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### LIVER DIVINATION IN CICERO'S *DE DIVINATIONE* \*

*Praesensio et scientia rerum futurarum (the foresight and knowledge of future events)*, Cicero gives this definition of the term *divinatio* at the very beginning of his treatise *De Divinatione* (*Div. I, I, 1*). He goes on to restrict this definition in an important way: *Id est de divinatione, quae est earum rerum, quae fortuitae putantur, praedictio atque praesensio / I refer to divination, which is the foreseeing and foretelling of events considered as happening by chance* (*Div. I, V, 9*).<sup>1</sup>

This paper does not discuss the practice of divination and its theory in the ancient world, dealing chiefly with the depiction of *hepatoscopy* (liver inspection) in *De Divinatione*. First of all I will explain why I paid attention to the two definitions of the word *divination* presented by Cicero. The first definition explains the general idea of divination, and the second one concentrates on the remarkable detail: *events, which are thought of as happening by chance*.

Having taken into consideration the peculiarities of the Mesopotamian model of divination and the idea that there was no such thing as *chance*<sup>2</sup> I consider this definition important to get an idea of Greek and Roman models.

The treatise by Cicero is especially significant, first as a source depicting ancient ritual practice (in the first part the treatise contains much information on Greek and Roman divination practice) and second as a source for the

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<sup>1</sup> Cicero, *De Divinatione*, with an English Translation and Introduction by W. A. Falconer, The Loeb Classical Library, v. 20, Harvard University Press 2001 = *De Divinatione*.

<sup>2</sup> Brill's New Pauly (Encyclopaedia of the Ancient World), edited by H. Cancik and H. Schneider, v. 5, Leiden-Boston 2004, 569-577 = *BNP*.

theory of Stoicism (the second part of the treatise basically concentrates on a criticism of the Stoic arguments), as the Stoics used the theory of divination to support the theory of determinism. Stoics' opinions on divination practice can be found in other treatises as well: *De Natura Deorum* and *De Fato*.

In his works, Cicero derives his arguments chiefly from Greek sources and develops and illustrates them with examples from his experience. As a result we have a picture of both Greek and Roman divination practices. Though divination was not a part of official Roman cult it played an important role in the social and political life of the Roman people and even the fact that Cicero was very interested in it and found it necessary to dedicate a book to this topic underlines the importance of divination in the life of the Roman society of those times.

In his treatise, Cicero presents and describes the common forms of divination and discusses and evaluates the public opinion about this issue. One of the most important forms of the divination was a *hepatoscopy* by examining entrails, for which there is evidence from as early as the middle of third millennium. The first references to the divination from sacrifice are in Homer (*Il.* 24,221; *Od.* 21, 145; 22, 318-323). Later on this practice is more fully described.<sup>3</sup> And Cicero's work is an important example of it. The information provided in the treatise about Greek and Roman divination is quite rich and valuable, as usually literary sources do not discuss the details of liver divination practice, they mainly focus on the results and not on the process. However, entrails examination and divination is implied in the content of a sacrificial ritual.

On the evidence of the treatise, we can conclude that liver divination (*Haruspicum disciplina*) derived from Etruria and it was the most important form of divination of those times. The practice, which was a part of a sacrificial ritual, was performed the following way: the first important stage of the ritual was the choice of a sacrificial animal. People believed that a sacrifice that was supposed to be offered to the god was not haphazard. They thought that an intelligent force, which was diffused throughout the universe, guided the choice of the sacrificial victim.

The divine response depended on the condition of the liver – whether it was healthy or not. If any part of the liver was absent (according to Cicero it was head of the liver, κεφαλή) this was considered a bad omen.

According to the common belief, a change in the vitals occurred – something was added or taken away – at the very moment when the sacrifice was offered. And that was an influence of a divine power.

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<sup>3</sup> *BNP*, v. 5, 569-577.

