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Cicero on Aristotle and Aristotelians

ABSTRACT: *Set against tendencies in the Renaissance and later political theory to see Cicero in tension with Aristotle, this research essay reports the results of a close study of all of Cicero's texts that bear on his reading, understanding and assessment of Aristotle and the Peripatetic school. The essay necessarily attends to Cicero's sources for his encounter with Aristotle and affirms, with some qualifications, Cicero's overall continuity with the moral and political thought of Aristotle.*

KEYWORDS: Aristotle, Cicero, Socrates, Theophrastus, Peripatetic, New Academy, Rhetoric, Stoic, Dialogues, Virtue, Equality, Petrarch.

[M]y philosophical writings differing very little from Peripatetic teachings, for both I and those men wish to follow in the Socratic and Platonic tradition... (Cicero, *De Officiis* I. 2)

Cicero was Rome's "best Aristotelian". (Dante)¹

The authority of the American Declaration of Independence rests in part on its drawing from "elementary books of public right as Aristotle, Cicero, Locke, Sidney, etc." (Thomas Jefferson, 1824/1973. 12)

This research essay provides the basis, in Cicero's own writings, to see his moral and political thinking as a significant Roman manifestation of political Aristotelianism. It examines closely his assessment of Aristotle's political legacy and the necessary preliminary topic of Cicero's sources for understanding Aristotle

¹ This was Dante's judgement according to A. E. Douglas (1965, 162) and Paul Renucci (1954, 331). A seemingly different claim made by the 20th century scholar Ernest Fortin (1996, 33) was that Cicero and Varro are "Plato's Roman disciples."

and the teachings of the Peripatetic school founded by Aristotle. The essay thus lays important groundwork for more focused comparative examinations of such topics as equality, democracy, mixed government, human rights and natural law. Since Cicero's selective but substantial appropriation of Aristotle's practical philosophy to his thinking entails a commentary on it, his own moral and political philosophy illuminates not only some of the possible features but also some of the difficulties and challenges for a modern Aristotelian public philosophy.

THE TRADITION OF OPPOSING ARISTOTLE AND CICERO

Following Dante and indeed Cicero himself and thus seeing Cicero largely in continuity with Aristotle, requires, at the very least, some notice of those who have thought otherwise. There is a "modern" tradition that emphasizes the opposition and tension between Cicero and Aristotle. Manifestations of this appear at least as far back as the early Renaissance. Here it is possible only to give a sketch and small sampling of the arguments and concerns of this tradition. It is well to have such arguments and concerns in mind as this essay proceeds to examine the texts of Cicero.

The more recent manifestation of this tradition and the form of it that has had a direct impact on the study of political theory in the past century is that most often traced to the Carlyles' opening chapter on Cicero in their six-volume work entitled *A History of Mediaeval Political Theory in the West*.² They argue that "the dividing-line between the ancient and the modern political theory" occurs in the period between Aristotle and Cicero and is signaled by the "change ... startling in its completeness" between Aristotle's "view of the natural inequality of human nature" and Cicero's opposing view. In Cicero's and later Roman thought they see "the beginnings of a theory of human nature and society of which the 'Liberty, Equality, and Fraternity' of the French Revolution is only the present-day expression."³ Cicero is seen as seminal to and largely in accord with the liberal thinking of modernity, and his frequent antithesis in these portrayals, Aristotle, is consigned to a quite alien and justly irrelevant past.⁴

² R.W. Carlyle and A.J. Carlyle (1903). Cicero's position in this larger work dramatizes the Carlyles' view that Cicero's political thought marks an important turn, to be further developed via mediaeval political theory, toward the egalitarian and popular foundations of modern political thinking.

³ Carlyle & Carlyle (1903, I, 8–9). Following in this vein of seeing a fundamental divide between Aristotle and Cicero are McIlwain 1932, 1947, Sabine 1960, Cumming 1969, McCoy 1950, 1963. The latter three are not as focused on equality as are the Carlyles and McIlwain in seeing this as the single fundamental difference.

⁴ All of those writers here associated with the Carlyles' "great divide" thesis do acknowledge various continuities between Cicero's and Aristotle's thought. In the case of the Carlyles' own work, even as they focus on Cicero as a champion of human equality they notice

This embrace of Cicero at the expense of Aristotle runs more deeply in modernity than the formative analysis by the Carlyles at the turn into the last century. In 1706, at the very beginning of what has been not unfittingly called “a Ciceronian century” (Wood 1988, 3), Jean Barbeyrac published *An Historical and Critical Account of the Science of Morality* which initially in French and then later in English translation (1749) appeared as a preface to Pufendorf’s *The Law of Nature and Nations*. Richard Tuck, my source for the account of Barbeyrac’s work, reports his view that among ancient philosophers “only the Stoics had come anywhere near to giving an adequate account of man’s moral life” (1979, 174–75). “[W]ithout Dispute, the best Treatise of Morality, that all Antiquity has produc’d” claimed Barbeyrac, is Cicero’s *De Officiis*. As for Aristotle, Barbeyrac saw his influence as a moral teacher ever ascendant after the fall of Rome and lamented this, for from Aristotle came “Scholastic Philosophy; which ... with its barbarous Cant, became even more prejudicial to Religion and Morality, than to the speculative Sciences” and produced an ethics which “is a Piece of Patchwork; a confus’d Collection, without any Order, or fix’d Principles” At the root of what unfolded in Western history was, according to Barbeyrac, Aristotle’s failure to grasp “just Ideas of the natural Equality of Mankind; and, by some of his Expressions, he gives Occasion to believe, that he thought some Men to be, by Nature, design’d for Slaves Thus this vast Genius of Nature, this Philosopher, for whom such Numbers have so great a Veneration, proves to be grossly (sic) ignorant of, and, without any Scruple, treads under Foot, one of the most evident Principles of the Law of Nature”. Barbeyrac’s work shows then not only a modern ancestry for the Carlyle’s thesis of the “great divide” but also an emphasis on the way human equality is treated as the significant point at issue in the divide. The Carlyles’ and Barbeyrac’s understanding of what is at issue in the “divide”, with varying emphases in one or another expression of this position, sees Aristotle as viewing man as never simply equal and in his place in a structured polis which has nourished and educated him; Cicero is found emphasizing man as an individual, substantially if not simply equal to others, with whom he stands in a universal human community under nature and equipped to read nature with reason to provide self-direction. The making of such a division between Aristotle and Cicero obviously involves interpretations of Aristotle as

passages where they find him “speaking under the influence partly at least of the Aristotelian principle of the fundamental distinction in human nature; [they] find him thinking of mankind as capable of being divided into those who are able to govern themselves and those who are not” (12). Adding that these passages do not change their overall view, they see these passages being in contradiction to that view and take refuge in Cicero’s alleged weakness as a philosopher: “It must be remembered that Cicero’s eclecticism is in part the expression of a certain incoherence in his philosophical conceptions, and that it is not a matter for any great surprise that we should find him holding together opinions hardly capable of reconciliation.”

well as of Cicero's texts; in what will follow later, we proceed only from the side of Cicero.

First, however, there is need to look to the second form of the "modern" tradition of opposition and to bring out the nature of the differences between Aristotle and Cicero as found in this approach. This form of opposing Aristotle and Cicero goes more deeply into our past than the strain which we have just found as far back as Barbeyrac at the beginning of the eighteenth century. Though apparently beginning in the Renaissance and humanist enthusiasm for Cicero, the outcome of this way of opposing "the philosopher" and "the orator" works in time to elevate Aristotle in a manner that significantly diminishes the philosophical weight of Cicero. This form of the tradition seems then to be rooted both in the Renaissance enthusiasm for Cicero over Aristotle and in the counterattack of Aristotelians that, later joining with the concern for a comprehensive and scientific knowledge that emerges in the post-Baconian period, appears to have been largely successful.⁵

The conflict between Aristotelians and Ciceronians as the Renaissance dawned is signaled by observations like that of Jerrold Seigel that in the fourteenth and fifteenth centuries Cicero became among humanists, "the object of the kind of enthusiasm" directed earlier at Aristotle (1968, 30). The new enthusiasm for Cicero should not, however, invite generalizations that oversimplify and too sharply differentiate the Renaissance as Ciceronian and the Medieval period as Aristotelian, or that consider Cicero as first really embraced and properly understood in the Renaissance. Earlier in a similar vein in his *Cicero Scepticus*, C. P. Schmitt wrote (1972, 33) that "Cicero's influence during the Middle Ages was enormous ... perhaps as great as Aristotle's". And on the Renaissance side of this divide, there is, of course, a vigorous Aristotelianism that manifests itself, in one way, in what seem to me sound efforts to emphasize the essential harmony between Cicero and Aristotle at least in moral philosophy and specifically with respect to rhetoric's moral status.⁶ Though the concepts of Aristotelianism and Ciceronianism, just as the much attacked concepts of the Renaissance and Middle Ages, do tend to sharpen artificially and thus falsely actual differences (not to speak of how they might contribute to polarizing our conceptions of Aristotle's and Cicero's thought), these concepts and the conflict they are used to describe in this case are hardly mere constructs of intellectual historians. My purpose

⁵ Cicero's philosophical ability and significance first comes under attack in the course of the controversy between Ciceronians and Aristotelians in the Renaissance. Before that, there is pervasive respect, if not acclaim, for him as a philosopher though there is a tradition, to which Augustine chiefly gives birth, of differentiating Cicero's thought from the fullness of truth and genuine wisdom that is possible in the light of Christian Revelation.

