CICERO'S PARADOXA STOICORUM: A NEW TRANSLATION WITH PHILOSOPHICAL COMMENTARY

by

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A THESIS

IN

CLASSICAL HUMANITIES

Submitted to the Graduate Faculty
of Texas Tech University in
Partial Fulfillment of
the Requirements for
the Degree of

MASTER OF ARTS

Approved

Accepted

May, 1985

ACKNOWLEDGEMENTS

I gratefully acknowledge Professor Edward V. George for his guidance, and Professors Peder G. Christiansen and Joseph M. Ransdell for their kind assistance in the preparation of this thesis.

FARAE UXORI CARISSIMAE

FREDERICOQUE STULTO

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FOREWORD

This work is an attempt to fill two different needs in the scholarship of the Paradoxa Stoicorum. The translation is the first in English since Rackham's of 1942, and is based on Badali's text, a better one than Rackham's. The Commentary is an attempt to assess whether Cicero makes any original contribution to philosophy in this piece. The question of Cicero's philosophical merit has been hotly debated for centuries, but generally without benefit of reference to his philosophical works.

CHAPTER I

INTRODUCTION

The Paradoxa Stoicorum is perhaps Cicero's most neglected philosophical work. It was probably written in 46 BC as an exercise in recasting Stoic arguments into rhetorical Latin. Kumaniecki and Molager[1] have argued that the Paradoxa had another, more political purpose, but there is scant evidence for this view, and Cicero's own testimony within the work contradicts it. He specifically claims that what he is doing is playfully[2] transcribing the Stoic paradoxes into language befitting the Forum to see whether or not it can be done.[3] This, of course, does not imply that Cicero does not believe the doctrines he is defending. Michel[4] has amply shown that the contradictions between the Paradoxa and both De Finibus and Pro Murena are only apparent. Although

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1 Kazimierz Kumaniecki, "Ciceros Paradoxa Stoicorum und die Romische Wirklichkeit," Philologus, 101 (1957), 113-134. Kumaniecki's article was unavailable to me, but is cited in every other source. See Jean Molager, trans., Les Paradoxes des Stoiciens, (Paris: Societe d'Edition, 1971), 16-18.

2 ludens. Paradoxa Stoicorum, section 3.

3 temptare volui possentne proferri in lucem, id est in forum. Paradoxa Stoicorum, section 4.

4 A. Michel, "Ciceron et les Paradoxes Stoiciens," Acta Antiqua Academiae Hungaricae, 16 (1968), 223-232.

the work is both good Latin and a sound introduction to Stoic ethics, it is still not used very often in schools in the United States; in fact, Lee's 1953 edition[5] is the only one in this century written with that end in mind.

Cicero as Philosopher

There has been a great deal of discussion about Cicero's value as a philosopher. Some call him the greatest of philosophers, on a par with Plato and Aristotle; others say he was no more than a translator, bringing original Greek ideas into the Roman consciousness, and not always understanding what he was translating. John Ferguson[6] took great pains to show that Cicero's contribution to philosophy was his "most influential contribution to mankind."[7] Yet in the same essay he says:

> It is important to understand what Cicero was trying to do. He never claims originality, except in the last book De Officiis. He admits that his works are derivative.[8]

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[5] Cicero, Paradoxa Stoicorum, ed. A. G. Lee, (London: Macmillan, 1953).

[6] John Ferguson, "Cicero's Contribution to Philosophy," in Studies in Cicero, ed. J. Ferguson, A. R. Hands, W. A. Laidlaw, and L. A. Thompson, (Rome: Centro di Studi Ciceroniani Editore, 1962), pp. 99-111.

[7] Ferguson, "Cicero's Contribution," 99.

[8] Ferguson, "Cicero's Contribution," 104.

Such an admission by any other philosopher would be tantamount to an admission that he is not a philosopher at all. Ferguson also says that Cicero's concept of the function of a philosopher is "plainly the examination and criticism of what philosophers have actually said."[9] This may be what many philosophers do, but it is certainly not the main function of a philosopher; his function is to apply logical and rational methods to problems with the aim of solving them. Exegetical study of philosophers who have gone before is of value only if they have illuminated the problem in some special way, and even then the important thing is the problem, not the philosopher being interpreted. In any case, the exegesis is not philosophy. However, it is clear that Cicero, at least in book three of De Officiis, is really grappling with a philosophical problem and attempting to do original work on it, i.e., whether there is ever any real conflict between duty and utility. This far at least he qualifies as a philosopher. The question of whether he is a good one still remains to be settled on other grounds.

Conspicuously absent from the ongoing discussion is a treatment of any one of Cicero's philosophical works as philosophy, which would settle the discussion once and for all. Most commentaries take note of the sources he used,

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[9] Ferguson, "Cicero's Contribution," 109.

the historical allusions he makes, and the literary quality of his writing; none seems to examine the philosophical works on their own merits, looking for the originality and depth which are the marks of a genuine philosopher. This thesis will in part be an attempt to remedy that lack by taking the Paradoxa Stoicorum as a philosophical work in its own right and examining it by the same canons which are applied to other philosophical works to see if it has philosophical merit, either in originality, cogency of insight, or depth.

Cicero is not a Stoic, and in many cases he doesn't completely understand the Stoic position, but since this work is based on Stoic doctrine and purports to reproduce it with accuracy, judgement of its merit is impossible without some account of Stoicism with which to compare its claims.

Greek Stoicism

Stoic philosophy, like the other Hellenistic schools, Epicureanism and Scepticism, had its origin in the philosophical and political turmoil of fourth century BC Athens.[10] Zeno of Citium was its founder and father, and Diogenes the Cynic was its grandfather.[11] Zeno admired

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[10] Eduard Zeller, Stoics, Epicureans, and Sceptics (New York: Russell and Russell, 1879), 15-34.

Diogenes' simplicity of life and single-minded pursuit of virtue, and so took him as his model, but saw a need for a more systematic doctrine. Chrysippus and Cleanthes also contributed to the further development of the doctrine according to the demands of reason. Stoic doctrine was divided into three categories: logic, cosmology, and ethics. Logic for the Stoics was not quite what would be called logic today. Although it included work on the truth-conditions of various sentence forms, and in fact some improvements on Aristotle in the nature of argument, by and large it was the study of the conditions of knowledge and the nature of ideas, and so would today be called epistemology.[12] Stoic cosmology was a continuation of the Pre-Socratic tradition of inquiry into what kind of world we live in and what its basic elements are. In fact, Stoicism adopted the Heraclitean idea of fire as the most basic component of the universe, interpreting that to mean "reason" or "divine power" which underlay everything and gave it its meaning and purpose. Stoic ethics was often said to be based on Stoic cos-

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11 Zeno had been impressed by the life led by Crates, the Cynic, and so the philosophical school he founded was heavily influenced from the start by the teachings of Diogenes, Crates' master. Cf. Frederick Copleston, A History of Philosophy, vol. 1, part 2 of Greece and Rome (Garden City: Doubleday, 1962), 129.

12 Copleston, 130-132.

mology, and was a series of recommendations about how men can best pursue virtue.

Logic

The earliest Stoics believed that men acquired all the knowledge they had from sense-experience. There were no innate ideas (although there were universal ideas); any idea or conception which a man had was derived ultimately from sense impressions. The relationship between impressions given by the senses, perceptions, and conceptions was in part one of differing degrees of certainty. A sense-impression is purely given, and may be a hallucination. A perception is a series of sense-impressions together with the interpretation placed on them by the subject. A conception is an abstract idea formed from many perceptions. All knowledge is ultimately about conceptions, and so is ultimately based on sense-experience.[13]

Cosmology

Stoic empiricism in epistemology was a consequence of Stoic views of the nature of the universe. They maintained a strict materialist monism, i.e., that the universe is made

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[13] Copleston, 130-132.

up of only one kind of stuff, and that stuff is matter.[14] This analysis includes the soul and God, which are both conceived of as material entities, though perhaps of a more rarefied kind. With such a cosmology, the Stoics needed to add a special conception of God in order to escape the Epicurean conclusion that the only good a man can hope to do in this kind of universe is to increase his pleasure and decrease his pain. Unlike the Epicureans, who conceived of the gods as blissfully unconcerned with humans or human life, the Stoics conceived of God as the ordering force immanent in or identical to the universe, a cosmic mind who insures that order is both maintained and manifested in the world, and so insures that the world itself can be a source of knowledge about human virtue. This being, itself wholly material, is conceived of as related to the universe as the soul is to the body.[15] This conception of order in the universe leads to another key doctrine of Stoicism: determinism. Since the universe is wholly material and therefore governed by physical laws, and there is also a rational ordering force who contributes to the order of events, there is no room for individual free will.