Divination was a chance given to humans to avoid future disaster but people do not always manage to use the chance because of their lack of skills in reading the signs:

Male coniecta maleque interpretata falsa sunt non rerum vitio, sed interpretum inscientia / *If prophecies, based on erroneous deduction and interpretations turn out to be false, the fault is not chargeable to the signs but to the lack of skill in the interpreters (Div, I, LII, 118).*

Cicero depicts the practice of *hepatoscopy* together with the other practices of divination and thus tries to criticize the Stoic doctrine. He argues that the method of the Stoic argumentation is completely illogical and full of contradictions, as illogical as the background and essence of divination itself.

Cicero builds up his criticism according to the following plan: He concentrates on the scheme suggested by the Stoics: *if x...than y*. Cicero thinks that there is a conflict between the propositions, i.e. between *x* and *y*, and the first proposition is not a true conditional and thus cannot be the basis for the following conclusions. Besides, a conjunction *x+y* is a collection of incompatible conjunctions. This opinion is best explained in *De Fato 12-15* on the example of astrological divinatory theorem: *Si quis... oriente Canicula natus est, is in mari non morietur*.<sup>4</sup> *Si enim est verum, quod ita conecitur: "Si quis oriente Canicula natus est, is in mari non morietur", illud quoque verum est: "Si Fabius oriente Canicula natus est, Fabius in mari non morietur." Pugnans igitur haec inter se, Fabium oriente Canicula natum esse, et Fabium in mari moriturum; et quoniam certum in Fabio ponitur, natum esse eum Canicula oriente, haec quoque pugnant, et esse Fabium, et in mari esse moriturum. Ergo haec quoque coniunctio est ex repugnantibus, "et est Fabius, et in mari Fabius morietur", quod, ut propositum est, ne fieri quidem potest. Ergo illud, "moriatur in mari Fabius", ex eo genere est, quod fieri non potest. Omne ergo, quod falsum dicitur in futuro, id fieri non potest. / *If this is a true conditional, "If someone was born at the rising of the Dogstar, he will not die at sea", so is this one, "If Fabius was born at the rising of the Dogstar, Fabius will not die at sea." Therefore these propositions conflict with each other: that Fabius was born at the rising of the Dogstar, and that Fabius will die at sea. And since Fabius' case the premise that he was born at the rising of the Dogstar is certain, there is also a conflict between the proposition that Fabius exists and the proposition that he will die at sea. Hence the conjunction "Both: Fabius exists, and Fabius will die at sea" is one of incompatible conjuncts, because it is incapable of happening as stated. Hence**

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<sup>4</sup> The Hellenistic Philosophers, ed. A. A. Long and D. N. Sedley, v. 1, Translations of the Principal Sources with Philosophical Commentary, Cambridge 1987, 232 =HP

*"Fabius will die at sea" belongs to the class of impossibilities. Therefore everything falsely stated about the future cannot happen (De Fato, VI, 12).*

The general divinatory theorem can be found in *"De Divinatione"*: Sunt autem di, significant ergo; et non, si significant, nullas vias dant nobis ad significationis scientiam (frustra enim significarent); nec, si dant vias, non est divinatio; est igitur divinatio. / *There are gods, therefore, they give us signs; and if they give such signs, it is not true that they give us no means to understand those signs – otherwise their signs would be useless; and if they give us the means, it is not true that there is no divination; therefore there is divination (Div. I, XXXVIII, 83).* Cicero's commentary on the theorems proposed by the Stoics is as follows: Arcem tu quidem Stoicorum", inquam, "Quinte, defendis, siquidem ista sic recipiuntur, ut et, si divinatio sit, di sint et, si di sint, sit divinatio. Quorum neutrum tam facile quam tu arbitraris conceditur. Nam et natura significari futura sine deo possunt, et ut sint di potest fieri ut nulla ab eis divinatio generi humano tributa sit." / *Why you are defending the very citadel of the Stoics in asserting the interdependence of these two propositions: "if there is divination there are gods", and, "if there are gods there is divination." But neither is granted as readily as you think. For it is possible that nature gives signs of future events without the intervention of a god, and it may be that there are gods without their having conferred any power of divination upon men" (Div. I, VI, 10).* The Stoics develop the principle: even things that will not be are possible, and Cicero says the opposite: they are impossible.<sup>5</sup> The point is that actually the Stoics had the specific logical arguments of their own. And the differences that occurred between the Stoics and their opponents are due to a different definition and understanding of logical matters. The Stoics' logic was closely connected with the signs and their semantics and their theory was based on the existence of the connection between those signs that occur in the human world and the divine world. Besides, their ethics was based on the formula *if...then* meaning that they took something as established. Thus, this was in contradiction with the Epicurean ethics based on the principle that nothing