⁶ See especially Seigel 1968, Chap. IV, and 1966, 38–39. See also Tuck 1979, 44–45, 176. Tuck emphasizes at several points that the Renaissance Aristotle is not invariably the Aristotle of the scholastics.

here, of course, is not to detail the development of this conflict or describe fully its many varieties and complexities. My knowledge of the conflict is dependent on the work of other scholars supplemented by my study of a substantial portion of Petrarch's writings.⁷ It is Petrarch, that great Ciceronian enthusiast of the early Renaissance, whom I primarily utilize in an effort to state what is at issue in this form of the tradition of opposition.

Petrarch's writings provide considerable material not only on what he thought distinguished Cicero's thought but also on the nature of the Aristotelian attack on his Ciceronianism and his response to it. Petrarch is direct and unqualified in making clear that his initial attraction to Cicero was based on his eloquence, that this dimension of Cicero remains critically important for him, and that the leading edge of the Aristotelian attack echoes an old charge against Cicero, namely "much eloquence but little wisdom". Thus Cicero's rhetorical achievement and notable concern with rhetoric seem for the Aristotelians a badge of his philosophical inferiority. The chief issue in the conflict, as it emerges in Petrarch's writings, is then a Ciceronian esteem for eloquence and rhetoric versus an Aristotelian "despising" of it, or at the least holding it suspect (1948b, 53–54, 61–62, 85, 87, 91).

To state the conflict, however, in terms of Cicero the orator versus Aristotle the philosopher would concede to the Aristotelians the definition of the issue and does not represent the view of Petrarch and no doubt other Ciceronians. Rather, eloquence is related to a certain conception of philosophy in which Cicero is seen to excel.⁸ This is philosophy characterized by a moral focus and having the actual practice of virtue, the living of the good human life, for its end.⁹ For Petrarch, Cicero's eloquence is a part of his wisdom; rhetoric is seen to be, and properly so, in the service of wisdom and philosophy.¹⁰ Petrarch finds the broad and pure learning of the Aristotelians aimless and needlessly contentious

⁷ Schmitt 1972, for example, describes some of the vigorous conflict in the Renaissance between those who proclaimed themselves Aristotelians and those who followed Cicero; see 79 ff. and especially his discussion of Pierre Galland (1510–59), 98 ff.

⁸ A defense of Cicero in this respect, inclusive of a finding that he is essentially consistent with Aristotle, is found in Garsten 2006. Bird 1976 and Kimball 1986 accentuate the difference between the rhetorical (oratorical) strain and the philosophical one in the Western tradition of the humanities.

⁹ Petrarch 1948b, 61–62, 103, 105. Also, Seigel 1968, 34–35 where he cites Petrarch in *On the Remedies of Both Kinds of Fortune* invoking Cicero and writing that the way to eloquence is found in giving "your attention first of all to virtue and wisdom."

¹⁰ Seigel is on the mark when he appreciates Petrarch's reading of Cicero, writing that "Petrarch's intelligence penetrated deeply into the structure of Cicero's mental world" (1968, 33; also 60, 224, 259). However, Seigel's conclusion on Cicero's understanding of the relation of rhetoric and philosophy undermines Cicero's significance as a philosopher: The Ciceronian combination of rhetoric and philosophy was complex and intricate. As a philosophical position it was weak and inconsistent, but it was also humane. It allowed the intellectual to waver between a position based on the standards of thought and one based on those of action (1968, 15, 26, 29).

(1948b, 56, 77; 1948a, 137). Furthermore, he contrasts Cicero's Academic skepticism and its humility with the arrogant assurance and argument from authority manifested by some Aristotelians and sees the latter as a threat to a genuine philosophical spirit.¹¹

Especially on this last point, Petrarch makes clear, as did other critics of the Aristotelians, that his differences are with the Latin-using Aristotelians rather than with Aristotle.¹² He cites (1948b, 53–54, 102) indications in Cicero and other sources that Aristotle was himself eloquent and more favorable to rhetoric than those marching under Aristotle's banner in Petrarch's own time. Although he does find that Aristotle's *Nicomachean Ethics* lacks the sting to virtuous action which he finds in Cicero's writings and in that respect it is inferior, he concedes greater "acumen" to the analysis of Aristotle.¹³ For Petrarch the issue is between a Cicero whose texts he knows well and the practices of the Aristotelians. One might say it is between two differing conceptions of philosophy, but for Petrarch such a portrayal would be too gentle and insufficiently precise; for him Cicero represents genuine philosophy in the Socratic-Platonic tradition, the Aristotelians often manifest a muddled, arrogant and false philosophy that is not a legitimate offspring of Aristotle's own thought and writings.

That distinctive conception of philosophy that Petrarch finds in Cicero seems thereafter to ever lose ground as a way of knowing or science in the Western tradition. The ideal of a comprehensive and assured knowledge that appears in the Aristotelians merges much more readily with the emerging and subsequent Enlightenment aspiration to a comprehensive science. The anomaly with which we are faced regarding comparisons of Cicero and Aristotle comes into focus in that Ciceronian eighteenth century, for then Cicero is heralded (as in Barbeyrac and later in the Carlyles) as a moral thinker and a "modern" even as his stature as a philosopher suffers. One can see in the dual view of Cicero the Kantian problematic at the heart of that century: new and sure foundations

Neither Petrarch nor Cicero would have appreciated a severance of the standards of action from those of thought. Nor is the positivism – rhetoric and law seen as distinct from reason and nature – that Tuck 1979, 33 ff., 44–45 traces in the Renaissance Petrarchan or Ciceronian.

¹¹ 1948b, 124–25; also, 1948c, 34–35. In *On Familiar Matters* 3. 6 (1975, 128–29), Petrarch seems an exemplary Ciceronian Academic skeptic as he adopts a Stoic position on what constitutes happiness and points to Cicero's *De Finibus* for a fuller treatment of the matter. Noting the teachings of various ancient philosophical schools, Petrarch tells his correspondent that "the authority of philosophers does not prevent freedom of judgment" and that he is here providing "not the truth of the matter (for that perhaps is hidden) but how it appeared to me."

¹² 1948b, 74, 107. Schmitt (1972, 91) notes a general tendency among humanists in the fourteenth through sixteenth centuries to find Aristotle's actual writings quite acceptable and to focus their protests against pollutions of his teachings which were seen in "scholastic versions and interpretations of Aristotle."

¹³ See his exchange with Jean de Hesdin, a French *calomniateur* of Cicero, in De Nolhac, 1907, and also, 1948b, 102–03.

of comprehensive science are to be set down, and at the same time in another sphere, where Cicero and the Stoics are given a strong voice, the moral life is to be nourished. The nature of the modern tradition of seeing opposition between Cicero and Aristotle and what is at stake in it has now been sketched. The re-examination of this complex tradition properly begins with a return to the texts of Cicero and Aristotle; in this case, a first step, attended to here, is looking to Cicero on Aristotle.

SOURCES FOR CICERO'S ARISTOTLE

One is required to ask, at the very beginning, whether Cicero knew the same Aristotle whom the Renaissance knew and we can know today.¹⁴ Does he have access to essentially the same corpus of Aristotle's works which later, through the first century B. C. edition of Andronicus of Rhodes, provided the Aristotelian canon for the future? The perhaps surprising answer is that Cicero had more of Aristotle's work available to him than we do and than most people have had both before and after his lifetime. Cicero lived at the very juncture in time and even in place when and where the new Aristotelian corpus of Andronicus was put together and made available and the hitherto known popular or exoteric writings of Aristotle begin their disappearance which has resulted in their all but complete loss.¹⁵ One would expect, given Cicero's sustained interest in phi-

¹⁴ In the larger context in which this paper is set, namely, that just reviewed, that of later comparisons of Cicero and Aristotle and contentions between Ciceronians and Aristotelians, it is also appropriate to ask whether we twenty-first century political theorists know the same Cicero whom the Renaissance did. With the exception of Cicero's *De Re Publica* (*Rep.*), lost it appears sometime shortly after Augustine wrote and recovered with significant *lacunae* early in the nineteenth century, the same texts of Cicero are available at both times. Chiefly through Augustine and Macrobius's fourth century *Commentary on the Dream of Scipio*, the Middle Ages and Renaissance had some knowledge of the nature of *Rep.* The "great divide" thesis of the Carlyles does not seem dependent on the *Rep.* in particular; note above that Barbeyrac's version of the thesis is early eighteenth century. It is not a new and different Cicero revealed in *Rep.* Given Cicero's embrace of the mixed regime in *Rep.* and his related Platonic-inspired critique of democracy, one wonders how the alleged egalitarianism of Cicero could play such a defining role for those who would see him as essentially "modern."