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[14] Zeller, 126-131.

[15] Copleston, 132-133.

Ethics

These doctrines of cosmology had various ethical consequences. The Stoic doctrine of the good life was the same as the one taught by Diogenes, namely that the good life is the one lived according to nature. This formulation, as the followers of Diogenes discovered, was hopelessly vague and in need of clarification. Stoic cosmology provided some grounds upon which such clarification could be made. To act in accordance with nature is first of all to act in accordance with your own nature as a human being. For man, this means to act rationally, since his nature, which distinguishes him from the rest of the universe, is to be rational.[16] This constraint is even stronger because nature itself is rational, being ordered by a rational mind. The problem with this view is that it is not exactly clear what it means in specific terms to live according to nature.

Virtue was conceived, after the Aristotelian model, as a disposition to act in accordance with reason.[17] To know the truth about yourself and the world is the same thing as to be able and willing to act according to that knowledge. Virtue is also the one and only summum bonum. One

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[16] Copleston, 139.

[17] J. M. Rist, Stoic Philosophy (Cambridge: Cambridge University Press, 1969), pp. 3-4.

consequence of these two views taken together is that none of the things which we normally consider good, like pleasure, wealth, fame, and health can be considered real goods, and pain, poverty, anonymity, and sickness cannot be considered real evils. The only real good is virtue, and the only real evil is vice; all else is in the intermediate class, called the "indifferent." This means that the Stoic wise man has no reason to choose wealth over poverty, pleasure over pain, or even life over death. This view made it difficult to explain why one should even bother to feed himself or continue to live, so the Stoics had to account for a set of values which, though they were not necessary for virtue, were consistent with and conducive to virtue. The class of the indifferent was further subdivided into those things which are to be preferred, like health and life, those things which are to be rejected, like sickness and death, and those things which are truly indifferent, like paying a debt with one coin rather than another. The things which are to be preferred can be pursued, but not at the expense of virtue or to the point of vice, and the things which are to be rejected can be avoided, but again not at the expense of virtue or to the point of vice.

Roman Stoicism

The Stoicism which reached Rome and was received by the Scipionic circle was not the same as the Stoicism taught by Chrysippus and Zeno. Formal logic ceased to be of any importance at all (although logic as epistemology continued to flourish), so those original contributions made by Chrysippus, which would wait until modern times to be duplicated, were lost.[18] The cosmology was weakened, so that the monism so stringently held by the Greeks turned into a dualism, mind and body being treated as different substances. The doctrine of determinism, though still taught, was largely ignored in practice, since a preacher of a doctrine must believe that prospective converts have enough freedom to accept or reject the doctrine. Ethics was the main concern of the Roman Stoics, but even that underwent some changes in adapting to Roman culture. According to the earliest Stoics, the wise man is sufficient in himself; virtue gives him all he needs, and he requires nothing from other people, nor does he need to do anything for other people. This explicitly contradicted the traditional Roman idea of officium, the day-to-day duties that are incumbent on a man

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18 Rist, Stoic Philosophy, 152. Rist opens this chapter with his regrets about the poverty of our sources on Stoic formal logic.

because of his social, political, and familial position.[19] A father has duties to his son, a patron to his client, and a master to his slave. In order to include this notion in Stoic ethics, the Roman Stoics seized on the category of the things to be preferred, and placed all their social duties there. The wise man does not need to provide for his family, because if he is virtuous, then he already has all he needs; but if he truly has virtue, one of the consequences will be that he takes care of his family. Furthermore, if he is not yet virtuous, doing these duties will help him to understand virtue, and so gain the knowledge he needs.

Note on the Text

The text I have used here is that of Badali.[20] I have changed it only in one place, at the end of section 5, where it seems that Badali has given a hopelessly corrupt reading, and most other editors make some emendation. There, for exisse appareat, in hac eadem figura exisse appareat I have simply exisse appareat, following Lee and Rackham.[21] I have

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[19] Zeller, 271-277.

[20] Cicero, Paradoxa Stoicorum, Ed., Renato Badali, (Rome: Arnoldo Mondadori, 1968).

[21] Cicero, Paradoxa Stoicorum, Ed., H. Rackham, (Cambridge: Harvard University Press, 1942). Cicero, Paradoxa Stoicorum, A. G. Lee, ed. (London: Macmillan, 1953).

also eliminated Badali's daggers around corrrupt passages where some sense can be derived from what is there.

CHAPTER II

THE PARADOXES OF THE STOICS

1. I have often noticed, Brutus, that when your uncle Cato is giving his opinion in the senate, he draws weighty arguments from philosophy which are not appropriate for that legal and public use, but that nevertheless, in his oratory, he succeeds in making these things plausible even to the common people. 2. This is an even greater thing for him than for either you or me, since we make use rather of that philosophy which gave birth to fluency of oratory, and in which things are said which are not in so much disagreement with public opinion. Cato, however (in my opinion the complete Stoic), even believes things which are not entirely acceptable to the mob, and is one of that sect which pursues no flowering of rhetoric, nor does it draw out its demonstrations: it proves what it has proposed by little questions, as if by pin-pricks. 3. But nothing is so unbelievable that it cannot be made credible by rhetoric, nothing so rough, so rude, that it would not take on luster and honor in oratory. Because I believe this, I have acted more boldly than even he himself about whom I am speaking. For Cato is accustomed to speak in the Stoic fashion, but with rhetorical embellishments applied, about greatness of soul,

self-control, death, the utter praiseworthiness of virtue, the immortal gods, and love of country: I, on the other hand, have playfully collected in universal proofs those things which the Stoics can scarcely prove, even at leisure in the gymnasia. 4. Since these things are remarkable and contrary to everyone's opinion (they themselves even call them "paradoxes"), I want to test whether they can be brought into the light, that is, into the forum, and be spoken so that they might be accepted, or whether learned speech is one kind of thing, and popular speech another; and on that account I have written these arguments rather loosely, because those things they call "paradoxes" seem to me to be especially Socratic, and by far the most true.

5. Therefore you will receive this little work composed during the already shortened nights, since that work of longer vigils has appeared in your name, and you will have a taste of the kind of exercises which I use when I translate what the schools of philosophy are saying in their disputes into my rhetorical mode of speaking. Nevertheless, I do not demand that you consider yourself in my debt on account of this work: for it is not such as could be put in a citadel, like that Minerva of Phidias, but perhaps it should be evident that it has come from the same workshop.

I. That only what is honorable is good

6. I am afraid that this oration might seem to some of you to be taken from the debates of the Stoics, not from my own thought: nevertheless I will say what I think and I will say it more briefly than so great a subject demands.

Certainly I never considered either those people's money or their magnificent homes or their resources or their power or those pleasures with which they are bound up to be either among the goods or among the things which ought to be sought, since I see that they, surrounded by a flood of these things, still want most the things with which they abound. For the thirst of desire is never either filled or sated; not only are they tortured by the desire for increasing what they have, but also by fear of losing it. 7. In this, indeed, I often look in vain for the prudence of our ancestors, most self-controlled men, who thought that these powerless gifts, utterly changeable by fortune, ought to be called by the name "goods," when they had judged them far and away otherwise by reality and the facts. Can a good be an evil for anyone? Or can someone, being in an abundance of goods, not himself be good? But in fact we see that even wicked men have all these sorts of things and honest men lack them. 8. For this reason anyone who wants to may

laugh: but as far as I am concerned, true reasoning will have more weight than the mob's opinion; and I will never say that someone has lost goods who has lost cattle or furniture, and I will often praise that wise man Bias, I think it was, who is numbered among the seven. When the enemy captured Priene, his homeland, and the rest fled and carried off their property, and he had been warned by someone that he should do the same thing, he said, "But that is what I'm doing, for I carry all that is mine with me." 9. He did not even consider these toys of fortune which we call "goods" as his own. Someone will ask,"What then is good?" If something which is done uprightly and honorably and with virtue can be truly said to be well done, then I believe that that alone which is upright and honorable and virtuous is good.