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<sup>5</sup> For the discussion of this passage see "Divination as a science, together with certain Stoic modal principles, allows us to infer that which has been predicted as true is necessary (Fat. 14) and that which has been predicted as false is impossible (Fat.13). Hence there appears to be a contradiction between the statements that all (predicted) future truths are necessary and that some are non-necessary; and between the statements that all (predicted) future falsehoods are impossible and that some are possible. As a result, Chrysippus has to give up either divination – and thus lose the support for the Fate Principle – or his concepts of possibility and non-necessity. Thus, the outcome is a variant of the standard dilemma: fate or that which depends on us? (Bobzien S., *Determinism and Freedom in Stoic Philosophy*, Oxford 1998, 144).

can come into being out of nothing (Lucretius, 2. 251-93)<sup>6</sup>. Cicero very often draws parallels to Epicurean studies and offers a presumable Epicurean response – laughter.

In her book Susanne Bobzien provides us a detailed discussion of the arguments of the Stoics and says that they are not as absurd as Cicero and other opponents present them. The main mistake to the author's opinion is an approach towards the Stoics argumentation. The opponents do not consider the issue as a whole.<sup>7</sup>

Cicero's critical method is as follows: to affirm nothing and to question everything. This was the characteristic mental attitude in which the disciples of the New Academy approached every question.<sup>8</sup> And he succeeds in disputing the theories of his adversaries with logic and a fair measure of irony. His dispute is based mostly on intriguing questions. These questions lead up to Cicero's conclusion that myths should have no place in philosophy.

I think the best example of one of these puzzling questions can be found in the passage which discusses the liver divination performed just before Caesar's death: *Sed affers in tauri opimi extis immolante Caesare cor non fuisse; id quia non potuerit accidere ut sine corde victima illa viveret, iudicandum esse tum interisse cor cum immolaretur. Qui fit, ut alterum intellegas, sine corde non potuisse bovem vivere, alterum non videas, cor subito non potuisse nescio quo avolare? Ego enim possum vel nescire, quae vis sit cordis ad vivendum, vel suspicari contactum aliquo morbo bovis exile et exiguum et vietum cor et dissimile cordis fuisse. Tu vero quid habes, quare putes, si paulo ante cor fuerit in tauro opimo, subito id in ipsa immolatione interisse? / But you say, Once, when Caesar was offering a sacrifice, there was no heart in the entrails of the sacrificial bull; and since it would have been impossible for the victim to live without a heart, the heart must have disappeared at the moment of immolation. How does it happen that you understand the one fact, that the bull could not have lived without a heart and do not realize the other, that the heart could not suddenly have vanished I know not where? As for me, possibly I do not know what vital function the heart performs; if I do I suspect that the bull's heart, as the result of a disease, became much wasted and shrunken and lost its resemblance to a heart. But, assuming that only a little while before the heart was in the sacrificial bull, why do you think it suddenly disappeared at the very moment of immolation? (Div. II, XVI, 37)*

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<sup>6</sup> HP, 106.

<sup>7</sup> Bobzien S., *Determinism and Freedom in Stoic Philosophy*, Oxford 1998, 91-92.

<sup>8</sup> *De Divinatione*, 379, 1f.