¹⁵ The story of both the puzzle of the disappearance of Aristotle's popular writings after the Andronicus edition of Cicero's lifetime and the development of that edition at Rome, with the hand of Cicero likely involved, is told succinctly in Masters, 1977, 31–33. See also M. Frede 1999, 773–75, 784 who thinks the Andronican edition may have been completed before Cicero's life and that it had considerable impact on other schools of philosophy and the Aristotelian revival Cicero encountered. See also Gottschalk 1987, 1095 for a summary view of the various placements of the Andronican edition. For materials indicating the evidence of various lost works of Aristotle in the texts of Cicero, see MacKendrick, 1989, 9, n. 38 on 319. Since Masters' and other earlier work, there has been a significant but largely reaffirming effort by David Sedley and especially by Jonathan Barnes to examine the presence of Aristotle and Aristotelianism in the period of Hellenistic philosophy and to speculate further on the timing and significance of the edition of Andronicus. Sedley (1989, 118) has observed, "It

losophy throughout his life, his specific concern to introduce Greek philosophy to Rome and his evident interaction with other learned Romans, that he would be aware of, if not in close contact with, the enterprise of assembling the new and true Aristotle that has just occurred or was occurring right in Rome during the very years of his adult life. His writings support this expectation and at the least indicate that he consulted the non-popular works (*commentarios*) of Aristotle then being recovered and assembled.¹⁶ In the reference to these works at *De Finibus* v. 12, Cicero actually uses the Greek cognate (ἐξωτερικόν) for “exoteric” to describe the popular works which are contrasted with those (*limatius*) “more carefully composed” *commentarii*, usually translated as “notebooks”.¹⁷ In this passage, Cicero reveals that the distinction between the exoteric works and

has always been a struggle for modern scholars to accept how extraordinarily little notice the Hellenistic philosophers apparently took of Aristotle, in view of his immense importance to the subsequent history of philosophy.” Sedley sees Aristotelianism being resurrected in and just before Cicero’s time by means of taking Aristotle and his school to be part of the Platonic revival and the synthesis of Antiochus. Lynch (1972, 204) concluded that Cicero’s knowledge of Aristotle came largely through Antiochus. Barnes (1989, 1997) is in essential agreement and believes there was much Aristotle available to Cicero even if it is likely that the Andronican edition was first put together after Cicero’s death.

¹⁶ *De Finibus* (*Fin.*) iii. 10; v. 12. There is nothing in Cicero’s writings to indicate that he did not read what he could of the new Aristotle with care. At present I am not convinced that Cicero has the Aristotle we know wrong in some significant way. As early as 55 B. C. during a time when other letters indicate Cicero is reading Aristotle, Cicero writes Atticus (*Epistulae ad Atticum* [*Ep. Att.*] iv. 10) that he “is being sustained by the library of Faustus” at Cumae, a library thought to contain the esoteric writings of Aristotle and Theophrastus. See D. Frede, 1989, 95, n. 18. Glucker (1978, 223) saw one impact of the rediscovery of Aristotle’s texts being that those turning to the texts were becoming Aristotelians rather than Peripatetics. Otherwise before and no doubt somewhat into the last generation of the Republic, it would have been unusual to describe oneself as an Aristotelian rather than a Peripatetic. While conceding that Cicero could “have discovered all the Andronican Aristotle”, Earl (1972, 850ff., 853) raises doubts about the presence of the Aristotle manuscripts in the library at Cumae and Cicero’s knowledge of the new Aristotle. A similar conclusion regarding Cicero’s knowledge of “the mature Aristotle” was reached earlier, though without much argument, in How, (1930, 27). Powell (1995, 18) emphasizes the different views on the extent of Cicero’s knowledge of the Andronican Aristotle while claiming that Cicero had a good knowledge of Aristotle’s published writings including, it seems, the esoteric works brought to Rome in 84 by Sulla; Long (1995, 42–43 and n. 11) urges readers to keep an open mind on the question even as he inclines against thinking Cicero knew much of our Aristotle.

Regarding Aristotle’s “scientific work”, Harris (1961, 10) claims their study was abandoned by the Peripatetics of Cicero’s time who were “imbued with the spirit of Stoicism.” It seems, however, in the light of Cicero’s references to Aristotle’s and the Peripatetic teaching in *Fin.* v and *Tusculanae Disputationes* (*Tusc.*) i, that Cicero had some contact with the scientific side of the Peripatetic tradition. Sedley (1980, 5) has taken a different turn on this matter. In writing of the comparative weakness of the Peripatetic school in the Hellenistic period (noting *inter alia* the loss of Aristotle’s library upon the death of Theophrastus), he remarks “However the philosophical writings of Aristotle and Theophrastus were certainly available to any Hellenistic philosopher sufficiently interested to seek them out, and their influence should not be discounted. It is apparent above all in Hellenistic physics and cosmology, and to a lesser extent in ethics, though surprisingly little in logic.”

¹⁷ Cicero also uses the Greek term to describe this set of Aristotle’s writings in *Ep. Att.* iv. 16.

the notebooks is one which the Peripatetics themselves make,¹⁸ that it is a distinction which applies to various works of the school, not simply to Aristotle's writings, and that he is sufficiently familiar with both the exoteric writings and the notebooks to comment on the appearance of inconsistency between them with respect to content.

Cicero did not, it seems, know with assurance that our *Nicomachean Ethics* and *Politics* were works of Aristotle. Cicero cites neither of these works directly, though he mentions the *Nicomachean Ethics* and shows himself aware that this work is attributed to Aristotle; he himself is inclined to think it was authored by Aristotle's son Nicomachus.¹⁹ Though the scholarly consensus is that Cicero did not know our *Politics*, there is a possibility, as the late Elizabeth Rawson suggests, that he knew the *Politics* or much of it as the work of Theophrastus, Aristotle's successor as head of the Peripatetic school.²⁰ Whether or not Cicero did give close attention to the texts of the *Nicomachean Ethics* and *Politics* or encountered their teachings in other sources, his work shows the impact of such teachings and appears largely consistent with them. The teaching of the *Ethics* is quite clearly reflected in *De Finibus*, especially in Book II where Cicero speaks in his own *persona*, and the *De Finibus* is a book that Cicero regards as his most important and that treats the topic which he holds to be foundational to all philosophy.²¹ Quite directly Cicero associates what he does in *De Re Publica* and *De Legibus* with the tradition of political inquiry in which Aristotle and his school are

¹⁸ The use of the term "exoteric" to describe his other works has been found within our Aristotle of Andronicus; see Masters, 1977, 32, 49 & n. 2. Earlier these usages had been discussed by Jaeger 1948, 32ff. who brought a skeptical spirit to all such references. Aulus Gellius (20.5) reported that Aristotle used to give rigorous courses for specialists in the morning and more popular ones in the afternoon, Gottschalk 1987, 1172–73.

¹⁹ *Fin.* v. 12. Cicero's suggestion of authorship is firmly rejected by Jaeger, 1948, 230. Barnes (1997, 58, 64) thinks it likely that Nicomachus was editor of one set of Aristotle's ethical writings, and Eudemus editor of another set.

²⁰ D. Frede (1989, 81) reports this scholarly consensus and makes a set of supportive arguments, which I do not find compelling, based on a comparison of certain teachings of the *Politics* with Cicero's, primarily as found in *De re publica*. The consensus is reflected in the "Introduction" to Laks & Schofield 1995, 2. Ferrary (1995, 54) doubts that Cicero had any direct acquaintance with the *Politics*, and while noting his encounter with Aristotelianism through what Annas calls, later in the same volume, "hybrid" theories like those of Antiochus and Panaetius, he emphasizes, as does this paper in what follows, the significance of Theophrastus as a source for Cicero. In the essay that follows, Annas focuses on Antiochus and Arius Didymus as evident carriers of Aristotelian thinking. In an interesting, related observation, hardly irrelevant to Cicero's thinking, Annas remarks that the modification of Aristotelian ideas to meet Stoic objections is one of the most important developments in Hellenistic philosophical debates (74, n. 3). For Rawson's suggestion, see Rawson, 1985, 290. The reader of the *Politics* will find some support for her suggestion in the way Cicero describes a political writing of Theophrastus at *Fin.* v. 11. Note Masters' hypothesis (1977, 36–41) that Andronicus has combined lectures of Theophrastus and some of Aristotle in our edition of the *Politics*. See recent support for a hypothesis like this and for the likely impact of Theophrastus on the work of Cicero in D. Frede, 1989, 86, 88, 94.

²¹ *Fin.* i. 11; *De Divinatione (Div.)* ii. 2.

perceived as distinguishing themselves.²² Could not the *Politics* or some version of it be what Cicero has in mind when he so credits the Peripatetic heritage in political philosophy?