10. But these things can seem rather repugnant when they are discussed in an offhand manner: they have been illustrated by the life and deeds of the most exalted men; discussing them with words seems to be more subtle than is appropriate. So I ask you whether they, who have left to us this republic which they so gloriously founded, seem to have made any provision for silver for their greed or pleasant places for their delight or furniture for their enjoyment or feasts for their pleasure. 11. Place before your eyes some one of the kings. Do you wish to start with Romulus? Do

you wish to start after the state was free, with the very ones who freed it? By what stairway did Romulus climb to heaven? Was it by those things which those men of yours call "goods," or by his deeds and virtues? Do we think that the ladles and earthen urns from Numa Pompilius' day were less pleasing to the immortal gods than the fern-engraved saucers of others? I pass over the rest, for they are all equal among themselves, except for Tarquin the Proud.

12. If someone were to ask Brutus what he was accomplishing in freeing his country, if they were to ask the rest of his allies in the plan what they were expecting, what they were after, would there be anyone for whom pleasure, riches, or indeed anything other than the duty of a brave and great man seems to have been the purpose? What cause drove Gaius Mucius to the slaughter of Porsenna with no hope for his own safety? What force held Cocles against the whole host of the enemy alone on the bridge? What sent Decius, the father and the son, their lives sacrificed, into the thick of the armed enemy? What was the point of Gaius Fabricius' self-control, or Manius Curius' frugal way of life? What of the two bulwarks of the Punic War, Gnaeus and Publius Scipio, who thought that they ought to block the coming of the Carthaginians with their own bodies? What of Africanus the elder, and the younger? What of Cato, who fell between

these two in date? What of countless others (for we have a wealth of domestic examples)? Did they seem to think that anything in life was to be sought except what is praiseworthy and glorious? 13. Then let those who scoff at this speech and opinion now judge whether even they would rather be like one of those who abound in marble houses glittering with ivory and gold, in statues, in paintings, in engraved gold and silver, and in Corinthian artworks, or like Gaius Fabricius, who had none of these, nor did he want them.

14. And they are usually brought easily to deny that these things, which are carried around to and fro, are goods: but they hold fast and carefully defend the claim that pleasure is the highest good. This seems to me surely to be the voice of cattle, not men. Seeing that either a god or Nature, the mother (as I will call her) of all things, has given you a soul, than which nothing is more excellent or more divine, will you so debase yourself and cast yourself down that you think there is no difference between you and some fourfooted beast? Is anything good which does not make him who possesses it better? 15. For just as anyone is especially a partaker of a good, so is he especially praiseworthy, and there is no good concerning which he who has it cannot honorably boast. Which of these is true of pleasure? Does it make a man better or more praiseworthy?

Does anyone inflate himself with boasting and proclamations about obtaining pleasures? Nevertheless, if pleasure, which is defended by the patronage of most people, should not be considered among the goods, and the greater it is the more it moves the mind away from its proper seat and condition, then surely to live well and happily is nothing other than to live honorably and uprightly.

II. That virtue is sufficient for happiness

16. And I have never considered Marcus Regulus unfortunate or unhappy or wretched. For his greatness of soul was not tortured by the Carthaginians, nor his dignity, or loyalty, or constancy, or any of his virtues, nor even his soul itself, which, with so great a guard and train of virtues, could certainly not be captured, although his body was. In fact, we saw Gaius Marius, who as far as I'm concerned takes second place all by himself among fortunate men; in his adversities he appeared as one of the most exalted of men, in a state no happier than that which is possible for a mortal.

17. You don't know, madman, you don't know how much force virtue has. You appropriate virtue's great name: what its value is, you are ignorant. No one can fail to be most happy who is complete in himself and dependent on himself

and who places all that is his own in himself. Nothing can be certain to him for whom every hope and reasoning and thought hangs on fortune; there can be nothing which he has determined will remain with him for even a single day. Frighten <u>that</u> man, if you should meet one like him, with your threats of death and exile: but whatever may happen to me in so ungrateful a city, I will not only not resist, but not even object when it befalls me. What have I labored over and what have I accomplished, and in what have my concerns and thoughts spent sleepless nights, if I have brought forth nothing, I have achieved nothing such that I might be in a state from which neither the rashness of fortune nor the injustices of enemies could cause me to slip? 18. Do you threaten me with death to make me leave all men, or with exile to make me leave the corrupt? Death is terrible to them whose all is extinguished with their life, not to them whose praise cannot die; exile is terrible to those who have their habitation, as it were, circumscribed, not to those who consider the whole world to be one city. Every hardship and affliction crushes you who consider yourself happy and prospering. Your desires are tortured, you are crucified day and night, you for whom what you have is not enough, and who fear that even that won't last long. Consciousness of your wrongdoing disquiets you; fear of trial and laws

weakens you: wherever you look, your injustices fall upon you like Furies which don't let you draw a free breath.

19. On account of this, just as things can go well for no wicked and foolish and lazy man, so also no good and wise and brave man can be wretched. Neither should anyone's life be praised whose virtue and character should not be praised. But one should flee from it if it is wretched. On account of this, whatever is praiseworthy one should also deem happy and prosperous and a thing to be sought.

III. That offenses are equal and good deeds are equal

20. Someone says, "It's a small matter." But it is a great fault: for offenses should not be measured by the outcome of things, but by the vices of the people committing them. The matter in which someone commits an offense can be greater or less, but the offense itself, however you turn it, is the same. Whether the pilot capsizes a shipload of gold or of chaff makes some difference in result, but none in the inexperience of the pilot. Desire has made a slip, in the case of a lower-class woman: pain touches fewer than if it had been wanton with some well-born and noble maiden; but it has offended no less, since to offend is, in a manner of speaking, to cross boundaries: when you have done this,

the fault has been committed; how far you go on once you have crossed has no relevance in increasing the fault of crossing. Surely no one is permitted to offend. As for what is not permitted, its prohibition is the sole criterion for judgement if one argues that it is prohibited. If this prohibition can never be either greater or less, since its being not permitted makes an offense an offense, it is proper that the offenses born from that fact should be equal: this fact is always one and the same. 21. And if virtues are equal among themselves, it is necessary that vices are also equal. But it can be seen very easily that virtues are equal, and that it is not possible to become better than a good man, more self-controlled than a self-controlled man, braver than a brave man, or wiser than a wise man. Would you say a man is good if he would give back ten pounds of gold left with him without a witness (when he could have made a profit with impunity), if he wouldn't do the same with ten thousand pounds of gold? Or self-controlled if he restrains his desire at one time, but at another he lets himself go? 22. Virtue is one, agreeing with reason and continual uniformity: nothing can be added to it by which it would be more virtue than it is, nothing can be taken away to cause the loss of the name of virtue. For indeed if good deeds are upright deeds and nothing is more right than what

is right, surely nothing can be found which is better than what is good. It follows therefore that vices, too, are equal, if deformities of the soul are truly called vices. But, since virtues are equal, upright deeds, since they proceed from virtues, must be equal; likewise offenses, since the flow from vices, must be equal.

23. Someone says, "You are taking these things from the philosophers." I was afraid you would say "from the pimps." "Socrates used to argue this way." You're right; for according to tradition, he was a learned and wise man. But still I ask you, since we are contending with words, not fists, should we ask what porters and laborers think, or what the most learned men think? Especially since no thought that is is truer or more useful for human life can be found. For what force would protect men more from every wickedness than if they think there is no difference among crimes, that they offend equally if they lay hands on a private citizen or a magistrate, that whatever home they bring seduction into, the stain of lust is the same?

24. "Then does it make no difference," someone will say, "whether one kills his father or a slave?" If you lay down bare cases, what sort they are can't easily be judged. If it is a crime in itself to take your father's life, were the Saguntines, who preferred that their parents die free

rather than live as slaves, parricides? So sometimes it is possible to take even a parent's life without committing a crime, and not possible to take a slave's life without injustice. Therefore it is the motive of the deed, not its nature, that makes the difference. When a good motive attaches to either, it becomes weightier; if it is joined to both, they must become equal. 25. There is nevertheless this difference, that in killing a slave, if it is done unjustly, one offends once; in doing violence against a father's life one offends many times: he does violence to him who sired, raised, and taught him, him who made his place in house and home and country. He stands out in the multitude of his offenses and therefore deserves the greater punishment. But we, in living, must not examine what punishment there should be for each offense, but how much is permitted to each person. Whatever is not fitting we must consider a crime; whatever is not permitted, we must consider unholy. "Even in the smallest matters?" Even so, since we can't fix the limit of things, but we can set limits to our souls. 26. If an actor moves a little out of step, or if his line is delivered with one syllable too short or long, he is hissed and hooted off the stage: in your life, which ought to be more controlled than any actor's gesture, more fitting than any lines, will you say you offended merely in a

syllable? Shall I decline to listen to a poet's apology for trifling matters, and then excuse someone who beats out his offenses against society with his fingers and remarks, "Should they appear smaller, regard them as less important"? How can they seem so, when whatever offense is committed, it is committed by upsetting reason and order, and once reason and order have been upset, nothing more can be added which would make it possible for there to be more of an offense?