And here is the culmination of the question: An quod asperit vestitu purpureo excordem Caesarem, ipse corde privatus est? / Don't you think, rather, that the bull lost his heart when he saw that Caesar in his purple robe had lost his head? (*Div, II, XVI, 37*) Here Cicero plays on the common use of *cor* as intelligence.<sup>9</sup> And we can find many examples in which Cicero makes complete fun of this practice.

The above-mentioned passage is noteworthy not only as a good example of Cicero's severe criticism, the depiction of ritual practice, reference to the absence of animal's heart also draws one's attention. The participation of a heart in divination practice is considered to be very unusual. Though one can find the examples of heart sacrifice and possible heart divination in Greek linguistic materials, but it seems to be a practice of later times in the Greek world. Greek verb καρδιουλκέω which first appears in Lucian's work "On Sacrifices" (13) means to draw the heart out of the victim at a sacrifice<sup>10</sup>: *And although the notice says that no one is to be allowed within the holy-water who has not clean hands, the priest himself stands there all bloody, just like Cyclops of old, cutting up the victim, removing the entrails, plucking out the heart, pouring the blood about the altar, and doing everything possible in the way of piety.* It might be suggested that the two passages mentioned above concentrate on one and the same practice.

However, turning back to the Stoics' pro-divination arguments, though they were not very convincing and logical, the practice was very popular. In fact, Cicero explains the reason himself: *Atque haec, ut ego arbitror, veteres rerum magis eventis moniti quam ratione docti probaverunt. / The ancients were influenced more by actual results than convinced by reason (Div. I, III, 5).*

Thus, Cicero actually acknowledges that a logical basis and reasoning are not a necessary condition for human belief and in many cases a certain event happening in front of us is far more important than the whole logical chain of reasons and causes. Hence just several examples of the famous victory of an army preceded by "successful" divination seemed convincing enough. Certainly there were several reasons that strengthened the belief in divination, i.e. human wish to perceive the divine power as well as human belief in his own power – that mortals have the ability to approach the power of gods; the definition of divination as an art; long history of divination, divination as a knowledge and experience gained by the ancestors, especially famous personae, and a number of examples concerning successful divination. Besides, divination was not considered only as a fortune-telling business, it was a kind of stimulus for decision-making process. Divination in its essence

<sup>9</sup> *De Divinatione*, 410, 2f.

<sup>10</sup> Liddell H. G., Scott R., *Greek-English Lexicon* (9<sup>th</sup> edition), Oxford 1996.

contained a well-designed mechanism of self-defense, that one can never avoid mistakes. Moreover, there was one very simple reason – human inclination towards rituals – that is best expressed in the words of Quintus: ...quid fissum in extis, quid fibra valeat, accipio; quae causa sit, nescio. Atque horum quidem plena vita est; extis enim omnes fere utuntur. / *As to the cleft or thread in the entrails: I accept their meaning; I do not know their cause. And life is full of individuals in just the same situation that I am in, for nearly everybody employs entrails in divining (Div. I, X, 16).*

To my opinion, this passage best expresses the phenomenon of divination, the practice that was deeply intruded into the culture and daily life. Nobody thought of reasons and logic. The need for divination was evident itself, without any additional explanations. The habits were stronger than Cicero's arguments. And though Cicero completely ignores the prophetic value of divination, he offers a very realistic solution. He tries to find some meaning and goal for this practice, tries to make it useful at some points, and thus he suggests – why not utilize it for the public goal? It might be a good way of making a public event more significant and more valuable and it is a good way of keeping political power as well. And here I would like to remind you of his work on the republic where he had written "in favour of maintenance of the rights of augury and of auspices. But these practices were engrafted on the Roman constitution and he advocated their observance because of his belief in obedience to law and because, as a member of the aristocratic party, he thought augury and auspices the best means of controlling the excess of democracy."<sup>11</sup> Thus, in *De Divinatione* Cicero accepts the importance of divination practice for public uses.

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<sup>11</sup> *De Divinatione*, 216.