There are no doubts, however, about Cicero's considerable knowledge and use of Aristotle's exoteric works as well as the writings of other Peripatetics. In fact, those exoteric works, which apparently were chiefly in the form of dialogues, are partly known to us through fragments and paraphrases preserved in the writings of Cicero. Among the exoteric works that seem to be particularly influential on Cicero is an exhortation to philosophy known as the *Protrepticus* which seems to have impacted on Cicero's *Hortensius*, limited though our knowledge of that work is.²³ The *Protrepticus* appears to have considered the relationship between rhetoric and philosophy. For his understanding of Aristotle, Cicero cites and apparently relies heavily on a work titled *On Philosophy*, also among the lost exoteric writings. Regarding Aristotle's political teaching in the exoterica, two dialogues – on justice and on the statesman – are thought to have been Cicero's primary sources.²⁴ It seems likely that it is these which he has in mind when in October 54 he writes his brother about his efforts in composing *De Re Publica* and mentions Aristotle's writings "concerning the polity and the statesman" (*de republica et praestante viro*).²⁵ Later as he reviews his philosophical works in his prologue to Book II of *De Divinatione*, Cicero adds but one comment (*Div.* ii. 3) when mentioning his *De Re Publica*, namely, that it concerns "an important topic, appropriate to philosophy, and a topic very fully treated (*tractatus uberrime*) by Plato, Aristotle, Theophrastus, and the entire Peripatetic school".

These indications that Cicero associates his political philosophy with a Peripatetic heritage are supported by his fuller comments in his own *persona* in the *De Finibus* where he reports that "the topic of civic life (which the Greeks call political) was treated authoritatively and fully (*graviter et copiose*)" by the early Peripatetics and Academics who had no important disagreement between them-

²² *De Legibus* (*Leg.*) iii. 13–14, a passage where Cicero indicates that much of his material both in *Rep.* and in *Leg.* comes from the wing of the Academy developed by Aristotle and Theophrastus.

²³ Jaeger, 1948, 55, 65 ff. Anton-Hermann Chroust (1964) is one of the scholars who has sought to reconstruct the *Protrepticus* from fragments and passages found here and there, including some from Cicero's texts.

²⁴ How, 1930, 27. Ferrary (1995, 62, n. 30), here following Moraux, attributes an aspect of Cicero's political theory to the dialogue on justice. Another work of Aristotle's which there is clear evidence Cicero had in hand and read is "Aristotle's books to Alexander"; see *Ep. Att.* xii. 40. This appears to be the work that was alternatively titled *On Colonization*, and Jaeger contends (1948, 24, 259) that if we had the work it would provide considerable insight into Aristotle's later political thought.

²⁵ *Epistulae ad Quintum Fratrem* (*Ep. Q.*) iii. 5–6. 1–2. See Powell's (1994, 23) strong sense that Cicero is looking to Aristotle regarding the concept of a "first citizen" or statesman.

selves.²⁶ When he refers to “the early Peripatetics”, Cicero seems to have in mind the work of Aristotle, presumably his exoteric dialogues on justice and the statesman, and that of Theophrastus. What Cicero has in mind, though, might well include treatises that later came to be part of Andronicus’s version of the *Politics*. However that may be, in what immediately follows in this passage there is an indication that Cicero saw the Peripatetic branch of the Academy as the major voice in political philosophy and a voice that spoke quite directly to his own program of writings. He exclaims, “How much those men have written on the polity (*de republica*), how much on laws (*de legibus*)! How much about the art of rhetoric and how many examples of speaking well have they left for us!”²⁷ A few lines later (*Fin. iv. 6*) he enumerates some of the specific topics they have treated, listing “on justice, on moderation, on courage, on friendship, on the conduct of life, on philosophy and on statesmanship”. Later (*Fin. v. 11*), Cicero has Piso, a Peripatetic of a certain stripe and one with whom he shares much, report that both Aristotle and Theophrastus have taught a model statesmanship and have written even more extensively on the best regime (*qui esset optimus rei publicae status*).²⁸

In the 50s when Cicero wrote his first philosophical works which consist in his *De Re Publica*, *De Legibus*, and his major work on rhetoric, *De Oratore*, Aristotle seems much on his mind as already indicated in the October 54 letter. His works of this period are all dialogues, and his correspondence shows him consciously wrestling with Aristotle’s precedents as a writer of dialogues – following them at times and quite aware of what he is doing when he does not do so.²⁹ These pas-

²⁶ *Fin. iv. 5*. Annas (1995, 81) is so assured that this statement is that of Antiochus that she quotes it and attributes it to him without any mention that Cicero presents himself as making the statement.

²⁷ When Cicero comes to listing his rhetorical writings in the catalogue of his philosophical writings in *Div. (ii. 4)*, he mentions Aristotle and Theophrastus, and no others, as providing precedents for his joining here the precepts of rhetoric with philosophy. Schofield (1999, 744) has listed the evidence we have of the extensive writing on politics in the Peripatetic school.

²⁸ Here Cicero through Piso enters into an apparent difference between Aristotle and Theophrastus with the latter seen to attend more to the dynamics of change related to regimes including the best one; such dynamics appear to be reflected in Cicero’s earlier work, *De Re Publica*.

²⁹ *Ep. Att. iv. 16* (July, 54); *Epistulae ad Familiares (Ep. Fam.) i. 9. 23* (Dec., 54) and the later letter *Ep. Att. xiii. 19* (June, 45). In the July, 54, letter to Atticus, Cicero claims, as he works on *Rep.*, that he is following Aristotle’s model in his exoteric books (apparently Aristotle’s now lost dialogues) by writing a *prooemium* to each book of the work. The letter to Atticus and the variety of dialogue and other forms utilized by Cicero all along make unlikely the conjecture of Rawson (1975, 233) that he lost interest in the dialogue form in his last writings. Rather, Cicero is better seen throughout his writings as a highly conscious adapter of established forms (primarily the Platonic and Aristotelian dialogues) to his specific rhetorical objective in the work at hand.

Aristotle’s dialogues appear to have been a major influence in Cicero’s shaping of his own dialogue form. J. S. Reid (1885, 25) writes of the “later Greek type” of dialogue which is apparently the Aristotelian dialogue and possibly that of a contemporary of Aristotle, Heraclides,

sages provide evidence that at least some of Aristotle's lost dialogues were very much before him as he launched his efforts as a philosophical writer and did it on the topics of the polity, the laws and the orator. Cicero has then turned both to the writings of Aristotle, the old and possibly the new, and the writings of other Peripatetics, most notably Theophrastus. These are not just some sources among many he employs; they are materials of distinctive importance for one concerned with the practical topics at the forefront of Cicero's philosophical agenda. It is possible, of course, that Aristotle and the Peripatetics helped shape that agenda, that practical focus, rather than simply serving as good and ample material at hand and to the point.

CICERO'S ASSESSMENT OF ARISTOTLE AND HIS SCHOOL

Not only have the writings of Aristotle and other Peripatetics loomed large and significant among Cicero's sources, but they were also, as one might expect, very much in harmony with his own thinking. Recall our initial epigraph where Cicero is found writing that his philosophical writings differ "very little from Peripatetic teachings",³⁰ an observation reinforced later in the *De Officiis* where he indicates that his school of philosophy is very close (*finitima*) to the Peripatetics.³¹ Shortly before this comment Cicero has unambiguously identified his own philosophical school as that of the New Academy characterized by a commitment to challenging and testing all positions and by a qualified skepticism, and thus capable of embracing Peripatetic teachings as well as those of other schools on any substantive philosophical questions.³² Cicero in other words understands himself as a Peripatetic follower to the degree that this school seems to teach the truth. As W. W. How (1930, 27) states it, "it remains clear that Cicero, though he makes good use of the Peripatetics, is no slavish disciple of the School".

who is mentioned several times in Cicero's correspondence. In an earlier letter (*Fam.*.1.9.23), written as he completed *De Oratore*, (*De Or.*), Cicero says that he has written this work according to the way of Aristotle (*Aristoteleus mos*) – meaning here, I believe, that he uses longer speeches, for he himself is not cast as a participant in this dialogue. See Jaeger's precise and discerning statement on the three Aristotelian precedents as to dialogue form that surface in Cicero's correspondence; 1948, 29–30, n. 2. How we miss Aristotle's dialogues! It appears that the Aristotle Cicero knew was notably more eloquent than the Aristotle we now have. See Gorman (2005) to consider more fully how Socratic method might be seen to impact on Cicero's dialogues and thus merge with Aristotelian influences.

³⁰ *De Officiis* (*Off.*). i. 2.

³¹ *Off.* ii. 8; he does not actually use the term "Peripatetics" which he often employs but here he writes literally of the school of Cratippus, his son's Peripatetic teacher in Athens; the philosophy or school of Cratippus is called *antiquissima nobilissimaque*.

³² Tarrant (1985) overall and specifically at 107 highlights the high comfort level of Academics and Cicero himself with a Peripatetic epistemology. Long (1981, 98 & *passim*) has brought out how Aristotle grasps the issues that propel Greek skepticism which arises more widely and systematically after him.