IV. That every fool is insane

27. I <do not call> you foolish, as you often are, or wicked, as you always are, but insane . . . <with the things necessary for life> can be unconquered: shall the wise man's soul be conquered and overcome, hedged as it is, as if by a wall, by greatness of counsel, endurance of human affairs, contempt of fortune, and finally by every virtue, when it can't even be driven from the state? After all, what is a state? Is it every gathering, even of savages and monsters; every multitude assembled in one place, even of fugitives and bandits? Surely you will deny that. Therefore that place was not a state when in it laws had no force, courts lay overturned, our fathers' customs had perished, and with magistrates driven out by the sword, the name of the senate was no more in the republic: that union of robbers and the

brigandage established in the forum with you as its leader, and the remains of Catiline's conspiracy turned by his Furies to your crime and madness, was not a state. 28. And so I was not driven from the state, for there was no state; I was summoned to the state when there was in the republic a consul (whereas previously there had been none), there was a senate (which had been overthrown), there was a free consensus of the people, and there was a renewed memory of right and equity, which are the bonds of a state.

And look how I despised those weapons of your brigandage. I have always thought you launched and hurled horrible injustices at me: I never thought they reached me, unless perhaps you thought something of mine was being ruined or burned down when you were destroying walls, or when you were throwing criminal torches onto roofs. 29. Nothing is mine, or anyone's, which can be carried off, taken away, or lost. If you had taken away my divine constancy of soul, <my knowledge> that the republic stood, much against your will, because of my care, my vigilance, and my plans; if you had blotted out the undying memory of this eternal service, even more if you had taken from me that mind whence those plans flowed, then I would admit I had suffered an injustice. But if you neither did nor could do these things, your injustice gave me a glorious return, not a disastrous departure.

Therefore I have always been a citizen, and especially when the senate was commending my safety to foreign nations, as of the best of citizens: but surely now you are not one, unless perhaps the same man can be a citizen and an enemy. Do you distinguish a citizen from an enemy by birth and location, not by soul and deeds? 30. You made a slaughter in the forum, you held temples with armed bandits, you burned private homes and holy shrines. Why is Spartacus an enemy if you are a citizen? But can you be a citizen, since because of you there was once no state? And do you call me "exile", which is your name, when everyone thinks that the republic went into exile with my departure? Will you never look around you, most insane man, nor ever consider what you are doing or what you are saying? Don't you know that exile is a punishment for crimes, but that my journey was undertaken on account of my most glorious deeds? 31. All the criminals and impious men, whose leader you acknowledge yourself to be, whom the laws wish to punish with exile, are exiles, even if the soil they stand on is unchanged. Wouldn't an enemy call you exile when all the laws bid you to be one? "He who has a weapon": your dagger was seized before the senate-house; "He who has killed a man": you have killed several; "He who has set a fire": you with your own hand burned down the temple of the Nymphs; "He who has

occupied sacred precincts": you made camp in the forum. 32. But why do I lay out the common laws, by all of which you are an exile? Your closest friend proposed a special law concerning you, that if you should enter the secret shrine of the Good Goddess, you should be exiled. And you are used to boasting that you did it. How is it then that you, cast out into exile by so many laws, do not shudder at the name "exile"? "I am at Rome," he says. Yes, and you have also been in the secret shrine. Therefore a man does not have a right to be where he is unless there is a lawful reason for him to be there.

V. That every wise man is free and every fool a slave

33. Let this man be praised as a commander, or called one, or deemed worthy of the name: how is he a commander? Or which free man will he command, seeing that he can't command his own desires? Let him first curb his desires, scorn his pleasures, hold his anger, restrain his greed, and avert other spiritual faults; then let him command others, when he himself has ceased to obey those most wicked masters, unseemliness and baseness: indeed, while he obeys them, he should not only be considered not a commander, but also not even a free man.

This claim is current among the most learned men -- whose authority I would not use if this speech were to be given before rustics; but since I am speaking before very wise men, to whom these things are no secret, why should I pretend that I have wasted whatever work I put into these studies? -- therefore it is said by the most educated men that no one is free unless he is wise. 34. What then is freedom? Ability to live as you wish. Who then lives as he wishes, if not the one who pursues upright things, who rejoices in duty, whose way of life is considered and planned, who doesn't obey the laws because of fear, but follows and cultivates them because he judges that to be most advantageous, who says nothing, does nothing, in fact thinks nothing unless it is willingly and freely, whose every plan and undertaking proceeds from and returns to him, nor is there anything which has more power for him than his own will and judgement, to whom even that which is said to have the most power, Fortune herself, yields, since, as the wise poet said, she shapes herself according to each man's own character? So this happens only to the wise man, that he does nothing unwillingly, nothing sorrowfully, nothing under duress. 35. Although this ought to be more fully discussed, it is nevertheless a concise truth which ought to be acknowledged, that no one is free except him who is so furnished with virtues.

All the wicked are slaves therefore, slaves. Nor is this so unexpected and remarkable as it sounds. For they are not called "slaves" as in bought properties which become their master's by debt or some civil law; but if slavery is, as in fact it is, the obedience of a broken and abject soul lacking any judgement of its own, who would deny that all unstable and ambitious people, and indeed all wicked people are slaves?

36. Am I to think that man is free whom a woman commands, for whom she lays down the law, directs, orders, forbids what she sees fit, who can't deny her anthing when she commands and dares to refuse nothing? She demands, he must give; she calls, he must come; she throws him out, he must go away; she threatens, he must fear. But I think he should not just be called a slave, but a most worthless slave, even if he was born into a most eminent household.

37. And, as in a great family of fools, there are others -- more elegant slaves, as they think they are, but nevertheless slaves, stewards and landscape gardeners of their own foolishness -- who take too much delight in statues, paintings, engraved silver, Corinthian artworks, and magnigicent buildings. Someone says, "But we are chiefs of state." On the contrary, you are not even chiefs of your fellow-slaves, but just as in a household, those who handle

those things, who dust and oil and sweep and sprinkle water, don't have the most honorable place of servitude, so in the state those who have given themselves over to desire for those things obtain almost the lowest place in slavedom itself. Someone says, "I have waged great wars; I have been in charge of great commands and provinces." So carry a soul that is worthy of praise. One of Aetion's paintings or some statue by Polyclitus has caught your attention, and you are dumbfounded. I will pass over where you brought them from and how it is that you have them; when I see you gazing, marvelling, and raising exclamations, I judge that you are a slave of every absurdity. 38. "But aren't these things delightful?" Granted (for we, too, have a trained eye); but I beg you, consider their charm not as chains for men, but as amusements for children. What do you think? If Lucius Mummius saw one of those men lustfully handling a small Corinthian pot when he himself had despised all of Corinth, would he think that man was a distinguished citizen, or an industrious steward? Let Manius Curius come back to life, or one of those men in whose villa and house there was nothing splendid or distinguished besides themselves, and let him see someone who enjoys the highest benefits of the people catching bearded mullets from his pond and handling them, and boasting of his supply of lampreys: wouldn't he judge

that this man was such a slave as he would not consider worthy of any greater task in the household?

39. Or is their servitude in doubt who in lust for money refuse no condition of the hardest servitude? And as for hope of inheritances, what unfair service does it not undertake? What childless, rich old man's nod does it not attend to? It speaks when he wishes, it does whatever he demands, it waits on him, sits by him, gives him gifts: I ask you, which of these is a free man's act, which is not the act of a lazy slave? 40. Now, as for that desire for public office, military authority, and provinces, which seems to be more gentlemanly, what a hard mistress she is, how imperious, how impetuous! She forced men who thought they were most eminent to be slaves to Cethegus (not a very honorable man), to send gifts, to come to him at home in the night, and even to grovel before Praecia. What is slavery, if this can be counted as freedom?

