *Assent and Argument: Studies in Cicero's* Academic Books. Leiden: Brill.

Ierodiakonou, K. 2002. 'Zeno's Arguments' 81-112 in T. Scaltsas and A.S. Mason edd. *The Philosophy of Zeno*. Larnaca: Municipality of Larnaca.

Inwood, B. 1990. '*Rhetorica disputatio*: The Strategy of *De Finibus* II' *Apeiron* 23.4: 143-6.

Irwin, T.H. 2012. 'Antiochus, Aristotle and the Stoics on Degrees of Happiness' 151-72 in D. Sedley ed. *The Philosophy of Antiochus*. Cambridge: Cambridge University Press.

Long, A.A. 1995. 'Cicero's Plato and Aristotle' 37-61 in J.G.F. Powell ed. *Cicero the Philosopher*. Oxford: Oxford University Press.

Patzig, G. 1979. 'Cicero als Philosoph, am Beispiel der Schrift "De finibus"' *Gymnasium* 86: 304-22.

Reinhardt, T. 2000. 'Rhetoric in the Fourth Academy' *Classical Quarterly* 50: 531-47.

Schofield, M. 1983. 'The Syllogisms of Zeno of Citium' *Phronesis* 28: 31-58.

Schofield, M. 2002. 'Academic Therapy: Philo of Larissa and Cicero's Project in the *Tusculans*' 91-109 in G. Clark and T. Rajak edd. *Philosophy and Power in the Graeco-Roman World: Essays in Honour of Miriam Griffin*. Oxford: Oxford University Press.

Schofield, M. 2008. 'Ciceronian Dialogue' 63-84 in S. Goldhill ed. *The End of Dialogue in Antiquity*. Cambridge: Cambridge University Press.

Schofield, M. 2012. 'The Neutralizing Argument: Carneades, Antiochus, Cicero' 237-49 in D. Sedley ed. *The Philosophy of Antiochus*. Cambridge: Cambridge University Press.

Sedley, D.N. 1997. 'The Ethics of Brutus and Cassius' *Journal of Roman Studies* 87: 41-53.

Steel, C. 2005. *Reading Cicero: Genre and Performance in Late Republican Rome*. London: Duckworth.

Thorsrud, H. 2010. 'Arcesilaus and Carneades' 58-80 in R. Bett ed. *The Cambridge Companion to Ancient Scepticism*. Cambridge: Cambridge University Press.

Tsouni, G. 2012 'Antiochus on Contemplation and the Happy Life' 131-50 in D. Sedley ed. *The Philosophy of Antiochus*. Cambridge: Cambridge University Press.