That one might even think of Cicero as a disciple of Aristotle and a Peripatetic is made even more credible by the great esteem in which he holds Aristotle. For Cicero, Aristotle is at the peak in any ranking of philosophers. His overall view of Aristotle is captured in his description of Aristotle as “a man marked by the greatest genius, knowledge and fertility of mind and speech” (*vir summo ingenio, scientia, copia*).³³ At another point, *Fin.* i. 7, Plato and Aristotle are described by Cicero as “those divine geniuses” (*divina illa ingenia*). Aristotle may be at the peak among philosophers, but when it comes to a comparison, Cicero’s view is clear: Plato is the peak. Thus, for example, only a little later in *Tusculanae Disputationes* from that point where Cicero has spoken of Aristotle as marked with *summo ingenio*, he returns to describe Aristotle as first among thinkers except for Plato, in brilliance (*ingenio*) and thoroughness (*diligentia*).³⁴ On the one occasion when Cicero speaks of Aristotle as simply beyond compare, he uses the words “fine or sharp” (*acutus*) and “elegant or polished” (*politus*) to describe the ways in which Aristotle is superior.³⁵ In this instance where the context is a discussion of logic, Cicero seems to be pointing toward Aristotle’s achievement in the *Organon* and possibly to his more explicit (compared with Plato) embrace of rhetoric. When we find Cicero recommending an overall philosophical model (*Ac.* i. 10), a task closely related to if not entailed in his major mission to introduce Greek philosophy to Rome, it is to Plato and Aristotle as well as Theophrastus to which he turns.

That recommendation says much about Cicero’s understanding of his own philosophical lineage, specifically with how he locates himself in one line of descent from Plato, the prince of all philosophers. Expanded versions of this philosophical lineage are given at times. The most significant expansions are backward from Plato and forward, in a sense, from Theophrastus. Backward it is expanded to Socrates; recall again our epigraph from the *De Officiis* where Cicero was found saying that his agreement with the Peripatetics was substantial because both he and they were seeking to follow “the Socratic and Platonic tradition”. In a preface to one version of the *Academica* (*Ac.* i. 3), Cicero describes his mission in writing as an effort “to elucidate in Latin letters that old philosophy stemming from Socrates” (*philosophiamque veterem illam a Socrate ortam Latinis litteris illustrare*). Then in *Tusculanae Disputationes* (*Tusc.* iv. 6), also in a

³³ *Tusc.* i. 7; *Orator* (*Orat.*)5, 172; also *Div.* i. 53 where Cicero’s brother Quintus is made to speak comparable praise of Aristotle.

³⁴ *Tusc.* i. 22. At *Fin.* v. 7, Piso is made to describe Aristotle as the chief (*princeps*) of the Peripatetics and the one who is, except for Plato, *princeps philosophorum*. For a fuller discussion of Cicero’s assessment of Plato and specifically with respect to the work and achievement of Socrates, see Niegorski, 1991b.

³⁵ *Academica* (*Ac.*) ii. 143.

context where he is discussing his mission as writer, Cicero speaks of the need to give Latin expression to “that true and choice philosophy which developed from Socrates and now has come to abide in the Peripatetic school” (*illius verae elegantisque philosophiae, quae ducta a Socrate in Peripateticis adhuc permansit*). Though in Cicero’s view the Socratic torch has passed to the Peripatetics, he adds at once a couple of complicating dimensions to that picture, by noting that the Stoics are saying, in a different manner, essentially the same thing as the Peripatetics and that the Academics are on hand to adjudicate the disputes of these two schools. While Cicero appears in that very sentence to be describing the then current philosophical situation, the larger context for the passage and what Cicero has said elsewhere allow us to see this statement as self-revealing on how he stands with respect to the philosophical schools. Again as to substance, Cicero appears to understand himself as a Peripatetic who from his methodological commitment to the New Academy finds the true legacy of Socrates here, though he is attracted to at least one Stoic formulation and the school’s rigorous consistency regarding this matter. More exploration of this limited attraction to the Stoics and of Cicero’s effort to purify the Socratic legacy through his allegiance to the New Academy will follow shortly when this essay turns to consider in what ways Cicero differentiates himself from or criticizes the Peripatetic school.

There were developments in the Peripatetic school simultaneous with and after the life of Theophrastus that seemed to play a part in Cicero’s attraction to that school. These are developments reflected in the writings and actions of Dicaearchus, a contemporary of Theophrastus with whom he disputed on some matters, and Demetrius of Phalerum, a student of Theophrastus and a highly regarded orator who came to political leadership in Athens in the late fourth century. Dicaearchus and Demetrius give a yet more practical turn to the Peripatetic tradition. That Cicero associates himself with these developments is clear in a couple of other statements of his philosophical lineage. In the *De Legibus* (iii. 13–14) as he is about to take up quite specific constitutional provisions for magistrates, Cicero observes that, over against the Stoic tradition, that part of the Platonic tradition which develops through Aristotle and Theophrastus engages, like himself, in discussions of the polity (*de re publica*) intended to be useful or applicable. He then adds that it is to this strain in the tradition he will turn for much of his material. After naming Theophrastus in this strain he adds Dicaearchus, “also taught by Aristotle and in no way lacking in this science (*huic rationi*) and inquiry (*studio*)”. Then he mentions Demetrius as a follower of Theophrastus and a man distinguished as a philosophical statesman. The words Cicero uses here have suggested to more than one commentator that Demetrius is a model for Cicero himself. Demetrius is described as one who “has done the quite extraordinary thing of drawing learning out from its shaded scholarly retreat, not only into the sunlight and dust but even into the very frontlines of

political contention”.³⁶ Another self-reflection on his philosophical lineage occurs, it appears, when Cicero praises Panaetius (*Fin.* iv. 78–80), a man whose writing was especially formative for his approach to ethics in the *De Officiis* and one whose impact on the *De Re Publica* is strongly suggested in that very text, (*Rep.* i. 34). Panaetius is being praised for criticizing certain harsh Stoic teachings and their complex, thorny discourse, and Cicero approvingly notes that Panaetius had always on his tongue those same philosophers whom Cicero recommends for careful study, namely, Plato, Aristotle, Xenocrates, Theophrastus and Dicaearchus.

Regarding the impact of Dicaearchus and Demetrius on him, Cicero’s correspondence and other writings provide additional evidence, especially significant evidence in the case of Dicaearchus. Demetrius is praised as a very learned man who is also very adept in public affairs and skilled as an orator.³⁷ There is but a whiff of criticism of him, that centering on his overly restrained, too academic style of oratory.³⁸ Regarding Dicaearchus, Cicero’s correspondence reveals his reading works of Dicaearchus as well as of Theophrastus before and during his writing of his major political and rhetorical writings of the 50s. In December of 60, Cicero writes Atticus about his reading of Dicaearchus, calling him a “great” and “extraordinary” man; writing from outside Rome, Cicero claims to have a large pile of the writings of Dicaearchus with him at the time and makes specific mention of possessing, in Rome, Dicaearchan treatises on the constitutions of Corinth and Athens.³⁹ There are indications that Dicaearchus, in opposition to Theophrastus’s more traditional Aristotelian view, developed a position that elevated the life of political action and statesmanship to a higher status than that of inquiry and contemplation, and it appears that in this respect the thought of Dicaearchus was especially formative for Cicero’s *De Re Publica*.⁴⁰ Late in Cicero’s life in 45, well into that intense florescence of philosophical writing that marked the last three years of his life, Cicero is very interested in Dicaearchus, calling for or recalling certain of his works, and reading them as he plans comparable writings of his own.⁴¹ Yet as always, Cicero is no “slavish” follower: he

³⁶ For another notable similarity to Cicero, see *Fin.* v. 54 where Cicero has Piso describe how Demetrius turned his banishment from politics to writing certain notable works that provided cultivation of the soul (*animi*) and nourishment in humanity (*humanitatis*).

³⁷ *Leg.* ii. 66; *Pro Rabirio Postumo* 23; *Off.* ii. 60; *Rep.* ii. 2; *Orat.* 92; *De Oratore (De Or.)* ii. 95; *Ep. Fam.* xvi. 22. 2.

³⁸ *Brutus* 37; *Off.* i. 3. At *Orat.*, 62 and 127 this criticism is also directed at the style of Aristotle and Theophrastus and the entire Peripatetic school. This is done in a context of overall praise for their rhetorical and stylistic excellence.

³⁹ *Ep. Att.* ii. 2. See also the strong praise for Dicaearchus in *Ep. Att.* ii. 12.

⁴⁰ *Ep. Att.* ii. 16 is especially significant in revealing Cicero’s own struggle with this question prior to writing *De Re Publica*. See also, *Ep. Att.* vi. 2; vii. 3; Jaeger, 1948, Appendix II.