Furthermore, when your master, desire, has left and another master, fear, has arisen out of consciousness of offenses, how wretched, how hard is that slavery! One must be a slave to youths who are a little too talkative, and one must fear as masters all who seem to know something. How great a power the judge has with which he instills fear in the guilty! And isn't all fear slavery? 41. What then is

the value of that oration, which was more wordy than wise, of that most eloquent man, Lucius Crassus, "Snatch us out of slavery"? What is that slavery to so famous and noble a man? Every enfeebled, low, broken fearfulness of soul is slavery. "Don't allow us to be slaves to anyone": does he wish to be delivered into freedom? Hardly; for what does he add? "Unless it is to all of you together": he wishes to change his master, not to be free. "Whom we both can and ought to serve": but we, if indeed we have a soul which is lofty and built up with virtues, neither ought to nor can: say that you can, since indeed you can, but don't say that you ought to, since no one owes anything except what would not be base to give.

But enough of this: let that man see how he can be a commander when reason and truth herself demonstrate that he is not even free.

VI. That only the wise man is rich

42. What is this excessive display in calling attention to your money? Are you alone rich? By the immortal gods, may I not rejoice that I have heard and learned something? Are you alone rich? What if you weren't rich? What if you were even poor? Whom do we understand to be rich, or on which person do we place this label? I believe we should

place it on him who has so much that he is easily content in living in a gentlemanly way, who demands, desires, and hopes for nothing more. 43. It is fitting that your soul should judge you rich, not people's talk or your possessions. If it considers that it lacks nothing, if it doesn't trouble about anything more, if it is satisfied or even content with your money, then I yield; you are rich. But if because of greed for money you consider no profit to be base (when in your station no profit can really be honorable), if every day you defraud, cheat, demand, bargain, plunder, and grab, if you rob your partners, loot the treasury, if you wait for something from your friends' wills, or you don't even wait and forge them yourself, are these the signs of a wealthy man, or a needy one? 44. "Is it a man's soul, not his money-box, which is usually called rich?" Although that box is full, I will not consider you rich as long as you seem empty to me. In fact, men measure a man's wealth by how much is enough for him. Someone has a daughter: he needs money; he has two: he needs more; he has many: he needs still more; if a man has fifty daughters, as they say Danaus had, so many dowries require a lot of money. The measure of a man's wealth, as I said before, is adjusted to how much he needs. Therefore if he doesn't have many daughters, but has countless lusts, which can exhaust the greatest resources in

a short time, how can I call him rich, when he himself feels he is needy? 45. Many have heard you when you said that no one is rich except the man who can support an army with his own income, a thing which the Roman people have long been hardly able to do, even with such great revenues: therefore by this premise you will never be rich until you get so much return from your property that thereby you can keep six legions and a great auxiliary force of cavalry and infantry. You already confess you are not rich, since you are in need to the point that you would yet accumulate what you hope for.

And so you have never borne that poverty, or rather destitution and beggary, secretly. 46. For just as we understand that those who seek money honorably, by doing business, rendering services, and undertaking public works, need profit, so he who sees the flocks of accusers and informers gathered together at your house, the guilty and rich defendants likewise conspiring at your prompting to bribe a jury, who see your bargains for fees in conducting a defense, your guarantees of money in the coalition of candidates, your sending of freedmen to bleed dry and despoil the provinces, who see your expulsion of neighbors, your theft of land, your partnership with slaves, freedmen, and clients, your empty properties, your proscriptions of the rich, your

slaughters of free towns, or who remembers that harvest in Sulla's time, the forged wills, so many people disposed of, and finally everything for sale: edicts, decrees, another man's vote, a man's own vote, the forum, home, voice, silence: who would not think this man is confessing his need for profit? But if someone needs money, who would ever say he is truly rich? 47. For indeed, the advantage of wealth is in abundance; but abundance shows itself in sufficiency and overflowing of property: since you will never achieve this, you will never be rich at all.

But since you despise my money -- and rightly so: for it is a middling amount according to the opinion of the mob, according to yours it is nothing, according to mine it is moderate -- I will be silent about myself and talk about property. 48. If we must count and evaluate things, should we value the money Pyrrhus was offering to Fabricius more highly, or Fabricius' self-control which was refusing that money? The Samnites' gold, or Manius Curius' reply? The inheritance of Lucius Paullus, or the generosity of Africanus, who gave up his part of the inheritance to his brother, Quintus Maximus? Surely the latter, which have to do with the highest virtues, must be valued more highly than the former, which have to do with money. Who therefore, since each should be considered richest when he possesses what is

of the most value, would doubt that wealth is to be found in virtue, since no property, no quantity of gold and silver should be valued more highly than virtue?

49. O immortal gods, men do not understand how great an income thrift is! For now I am coming to the extravagant men, and leaving the greedy man behind. The former receives from his properties six hundred thousand sesterces, I get one hundred thousand from mine. Since he has put in his villas gold ceilings and marble floors, and has an unlimited lust for statues, paintings, furniture and clothing, that profit is not only scant for his expenses, but even for the interest on what he has borrowed: from my slim revenue, with the expenses for my desires deducted, I will even have something left over. Therefore who is richer, he who lacks something, or he who abounds; he who is in need, or he who has plenty; he who has property which, the greater it is, the more it needs looking after, or he whose property is such that it supports itself by its own strength? 50. But why am I talking about myself, since even I, because of the vice of our customs and times, am perhaps being influenced somewhat by the error of the age? Was Manius Manilius, remembered by our fathers (lest we always talk about the Curii and Luscini), a poor man? For he had small houses in Carinae and a farm at Labicum. "But we who have more are

richer." Would that we were! But it is not by the accounting of the census, but by a man's way of life and refinement, that the measure of his wealth is defined.

51. Not to be avaricious is money, not to be spendthrift is income: in fact, to be content with your own money is the greatest and most certain wealth.

For indeed if those sharp appraisers of property value certain meadows and fields highly because this kind of property is least prone to harm, how much should virtue be valued, which can neither be taken away nor stolen, which is not changed by disturbances of either storms or times!

52. Only those who are thus furnished are rich: for they alone possess a property which is fruitful and lasting, and they alone are content with their own property (and this contentment is peculiar to wealth), they think what they have is enough, they don't seek anything, they don't lack anything, they don't miss anything, they don't need anything. But the wicked and greedy, since they have property which is uncertain and depends on chance, and they always look for more, and not one of them has been found up to now for whom what he had was enough, not only should not be considered wealthy and endowed, but should even be considered poor and destitute.

CHAPTER III

COMMENTARY

The following commentary will focus on the philosophically interesting parts of the Paradoxa. Grammatical, historical, literary, and rhetorical features of the work have been thoroughly treated in the editions of Lee, Stella, and Molager. Stella's edition also includes thorough documentation of the sources of Cicero's ideas, so this commentary will also avoid Quellenforschung.

2. nos ea philosophia . . . populari. Cicero's approach to philosophy is eclectic; that is, he takes from various schools parts of their philosophies that he finds congenial. Nevertheless, he considers himself an adherent of the New Academy. Carneades, founder of the New Academy, conceived of philosophy as an ongoing debate between competing opinions, and hence, in contradiction to Plato, made a place for rhetoric in the philosophical enterprise.[22]

neque dilatat . . . efficit. Cicero is referring here to the Stoic practice of demonstration by dialectical question and answer, as opposed to the full rhetorical demonstration used by New Academics and Skeptics. Diogenes

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22 P. H. DeLacy, "Cicero," The Encyclopedia of Philosophy, 1967.

Laertius reports that Zeno had a reputation for the same style of speech.[23]

3. sed nihil . . . excolatur. This is perhaps the strongest possible statement of what philosophers have thought is wrong with rhetoric; any opinion, no matter how unworthy of attention, can by it be made to seem plausible.[24] Cicero seems to be unaware of this interpretation of his words, since he is using it here as a justification for treating philosophical themes rhetorically.

de caritate patriae. Molager and Lee[25] both state flatly that love of country was a Stoic virtue; this is not strictly true. Although many of the Roman Stoics promoted the idea of patriotism, Stoic ethics generally had no place for external duties. The wise man possesses all virtue in himself, independent of his relation to other people. Even those Roman Stoics who granted external duties conceived of duty to country as lower than duty to the world community.[26]

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23 Diogenes Laertius, VII.18 (Cambridge: Harvard University Press, 1950).

24 This is startlingly similar to one of the complaints against Socrates, that he "made the weaker argument the stronger." Plato. The Apology, 18 B.

25 Molager, p93; Lee, p29.

26 Epictetus, Discourses, I.9.1-9 (Cambridge: Harvard University Press, 1946).

4. maxime videntur . . . Socratica. This claim is tenuous at best. Socrates did make some claims that could be considered paradoxical, but it is doubtful that he would agree to any of the paradoxes as they are phrased in this work. For a fuller treatment, see Lee, pp. xiv-xvi.

5. illud maiorum vigiliarum munus. The various editors and commentators all agree that this is the Brutus, one of Cicero's longer oratorical works.

THETIKOS. Rackham takes this to mean "technically." This adverb is formed from the adjective meaning "having to do with a thesis." It could mean "technical," but a more normal meaning is "controversial" or "debatable," hence "speaking debatably" or "engaging in formal discussion."

6. Vereor ne . . . oratio. Cicero fears that people will suspect him of lacking original thought. So he should, because he does (in this work, at least).

Numquam mercule . . . abundarent. There has always been tension in ethics over the question of whether money, pleasure, and other such things should be counted as goods. The hedonists, Epicureans, and Utilitarians on one side claim that they are goods because there is no prima facie reason to doubt it. The Stoics, Kantians, and formalists on the other side claim that pleasure and wealth cannot be considered goods because they lack some crucial property

that a real good must have. Cicero cites one such property here: if possession of a thing does not satisfy the desire to possess it, then it cannot be a real good. In other words, if what a man wants is truly good, then he will be content once he has it. Since people often possess wealth or pleasure in abundance and still desire more, these things are not goods.

7. Potestne bonum . . . absint probis. A second objection to the notion that wealth is a good is expressed here: Something cannot be a good if an evil man can possess it. This notion of good is shared by Plato, but rejected by Aristotle, who draws a distinction between two kinds of good: those that are worthy of praise, like human virtue, and those that are beyond praise, and so to which praise is inappropriate, like happiness. Aristotle believed the second category to be the higher.[27] He also cites Eudoxus as making the same argument for pleasure as a higher good, but the Stoics and Cicero reckon things not worthy of praise as not good at all. Clearly, if only things worthy of praise are goods, then any man possessing them is to that extent himself also praiseworthy. If, on the other hand, we admit Aristotle's analysis, then it is possible for an evil man to

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27 Aristotle, Ethics, I.12, (Baltimore: Penguin Books, 1970).

have goods.

malo cuiquam. Lee[28] suggests taking malo as agreeing with cuiquam, which would yield a dative of possession. While this is grammatically possible, the context seems to demand a double dative construction, since the passage deals with the effects of goods on those who have them. Seneca had the same notion that goods make their possessors better.[29]

8. Bias exemplifies the Stoic ideal of security. His lack of attachment to things leaves him without any worries about the future. This was one of Seneca's favorite themes:[30] "Sapiens autem nihil perdere potest omnia in se reposuit, nihil fortunae credit, bona sua in solido habet contentus virtute, quae fortuitis non indiget ideoque nec augeri nec minui potest."

9. Si, quod . . . opinor bonum. This deduction is simply invalid. You cannot argue from "all honorable acts are good" to "all good acts are honorable." Cicero was probably somewhat influenced by the mellifluous sound of the sentence and the rhetorically polished repetition of the

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28 Lee, p34.

29 Quod bonum est, bonos facit. Seneca, Epistulae Morales, LXXXVII.12 (Cambridge: Harvard University Press, 1967).

30 Seneca, De Constantia, V.4 (Cambridge: Harvard University Press, 1970).

three adjective phrases.

11-13. These sections catalog the heroes of Roman history. Cicero's aim here is to show that the great and respected maiores did not believe wealth was a good. An argument appealing to authority does not by any means establish a claim, but we need not understand these passages as primarily an appeal to authority. Cicero is asking his readers to judge whether they would rather be like the maiores or like the men of his own time. If they would rather be like the heroes of old for whom they profess respect, then they should share the values of their heroes. He is appealing to his readers more to be consistent than to believe on the basis of authority.

14. illud arte . . . bonum. Philosophically, the claim that pleasure is the highest good is much more easily defended than the claim that wealth is a real good. It is no surprise that people should fall back on the former claim when pressed.

Quae quidem . . . hominum. Cicero is here engaging in a bit of name-calling, strictly ad hominem, at the expense of argumentation. To call a man a beast is not to refute his claim. This statement could be interpreted as a plea to take into account that men are different from beasts and so should not live by the same standards as beasts, but some,

denying there is a difference, would still not be addressed. Even on this charitable interpretation of Cicero's words, he is not addressing the argument itself.

Quicquam . . . meliorem facit? See section seven, especially note 29.

15. Ut enim . . . gloriari. Cicero returns to the argument here. He has already argued in section seven (vide supra) that to be a good a thing must be praiseworthy. From that premise he concludes that if a man cannot be praised for having a thing, then it cannot be a good. Since men are not praised for acquiring or possessing pleasure, it cannot be a good.

17. Nemo potest . . . diem. This is a reiteration of the point made in section eight (vide supra). A man who does not put any trust in material possessions cannot be disappointed when he loses them; so he is more secure than the man who values only those things that fortune can take from him.

18. Mors terribilis . . . potest. The Epicureans recognized the fear of death as one of the chief sources of human suffering.[31] The Stoics suggested that that fear could be extinguished by recognizing that death is not an evil,

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[31] Lucretius. On the Nature of the Universe, Ronald Latham, trans., (Baltimore: Penguin Books, 1971) p 30. See also Epicurus' letter to Menoeceus, 125-126.

and so is not to be feared. For Cicero, death is not an evil because it does not destroy the ultimate good in a man. A man's virtue, and so his praise, cannot be taken from him, even in death.

exilium autem . . . ducunt. Attachment to a place is just another kind of attachment to things, and is just as much a cause of fear and uncertainty. The wise man has all he needs in himself, and so loses nothing in going from one place to another. Therefore he has nothing to fear from exile. This ability to move freely without being bound to a single polity is part of the idea of being a citizen of the world.[32]

20. nec enim peccata . . . metienda sunt. Ethicists have always agreed that it is correct to call acts good or bad in some senses of the words. They diverge on the question of where the goodness or badness of an act comes from. Some, including Epicureans, have located the moral qualities of acts in their consequences. For an Epicurean, an act is good if and only if it results in pleasure for the agent. The Stoics, on the other hand, located the moral qualities of acts in their motives and in what kind of character produced them. The example of the pilot who capsizes his

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[32] Epictetus, I.9.1-9. Exile and death were the two chief punishments meted out to Romans.

boat is intended to show that two acts proceeding from the same motives and character are morally equivalent, even though their consequences may differ greatly. The "crossing of boundaries" (transire lineas) which is motivated by vice is the source of an act's evil nature, and so all transgressions of that boundary will partake equally of that evil nature.

21. Quod si . . . necessest. The Stoics held that virtue was a single thing, living in rational agreement with nature. If this is true, and all right acts proceed from virtue, then all right acts must be equal. Cicero argues that if virtue is one, then vice must be one, too, namely, failing to live rationally in accordance with nature. It is not clear that we should grant this, though, since even if there is only one way to be right, there may be many ways to be wrong. There may be only one path, but many ways to wander from it.

23. Quae vis . . . lubidinis? This is surely a debatable claim, but even if it were clearly true it would be beside the point. That good consequences would follow from believing a proposition is not a good reason to believe it, and such consequences should not be offered as evidence for it.

24. Ergo et parenti . . . non potest. Cicero is not addressing the strongest interpretation of this paradox, that is, that all offenses of whatever sort are equal. He is simply arguing for the thesis that all offenses of the same sort are equal. In the example he cites here, he shows that all murders are equally wrong, regardless of the context in which they occur. He is not even attempting to demonstrate the stronger claim that murder and petty theft are equal, although that claim also follows from his claim that vice is one and all offenses flowing from it are equally wrong.[33]

25. Illud tamen . . . dignus est. In a worthy attempt to defend a controversial doctrine, Cicero here gives his case away. In order to explain why we punish parricides more harshly than other murderers, he invokes a concept of multiple transgressions in a single act. In the process of invoking this concept, he admits the very thesis he is denying, that parricide is more serious than murder. No matter how many ways we can describe an act, the act is still essentially one, and it is the value of single acts which con-

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33 That Cicero doesn't defend the stronger claim is a sign of his consistency, because this stronger claim is the same one he parodies in the Pro Murena: omnia peccata esse paria omne delictum scelus esse nefarium, nec minus delinquere eum qui gallum gallinaceum, cum opus non fuerit, quam eum qui patrem suffocaverit (61).

cerns us here. So Cicero has failed to establish the claim that all offenses are equal.