⁴¹ *Ep. Att.* xiii. 31, 32 & 33. In these letters as well as the *De Off.* (ii. 16), Cicero mentions four different works of Dicaearchus including one concerning the mixed constitution. At least some of the work of Dicaearchus seems to have been in dialogue-form; see *Tusc.* i. 21.

is, most notably, not in accord with Dicaearchus in his arguments against personal immortality, but Cicero does show himself aware of and draws attention to this position of the man he so admires and from whom he seems to be continually learning, at least over the last twenty years of his life.⁴² Cicero locates himself then in the Socratic-Platonic tradition as it develops from Aristotle to that especially practical thinker, Dicaearchus, and to the philosopher-statesman, Demetrius. He is a Peripatetic, if anything, though a critical one in the Socratic sense and a practical one in the Dicaearchan sense.

There are two aspects of Cicero's self-revealed philosophical lineage that merit some additional comment here, for they seem significant to understanding Cicero's thought and classical political philosophy before him. These aspects are first the essential unity he finds (in fact, stresses) between the Platonic Academy and Aristotle/Theophrastus, and second, his interest in certain differences within the Peripatetic school. Regarding the unity between the first Academy and the old Peripatetics, Cicero indicates at *De Legibus* i. 38 that the break from the Academy by Aristotle and Theophrastus entailed no difference in the content (*re*) of their teaching and only a slight difference in their manner of teaching (*genere docendi paulum differentis*). This statement is made in a context of discussing the positions of schools on the ultimate human end or the nature of happiness. Since the question of the ultimate end is the fundamental philosophical question for Cicero, it would constitute the most important way philosophical schools could be compared, and if they do not differ on this, they might be seen to hardly differ at all.⁴³ Earlier, we had occasion to mention another passage where the fundamental agreement of Plato and the early Peripatetics was noted in a specific context referring to treatment of the topic of political life.⁴⁴ It seems justifiable to conclude that all of Cicero's references to this essential unity have in mind politics in an Aristotelian or classical sense, that is political science as a moral science based on a certain understanding of what constitutes the true human end.⁴⁵

⁴² *Tusc.* i. 21, 24, 41, 51–52, 77

⁴³ This statement should also be helpful in understanding what Cicero goes on to say here as well as elsewhere (for instance, at *Tusc.* v. 120 where this view is associated with Carneades) regarding the Stoics, namely they only employ new words but make no essential change in the teaching of the Academy and the old Peripatetics. In Cicero's view, there was no good reason for Zeno, the Stoic founder, breaking with the Peripatetic tradition (*Fin.* iv. 3). The Stoics, as separated, tended in Cicero's view to be drawn to an unreasonable extremism; thus, over against the Stoics, Cicero praises the moderation of Plato and Aristotle (*Ac.* ii. 112–13; *Pro Murena* 63), and he welcomes, of course, the work of Panaetius as a deflection of Stoicism back in the direction of the great tradition represented by Plato and Aristotle.

⁴⁴ Above, pp. 43–44 and n. 26.

⁴⁵ Other passages bearing on the teaching of an essential unity are *Ac.* ii. 15; *Off.* i. 6; iii. 11, 35; *Tusc.* v. 87, 120. Cicero's conviction about this essential unity and his understanding of its nature can be seen to support an interpretation of his *Rep.* based on evidence internal to

Cicero is aware of at least one, and that being often seen by others as the most important, of the differences Aristotle seems to have with his teacher Plato. In the *Academica* (i. 33–34) he portrays Varro, whom he very much respects and whom he intends to honor by giving him this role in the dialogue, commenting upon Aristotle’s “undermining of the forms” which had such an integral part in Plato’s teaching. Immediately after this comment Varro adds that Theophrastus made “in a way a more decisive and penetrating break with the authoritative teaching” of the Academy (*vehementius etiam fregit quodam modo auctoritatem veteris disciplinae*). This more important breach wrought by Theophrastus concerns his coming to understand human happiness as requiring something more than virtue alone. Shortly we will see that this development in the thought of Theophrastus, which Cicero does not take to be involved in the initial Peripatetic break from Plato by Aristotle, concerns Cicero deeply; it is, after all, a matter of the ultimate end. The Platonic theory of forms, hardly attended to by Cicero beyond this passage, does not seem to put so much at stake as does a shift in understanding between Socrates/Plato and Theophrastus on the ingredients of human happiness.

For Cicero, the Socratic/Platonic tradition that comes *via* Aristotle does not turn out to be homogeneous on the very questions central to Cicero’s practical philosophical interests. Two differences within the Peripatetic school are especially reflected in key thematic issues of Cicero’s own philosophical work. These have both already been noted, the first being Dicaearchus’s elevation of the active political life in opposition to Theophrastus’s more traditional Peripatetic defense of the superiority of the philosophical life and of the goodness of knowledge in itself. Cicero’s letter to Atticus of May 59 (*Ep. Att.* ii. 16) coupled with his handling of this issue in *De Re Publica* and in *De Officiis*, his last philosophical work, indicate a profound and continuous struggle with this issue.⁴⁶ Through this struggle he comes down on what is, it seems, the side of Dicaearchus.

The second issue among the Peripatetics has surfaced just above in our coming upon the breach of Theophrastus over the ingredients of the ultimate end or human happiness. Cicero sees this development resulting in a difference between Theophrastus on the one side and Aristotle as well as much of the Peripatetic school on the other. Cicero welcomes Aristotle’s ennobling but realistic position on the ingredients of happiness as virtue plus well-being throughout a

that text (see Nicgorski, 1991a), that it is from Plato that he draws the basis for his criticism of Plato’s *The Republic* or of a certain reading of it.

⁴⁶ Lévy (2012) has recently examined the texts bearing on Cicero’s life-long struggle with this choice. Annas (1995) in her Chap. 3 and the editors in the Introduction to that volume highlight the relevant interaction between Stoicism and Aristotelianism in the lead-up to Cicero. One might conclude that if Stoicism entailed “a dilution of the strong Aristotelian conception of the polis and its treatment of political activity as inherent in the moral idea” (2), Cicero’s siding with Theophrastus was a kind of Aristotelian response to some of the anti or apolitical aspects of Stoicism. See also Annas 1996, Chap. 20.

lifetime.⁴⁷ However, he sees in Theophrastus a slide in the direction of de-emphasizing the primacy of virtue in the understanding of the good and happiness, a slide toward elevating the importance of ordinary expediencies – the goods of body and fortune – in determining the human good.⁴⁸ This issue also is powerfully present in Cicero’s philosophical writings, being especially prominent in the *Tusculanae Disputationes* and the *De Finibus*. Ciceronian magnanimity is characterized by its being wedded to the very notion that the sole good is the way of the right and of virtue, an emphasis not so evident in Aristotle.⁴⁹

The fact that these two thematic issues, so important to Cicero, had been or were being argued out within the Peripatetic school may seem to constitute even more reason for seeing Cicero as within that school and taking upon himself a couple of its very important internal divisions. However that latter issue, manifested in the breach and apparent slide of Theophrastus, seems to work to draw Cicero back in the Stoic direction and outside the Peripatetic fold. To note this is to remind ourselves that however much he respects and associates with the Peripatetic tradition and its first citizen Aristotle, he does not call himself a Peripatetic and, as our initial epigraph indicates, he implies that his substantive philosophical positions, though much the same as those of the Peripatetics, are not entirely so. How then does he differentiate himself from Aristotle and/or the Peripatetics?

Reading across the texts of Cicero we are able to find three points of differentiation, and they may help toward understanding the distinctive philosophic voice of Cicero so close to but not identical with that of the Peripatetic tradition. Only a brief indication of these points of self-differentiation can be offered here. Let us take first what has just been before us, the break from the Peripatetic tradition by Theophrastus. Cicero seems to see this as a symptom of a weakness in the Peripatetic position on the human end being virtue plus some of the goods of body and fortune; attracted as he is by the Peripatetic formulation, he is concerned about its sliding to a quite ordinary utilitarian calculus. He wonders how much does a person need, beyond virtue, of the goods of body and fortune for happiness? The ambiguous and different responses to this question within the Peripatetic tradition leave him very uneasy, and he regularly shows himself attracted by the “splendor” of virtue in the Socratic and Stoic formulation that happiness and the good is found in virtue alone.⁵⁰ Yet that formulation is not

⁴⁷ *Fin.* ii. 19; *Ac.* ii. 136, 139; *Tusc.* v. 30, 39.

⁴⁸ *Fin.* v. 12 (Piso speaking), 74 ff.; *Tusc.* v. 23 ff.; 47–48, 85; *Off.* ii. 56; also, Annas, 1996, 385 ff.

⁴⁹ *Off.* i. 66–67. For a fuller comparison of Aristotle and Cicero on magnanimity see Fetter and Nicgorski, 2008.

⁵⁰ *Off.* iii. 20, 106; *Tusc.* i. 35; v. 1, 32–34; *Fin.* v. 22. In the light of such passages as some of the preceding, we must assume that Cicero is not entirely unsympathetic with the Stoic critique of the Peripatetics on the supreme good which he puts in the voice of Balbus in *De Natura Deorum* i. 16.

wholly the truth for Cicero.⁵¹ It is in his *De Officiis*, above all, that he strives to and seems to work out a resolution that preserves that noble and attractive view that virtue alone is sufficient for happiness. He does so by working ordinary expediences like security and property into the very notion of virtue or right (*honestatem*). Here he can be seen working a Peripatetic substance into a Stoic formulation.

A second matter on which Cicero differentiates himself from the Peripatetics concerns the nature of their philosophical conclusions and overall goal. They like the Stoics are seen to suffer, in Cicero's eyes, from an approach to philosophy as a school with a systematic doctrine and from their ambitious explanations in natural philosophy.⁵² In fact, Cicero believes that something of the heritage of Socrates, his inquiring skepticism, was lost already in the passage of his legacy to Plato and Aristotle.⁵³ Thus Cicero associates most explicitly, as already noted, with the New Academy and the effort to reform the philosophical work of the schools of his time by a renewal of Socratic, skeptical inquiry.⁵⁴ Cicero's skepticism is not a practically disabling kind but rather that associated with Carneades which allows and encourages the determination of what appears to be true. It is on this Academic basis that Cicero accepts the substance of the Peripatetic moral and political teaching.

Finally Cicero shows himself aware that his very model in joining together eloquence and wisdom, rhetoric and philosophy, the man who did so much for the art of rhetoric, namely Aristotle, had some hesitancy in giving his attention to rhetoric.⁵⁵ Cicero does not share this hesitancy, and in fact, took explicit issue with Plato, whom he otherwise regarded so highly, because he found in

⁵¹ *Fin.* v. 77; *Ac.* ii. 134.

⁵² For a discussion of the critical role of prudence in Cicero and how it might differ from that role in Aristotle, see Nicgorski, 1984.

⁵³ *Ac.* i. 17 ff. (Cicero has Varro speaking at this point). See also *Tusc.* iii. 69 where Cicero indicates that he finds the understanding of philosophy in Aristotle and Theophrastus to be one of expecting philosophy to progress to complete explanation of all things.

⁵⁴ Above, p. 45; *Div.* ii. 1. At *Tusc.* ii. 4–5 it is clear that Cicero distinguishes the “selectivity” of his Academic approach with the drive for substantial consistency and the obstinacy of the other philosophical schools. One might say that philosophy in the Academic school of Cicero, or in the Socratic sense of philosophy, is paradoxically seen as distinct from the school-approach to philosophy. See also *Tusc.* iv. 7; v. 33–34; *Ac.* ii. 114–15, 119–20; *De Inventione (Inv.)* ii. 5. See n. 32 above for a key reason why the school of Aristotle may be comparatively attractive to the skeptical Cicero.

⁵⁵ On the Aristotelian hesitancy: *Off.* i. 4 and, in the voice of Antonius, Aristotle is seen to have “despised” the technicalities of the art of rhetoric (*De Or.* ii. 160). On Aristotle as model for the unification of rhetoric and philosophy and as contributor to the art of rhetoric, see for example *Inv.* i. 7; *De Or.* i. 43; iii. 71–72; *Tusc.* i. 7. Also see above, pp. 43–44, n. 27, n. 28, Buckley 1970, 146–47, and Garsten 2006, 115–41. Long 1995, 52ff. stresses with respect to Aristotle as well as to Plato that Cicero seeks to identify with them by accentuating aspects of their writings that harmonize with his dominant rhetorical interests and the pro and con method of Academic skepticism.

the *Gorgias* an unjustifiable depreciation of rhetoric.⁵⁶ Aristotle in his contention with Isocrates is seen as having pragmatically (in the struggle for students) and somewhat reluctantly turned his attention to the art of the orator,⁵⁷ yet his school then becomes for Cicero a receptive home in which to nurture the philosophical statesman/orator.⁵⁸ In the texts of Cicero the hesitations of Aristotle must be ferreted out of a few places; the support of Aristotle and the Peripatetics for rhetoric and their contributions to the development of the art are frequently in evidence.⁵⁹ If there is an underlying difference with Aristotle here and one that accounts for different degrees of receptivity to rhetoric's importance, it is likely found *in* Cicero's embrace of the Dicaearchan position of the superiority of the active political life; in that horizon, attention to rhetoric is a duty of a high order, not simply a necessity for the protection of philosophy.

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How then does Cicero stand on Aristotle and Aristotelians? Perhaps one could mount some argument that his few explicit differences with the Peripatetic school do provide the bases for the conflicts between his thought and Aristotle's which come to be emphasized in later periods of the West. Most clearly Cicero's association with the reform of the schools through a renewal of Socratic skepticism could be related to the resistance of later Ciceronians like Petrarch to a comprehensive and arrogant Aristotelianism. Cicero's greater esteem for and receptivity to rhetoric might be taken in one direction to see him as less a philosopher and in another direction to view him as embracing more clearly a politics of liberty and persuasion. Cicero stands, quite explicitly and with respect to his substantive positions in moral and political philosophy, chiefly in the Aristotelian line of Plato's Academy. The traditions of opposition between Aristotle and Cicero that later develop must not be allowed to obscure this self-confessed continuity between Cicero and that Aristotelian line. Though a facile or false harmonization should never be encouraged or tolerated, the study of Cicero's writings benefits immensely from taking seriously the tradition of moral and

⁵⁶ *De Or.*, in the voice of Crassus or, in one case, of another character repeating his position back to him: i. 47, 63; iii. 60, 72, 122, 129.

⁵⁷ *De Or.* iii. 141 as well as *Tusc.* i. 7.

⁵⁸ *De Or.* iii. 3. 67.

⁵⁹ There is an irony in the criticism of Cicero as merely eloquent by the Aristotelians of the Petrarchan period (above) in the light of Aristotle's considerable impact on Cicero as a student of rhetoric. See Long's observations (1995, 52 ff.) with his emphasis on the tie between Aristotle's emphasis on *in utramque partem dicere* and the Carneadean skeptical tradition with which Cicero chiefly identifies. See the introduction to May and Wisse's translation of *De Or.*, (2001, 30 ff. and especially 39 and n. 52) for detail on Aristotle's impact on Cicero's rhetorical writings and a perspective on whether Cicero knew directly Aristotle's *Rhetoric* as we have it today. Wisse, (1989, especially 168, 174, 318), while exploring the similarities and differences of Aristotle's *Rhetoric* and Cicero's *De Or.* further develops the case for Cicero's indebtedness to Aristotle in rhetorical theory. See also Runia 1989.

political inquiry in which he professes to stand. In turn, Cicero can be usefully read as an illuminating commentator on and extender of the practical philosophy of Aristotle and his school. In his distinctive way and in the context of the late Roman Republic, Cicero has appropriated and represented the Aristotelian tradition of practical philosophy in a number of respects: (1) in his understanding of the relation of ethics and politics, (2) in his conception of the nature and end of political life, (3) in his thinking about the relationship among rhetoric, politics and philosophy, (4) in his treatment of the basic virtues and friendship, of the mixed constitution, and of the critical role of leaders or statesmen and, in turn, of their education. Where there are differences from or concerns with the Aristotelian tradition, they help us critically appropriate that tradition better and thus be better prepared for adapting it to circumstances quite different from both those of Aristotle and those of Cicero.⁶⁰

REFERENCES

- Annas, J. 1995. Aristotelian political theory in the Hellenistic period. In A. Laks – M. Schofield (eds.), *Justice & Generosity*, Cambridge, Cambridge University Press.
- Annas, J. 1996. *The Morality of Happiness*, Oxford, Oxford University Press.
- Barnes, J. 1989. Antiochus of Ascalon. In J. Barnes – M. Griffin (eds.), *Philosophia Togata*. Oxford, Clarendon Press.
- Barnes, J. 1997. Roman Aristotle. In J. Barnes – M. Griffin (eds.), *Philosophia Togata II*, Oxford, Clarendon Press.
- Bird, O. 1976. *Cultures in Conflict*. Notre Dame, Indiana: University of Notre Dame Press.
- Buckley, M. 1970. Philosophical Method in Cicero. *Journal of the History of Philosophy*. 8. 143–54.
- Carlyle, R.W. – A. J. Carlyle 1903. *A History of Mediaeval Political Theory in the West* (6 vols.). London, Blackwood & Sons.
- Chroust, A-H. 1964. *Aristotle: Protrepticus, A Reconstruction*, Notre Dame, Indiana, University of Notre Dame Press.
- Cumming, R.D. 1969. *Human Nature and History*. Chicago, University of Chicago Press.
- De Nolhac, P. 1907. *Pétrarque et L'Humanisme*. Paris, Librairie Honoré Champion.
- Douglas, A. E. 1965. Cicero the Philosopher. In T. A. Dorey (ed.), *Cicero*, London, Routledge & Keegan Paul.
- Earl, D. 1972. Prologue-form in Ancient Historiography. In *Aufstieg Und Niedergang Der Römischen Welt*. I. 2. Berlin–New York, de Gruyter. 842–56.
- Ferrary, John-Louis. 1995. The statesman and the law in the political philosophy of Cicero. In A. Laks – M. Schofield (eds.), *Justice & Generosity*. Cambridge, Cambridge University Press.