27. There is a substantial lacuna in the text here, after which the title paradox, that every fool is insane, is abandoned and two other paradoxes are taken up. They have been identified by Molager and Lee[34] as "Every fool is an exile" and "The wise man cannot be harmed." Very probably the end of paradox four and the beginning of the other has dropped out.

Quid enim est civitas? A very good question. The Stoics attribute social relations to a human need for other people which is natural and hence rational. It is difficult to reconcile the claim that the wise man needs society (which claim Cicero is not making, although most Stoics did) with the claim that he needs nothing external, but only virtue. This sort of inconsistency was a continual problem for the teacher of Stoic ethics, but it became especially acute with the Romans, who recognized the value of individual acievement on the one hand, yet wanted to be cooperative and good citizens on the other. Nevertheless, they saw the state as something more than simply an aggregation of persons; for the Stoic, society consisted in an essential relation between all human beings, who together make up the

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[34] Molager, pp. 142-143; Lee, pp. 59-60.

world-city.[35] Since all men are connected in a real sense, they should behave as a body, not an accidental collection. Cicero's complaints here against Rome and Clodius are based on a political view of this kind.

29. Nihil neque . . . amitti potest. This is a slightly stronger claim than the one made in section eight (vide supra). There Bias was praised because he carried all that was his with him; in other words, he laid no claim to external things. Here Cicero is claiming not only that we shouldn't place our trust in them, but that we in fact cannot own them, precisely because fortune can take them away from us. According to this view, part of wisdom is making realistic assessments of what we have control over and what we don't. We don't control our wealth the same way we control our souls, so we don't even own our wealth the same way we own our souls.

34. Quid est enim libertas? Another very good question. The Stoic doctrine of determinism makes it a particularly interesting one, because while one of the benefits of wisdom is supposed to be freedom from the tyranny of desires, every human is supposed to be fully determined by causes beyond his power.

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[35] See Epictetus, loc cit., and Marcus Aurelius, VII.13.

Potestas vivendi ut velis. Cicero's answer is a fairly good one, though it doesn't solve the dilemma posed by the doctrine of determinism. By defining freedom in this way, Cicero leaves aside the question of whether or not the desires themselves are determined or free; as long as a man can act in accordance with them, he is to be counted as free. The most pressing problem is our intuition that the evil man is most free, because he always does what he wants, while the good man sometimes resists his desires. The Stoic answer is similar to Socrates' answer to Polus in the Gorgias: every human act aims at some good; the man who does evil does it in the false hope of gaining some good, so, while wishing for good, he does evil. In this way he does what he doesn't wish.[36] A man who is driven to evil by his desires is therefore acting according to his desires in some sense, but is in fact doing what he doesn't wish to do. Similarly, the man who resists his desires is doing as he wishes, which is to do good.

35. sed, si servitus . . . esse servos? The wise man obeys only reason. Obedience to anything else is obedience which does not lead to virtue and is therefore slavery. So anyone whose way of life is determined entirely by his desire for something other than virtue is a slave.

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36 Plato, Gorgias, 467-470.

38. ita venusta . . . puerorum. The great works of art lusted after by so many Romans are not themselves evil, nor do they in themselves cause a man to become evil.[37] According to Stoic ethics they could not, because all things external belong to the class of indifferent things. So Cicero allows that men may own them, but only as amusements. When they take on such importance for a man that they begin to determine how he will live his life, then they have become chains, and such as a free and wise man will not endure.

39. An eorum . . . durissimae servitutis? The chief evidence that men ruled by desire are slaves is that they do, for the sake of the thing desired, things that they don't want to do.

Cum cupiditatis dominatus . . . servitus. Fear also drives men to act against their own wishes. The wise man cannot suffer evil, that is, he cannot lose the only good which he has, which is his virtue. Consequently, to fear is to mistake an indifferent thing, death or disease or poverty, for a real evil. Anyone who acts on the basis of such a

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37 Seneca speaks of wealth causing men to become evil (Posidonius, ut ego existimo, melius, qui ait divitias esse causam malorum, non quia ipsae faciunt aliquid, sed quia facturos inritant), but he is clearly talking about temptation to do evil, not efficient causation. Seneca, Epistulae Morales, LXXXVII.31.

misapprehension is acting as a slave to his own folly. Why then is unconditional obedience to duty's demands not slavery? For the Stoic, servitude is not slavery unless it is unwilling. Servitude to the passions is slavery because it is always undertaken out of ignorance and is hence unwilling. Servitude to duty is always informed, and hence always voluntary.

44. 'An animus hominis . . . solet?' Just as the Stoics considered slavery to be something broader than physical servitude, and so counted many men as slaves who were legally free, they also considered wealth as something broader than mere financial standing. If a man's wealth is measured by the quantity of his goods, then a millionaire can be poor if he has no virtue, since virtue is the only good.

Etenim ex eo . . . divitiarum modum. The Stoic concept of wealth did not involve any accounting of monetary assets, but Cicero invites us to grant that material wealth is real wealth, and then see where that leads us. The point is that even though a man may have a great deal of money, he is not wealthy if he is not satisfied. Seneca argued that, since the virtuous man feels no need for external goods, he is always satisfied with what he has, and so is in abundance:[38]

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[38] Seneca, Epistulae Morales, LXXIV.12.

Quaeris, quare virtus nullo egeat? Praesentibus gaudet, non concupiscit absentia. Nihil non illi magnum est, quod satis. One paradoxical consequence of this view is that a man with nothing, like Diogenes the Cynic, can be wealthier than a man with millions, simply because he is more satisfied with what he has.

48. This section is another appeal to the example of the maiores. As in sections eleven to thirteen (vide supra), the point is not that the authority of the maiores establishes the claim as true, but rather that, for consistency's sake, those who admire the old Romans should share the qualities they admire.

51. quanti est . . . perturbatione mutatur. Part of the value of virtue is its permanence and immutability. Diogenes Laertius says, "Another tenet of theirs is the perpetual exercise of virtue, as held by Cleanthes and his followers. For virtue can never be lost, and the good man is always exercising his mind, which is perfect."[39] It was a central part of Stoic ethics that once a human being came to possess virtue, all his acts were perfect, and so there was no place for vice in his life ever again. According to Seneca,"virtue is not unlearned."[40]

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39 Diogenes Laertius, 7.128.

40 Non dediscitur virtus. Seneca, Epistulae Morales, L.8.

Conclusion

It is clear that Cicero has at least one success in the Paradoxa: he has accomplished his avowed aim of discussing philosophical topics in rhetorical style without sacrificing philosophical rigor. His argumentation, such as it is, is not perceptibly harmed by his use of rhetorical technique, except in two places.[41] However, the question of his general success at philosophical inquiry remains. That he only fell down twice is not proof that he ran well or fast. It is an important indication of his lack of rigor that he did lapse into ad hominem attacks when faced with the claim that pleasure is the highest good, since many more respectable arguments had already been made against that hypothesis by Plato, the Stoics, and the Skeptics. That he did not avail himself of these arguments shows a certain lack of philosophical sophistication.

Nevertheless, many great philosophers have committed similar errors without endangering their importance. That is because their importance does not rest on a tabulation of their errors, but rather on the boldness with which they propose hypotheses and the originality with which they attack problems. Cicero's fear that he would be taken for a

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41 The ad hominem argument in section fourteen and the deductive fallacy in section nine are the only serious lapses in precision.

transcriber of Stoic doctrine[42] was a well-founded fear; there is nothing in the text of the Paradoxa which is not traceable to some Stoic or other that went before him. In fact, the doctrines he defends here are part of the common perceptions of Stoicism of his day; he need not have even researched very deeply to find them. In the case of the third paradox, Cicero surrenders before he even takes to the field. He chooses not to try to defend the doctrine of the equality of offenses as taught by the Stoics; instead he weakens the claim, and then gives up even that by trying to explain it away.