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- Fetter, J. & W. Nigorski 2008. Magnanimity and Statesmanship: The Ciceronian Difference. In C. Holloway (ed.), *Magnanimity and Statesmanship*. Lanham, Maryland, Lexington Books.
- Fortin, E. 1996. Plato's Roman Disciples. In J. B. Benestad (ed.), *Classical Christianity and the Political Order*. Lanham, Maryland, Rowman & Littlefield.
- Frede, D. 1989. Constitution and Citizenship: Peripatetic Influence on Cicero's Political Conceptions in the *De Re Publica*. In W. Fortenbaugh – P. Steinmetz (ed.), *Cicero's Knowledge of The Peripatos*. New Brunswick, New Jersey, Transaction Publishers.
- Frede, M. 1999. Epilogue. In K. Algra – J. Barnes – J. Mansfield – M. Schofield (eds.), *The Cambridge History of Hellenistic Philosophy*. Cambridge, Cambridge University Press.
- Garsten, B. 2006. *Saving Persuasion: A Defense of Rhetoric & Judgment*. Cambridge, Harvard University Press.
- Glucker, J. 1978. *Antiochus and the Late Academy*. Göttingen, Vandenhoeck & Ruprecht.
- Gorman, R. 2005. *The Socratic Method in the Dialogues of Cicero*. Stuttgart, Franz Steiner.
- Gottschalk, H. B. 1987. Aristotelian Philosophy in the Roman World from the Time of Cicero to the End of the Second Century A.D. In *Aufstieg und Niedergang der Römischen Welt* II. 36. 2. Berlin–New York, de Gruyter. 1079–1174.
- Harris, B. F. 1961. *Cicero as an Academic*. Auckland, University of Auckland.
- How, W. W. 1930. Cicero's Ideal in His *De Republica*. *Journal of Roman Studies*. 20. 24–42.
- Jaeger, W. 1948. *Aristotle*. Oxford, Clarendon Press.
- Jefferson, T. 1825/1973. Letter to Henry Lee, May 8, 1825. In M. Frisch – R. Stevens (eds.), *The Political Thought of American Statesmen*, Itasca, Illinois, Peacock.
- Kimball, B. 1986. *Orators & Philosophers*. New York, Teachers' College – Columbia University Press.
- Laks, A. – M. Schofield (eds.) 1995. Introduction to *Justice & Generosity*. Cambridge, Cambridge University Press.
- Lévy, C. 2012. Philosophical Life Versus Political Life, in W. Nigorski (ed.), *Cicero's Practical Philosophy*. Notre Dame, Indiana, University of Notre Dame Press.
- Long, A. A. 1981. Aristotle and the History of Greek Scepticism. In D. O'Meara (ed.), *Studies in Aristotle*. Washington D.C., Catholic University Press.
- Long, A. A. 1995. Cicero's Plato and Aristotle. In J. G. F. Powell (ed.), *Cicero the Philosopher*. Oxford, Clarendon Press.
- Lynch, J. 1972. *Aristotle's School*. Berkeley, University of California Press.
- MacKendrick, P. 1989. *The Philosophical Books of Cicero*. New York, St. Martin's Press.
- Masters, R. 1977. The Case of Aristotle's Missing Dialogues. *Political Theory*. 5. 31–60.
- May, J. M. – J. Wisse 2001. *On the Ideal Orator*. Oxford, Oxford University Press.
- McCoy, C. N. R. 1950. The Turning Point in Political Philosophy. *American Political Science Review* 44. 678–88.
- McCoy, C. N. R. 1963. *The Structure of Political Thought*. New York, McGraw Hill.
- McIlwain, C. 1932. *The Growth of Political Thought in the West*. New York, Macmillan.
- McIlwain, C. 1947. *Constitutionalism: Ancient and Modern*. Ithaca, Cornell University Press.
- Nigorski, W. 1984. Cicero's Paradoxes and His Idea of Utility. *Political Theory*. 12. 557–78.
- Nigorski, W. 1991a. Cicero's Focus: From the Best Regime to the Model Statesman. *Political Theory*. 19. 230–51.
- Nigorski, W. 1991b. Cicero's Socrates: Assessment of 'the Socratic Turn'. In J. Murley – R. Stone – W. Braithwaite (eds.), *Law and Philosophy: The Practice of Theory*. Athens, Ohio, Ohio University Press.
- Petrarch 1948a. A Disapproval of an Unreasonable Use of the Discipline of Dialectic. In E. Cassirer – P. O. Kristeller – J. H. Randall (eds.) *The Renaissance Philosophy of Man*. Chicago, University of Chicago Press.

- Petrarch 1948b. On His Own Ignorance and That of Many Others. In E. Cassirer – P. O. Kristeller – J. H. Randall (eds.) *The Renaissance Philosophy of Man*. Chicago, University of Chicago Press.
- Petrarch 1948c. A Self-Portrait. In E. Cassirer – P. O. Kristeller – J. H. Randall (eds.) *The Renaissance Philosophy of Man*. Chicago, University of Chicago Press.
- Petrarch 1975. *Rerum familiarium libri I–VIII*. Albany, State University of New York Press.
- Powell, J. G. F. 1994. The rector rei publicae of Cicero's *De Re Publica*. *Scripta Classica Israelica* 13. 19–29.
- Powell, J. G. F. 1995. Introduction: Cicero's Philosophical Works and their Background. In Idem (ed.) *Cicero the Philosopher*. Oxford, Clarendon Press.
- Rawson, E. 1975. *Cicero*. London, Allen Lane.
- Rawson, E. 1985. *Intellectual Life in the Late Roman Republic*. London, Duckworth.
- Reid, J. S. 1885. *The Academica of Cicero*. London, Macmillan.
- Renucci, P. 1954. *Dante Disciple et Juge du Monde Gréco-Latin*. Clermont-Ferrand, G. De Bus-sac.
- Runia, D. T. 1989. Aristotle and Theophrastus Conjoined in the Writings of Cicero. In W. Fortenbaugh – P. Steinmetz (eds.), *Cicero's Knowledge of The Peripatos*. New Brunswick, New Jersey, Transaction Publishers.
- Sabine, G. 1960. *A History of Political Theory*. New York, Holt, Rinehart & Winston.
- Schmitt, C.B. 1972. *Cicero Scepticus: A Study of the Influence of the "Academica" in the Renaissance*. The Hague, Martinus Nijhoff.
- Schofield, M. 1999. Social and Political Thought. In K. Algra – J. Barnes – J. Mansfield – M. Schofield (eds.), *The Cambridge History of Hellenistic Philosophy*. Cambridge: Cambridge University Press.
- Sedley, D. 1980. The Protagonists. In M. Schofield – M. Burnyeat. – J. Barnes (eds.), *Doubt and Dogmatism*. Oxford, Clarendon Press.
- Sedley, D. 1989. Philosophical Allegiance in the Greco-Roman World. In J. Barnes – M. Griffin (eds.) *Philosophia Togata*. Oxford, Clarendon Press.
- Seigel, J. 1966. 'Civic Humanism' or Ciceronian Rhetoric? The Culture of Petrarch and Bruni. *Past and Present*. 34. 3–48.
- Sedley, D. 1968. *Rhetoric and Philosophy in Renaissance Humanism*. Princeton, Princeton University Press.
- Tarrant, H. 1985. *Scepticism or Platonism?* Cambridge: Cambridge University Press.
- Tuck, R. 1979. *Natural Rights Theories*. Cambridge, Cambridge University Press.
- Wisse, J. 1989. *Ethics and Pathos: From Aristotle to Cicero*. Amsterdam, Hakkert.
- Wood, N. 1988. *Cicero's Social and Political Thought*. Berkeley, University of California Press.

Aristotle expands on this. in Rhetoric. There he says epieikeia is unwritten law. Hellenism and Aristotelian thinking pervaded the Mediterranean in this time and for many years subsequently. While the Roman Republic adopted a portion of Greek's codified law, there is little suggestion it included in any meaningful sense Aristotle's epieikeia. That is hardly surprising: Aristotle stated that his equity was "unwritten law". But Cicero expands upon it further and gives a familiar example: there are circumstances where it would be wrong for an individual to rely strictly on their legal rights. In those circumstances, that person should concede something even though that would be contrary to their interests. "Aristotle versus Plato. For a long time that is the angle from which the tale has been told, in textbooks on the history of philosophy and to university students. Aristotle's philosophy, so the story goes, was au fond in opposition to Plato's. Gerson examines the Neoplatonic commentators on Aristotle based on their principle of harmony. In considering ancient studies of Aristotle's Categories, Physics, De Anima, Metaphysics, and Nicomachean Ethics, the author shows how the principle of harmony allows us to understand numerous texts that otherwise appear intractable. Gerson also explains how these "esoteric" treatises can be seen not to conflict with the early "exoteric" and admittedly Platonic dialogues of Aristotle.