To a certain extent, Cicero understands and admires Stoic ethics, but as a defender or interpreter of the doctrine, he is really not very talented. It seems the only conclusion we can draw from this work is that, although he is a very bright student of philosophy, Cicero is not a very good philosopher. He, of course, never claimed to be one, and it is time for scholars to stop claiming it on his behalf.

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[42] Section six.

APPENDIX: PARADOXA STOICORUM

1. Animadverti, Brute, saepe Catonem avunculum tuum, cum in senatu sententiam diceret, locos graves ex philosophia tractare abhorrentes ab hoc usu forensi et publico, sed dicendo consequi tamen, ut illa etiam populo probabilia viderentur. 2. Quod eo maius est illi quam aut tibi aut nobis, quia nos ea philosophia plus utimur quae peperit dicendi copiam et in qua dicuntur ea, quae non multum discrepent ab opinione populari; Cato autem, perfectus mea sententia Stoicus, et ea sentit quae non sane probantur in volgus, et in ea est haeresi, quae nullum sequitur florem orationis neque dilatat argumentum: minutis interrogatiunculis, quasi punctis, quod proposuit efficit. 3. Sed nihil est tam incredibile quod non dicendo fiat probabile, nihil tam horridum, tam incultum, quod non splendescat oratione et tamquam excolatur. Quod cum ita putarem, feci etiam audacius quam ille ipse de quo loquor. Cato enim dumtaxat de magnitudine animi, de continentia, de morte, de omni laude virtutis, de diis inmortalibus, de caritate patriae Stoice solet oratoriis ornamentis adhibitis dicere: ego tibi illa ipsa, quae vix in gymnasiis et in otio Stoici probant, ludens conieci in communes locos. 4. Quae quia sunt admirabilia

contraque opinionem omnium (ab ipsis etiam PARADOXA appellantur), temptare volui possentne proferri in lucem, id est in forum, et ita dici ut probarentur, an alia quaedam esset erudita, alia popularis oratio; eoque hos locos scripsi libentius, quod mihi ista PARADOXA quae appellant maxime videntur esse Socratica longeque verissima. 5. Accipies igitur hoc parvum opusculum lucubratum his iam contractioribus noctibus, quoniam illud maiorum vigiliarum munus in tuo nomine apparuit, et degustabis genus exercitationum earum quibus uti consuevi, cum ea, quae dicuntur in scholis THETIKOS, ad nostrum hoc oratorium transfero dicendi genus. Hoc tamen opus in acceptum ut referas nihil postulo: non enim est tale ut in arce poni possit, quasi Minerva illa Phidiae, sed tamen ut ex eadem officina exisse appareat.

I. HOTI MONON TO KALON AGATHON.

Quod honestum sit id solum bonum esse.

6. Vereor ne cui vestrum ex Stoicorum hominum disputationibus, non ex meo sensu, deprompta haec videatur oratio: dicam quod sentio tamen et dicam brevius quam res tanta dici potest.

Numquam mercule ego neque pecunias istorum neque tecta magnifica neque opes neque imperia neque eas, quibus maxume adstricti sunt, voluptates in bonis rebus aut expetendis

esse duxi, quippe cum viderem rebus his circumfluentis ea tamen desiderare maxime quibus abundarent. Neque enim umquam expletur nec satiatur cupiditatis sitis; neque solum ea qui habent libidine augendi cruciantur sed etiam amittendi metu.

7. In quo equidem continentissimorum hominum, maiorum nostrorum, saepe requiro prudentiam, qui haec inbecilla et commutabilia fortunae munera verbo bona putaverunt appellanda, cum re ac factis longe aliter iudicavissent. Potestne bonum cuiquam malo esse aut potest quisquam in abundantia bonorum ipse esse non bonus? Atqui ista omnia talia videmus ut etiam inprobi habeant et absint probis. 8. Quam ob rem licet inrideat, si qui vult: plus apud me tamen vera ratio valebit quam vulgi opinio; neque ego umquam bona perdidisse dicam, si quis pecus aut supellectilem amiserit, nec non saepe laudabo sapientem illum, Biantem, ut opinor, qui numeratur in septem. Cuius quom patriam Prienam cepisset hostis ceterique ita fugerent ut multa de suis rebus asportarent, cum esset admonitus a quodam ut idem ipse faceret,'Ego vero -- inquit -- facio: nam omnia mecum porto mea': 9. ille haec ludibria fortunae ne sua quidem putavit, quae nos appellamus etiam bona. 'Quid est igitur -- quaeret aliquis -- bonum?' Si, quod recte fit et honeste et cum virtute, id bene fieri vere dicitur, quod rectum et honestum et cum virtute est, id solum opinor bonum.

10. Sed haec videri possunt odiosiora, cum lentius disputantur: vita atque factis inlustrata sunt summorum virorum haec, quae verbis subtilius quam satis est disputari videntur. Quaero enim a vobis num ullam cogitationem habuisse videantur hi, qui hanc rem publicam tam praeclare fundatam nobis reliquerunt, aut argenti ad avaritiam aut amoenitatum ad delectationem aut suppellectilis ad delicias aut epularum ad voluptates. 11. Ponite ante oculos unum quemque /regum/. Voltis a Romulo? Voltis post liberam civitatem ab is ipsis qui liberaverunt? Quibus tandem Romulus gradibus escendit in caelum, isne quae isti bona appellant an rebus gestis atque virtutibus? Quid, a Numa Pompilio minusne gratas diis inmortalibus capudines ac fictiles urnulas fuisse quam felicatas aliorum pateras arbitramur? Omitto reliquos: sunt enim omnes pares inter se praeter Superbum. 12. Brutum si qui roget quid egerit in patria liberanda, si quis item reliquos eiusdem consilii socios quid spectaverint, quid secuti sint, num quis existat cui voluptas, cui divitiae, cui denique, praeter officium fortis et magni viri, quicquam aliud propositum fuisse videatur? Quae res ad necem Porsinnae C. Mucium inpulit sine ulla spe salutis suae? Quae vis Coclitem contra omnes hostium copias tenuit in ponte solum? Quae patrem Decium, quae filium, devota vita, inmisit in armatas hostium copias? Quid continentia

C. Fabrici, quid tenuitas victus M'. Curi sequebatur? Quid duo propugnacula belli Punici, Cn. et P. Scipiones, qui Carthaginiensium adventum corporibus suis intercludendum putaverunt? Quid Africanus maior, quid minor? Quid inter horum aetates interiectus Cato? Quid innumerabiles alii? (nam domesticis exemplis abundamus): cogitasse quicquam in vita sibi esse expetendum nisi quod laudabile esset et praeclarum videntur? 13. Veniant igitur isti inrisores huius orationis ac sententiae et iam vel ipsi iudicent utrum se horum alicuius, qui marmoreis tectis ebore et auro fulgentibus, qui signis, qui tabulis, qui caelato auro et argento, qui Corinthiis operibus abundant, an C. Fabrici, qui nihil habuit eorum, nihil habere voluit, se similes malint.

14. Atque haec quidem, quae modo huc, modo illuc transferuntur, facile adduci solent ut in bonis rebus esse negent: illud arte tenent accurateque defendunt, voluptatem esse summum bonum. Quae quidem mihi vox pecudum videtur esse, non hominum. Tu, cum tibi sive deus sive mater, ut ita dicam, rerum omnium natura dederit animum, quo nihil est praestantius neque divinius, sic te ipse abicies atque prosternes, ut nihil inter te atque inter quadripedem aliquam putes interesse? Quicquam bonum est, quod non eum, qui id possidet, meliorem facit? 15. Ut enim est quisque maxime boni particeps, ita est laudabilis maxime, neque est ullum

bonum de quo non is, qui id habeat, honeste possit gloriari. Quid autem est horum in voluptate? Melioremne efficit aut laudabiliorem virum? An quisquam in potiendis voluptatibus gloriando se et praedicatione ecfert? Atqui si voluptas, quae plurimorum patrociniis defenditur, in rebus bonis habenda non est, eaque, quo est maior, eo magis mentem ex sua sede et statu demovet, profecto nihil est aliud bene et beate vivere nisi honeste et recte vivere.

II. HOTI AUTARKES HE ARETE PROS EUDAIMONIAN.

In quo virtus sit, ei nihil deesse ad beate vivendum.

16. Nec vero ego M. Regulum aerumnosum nec infelicem nec miserum umquam putavi. Non enim magnitudo animi cruciabatur eius a Poenis, non gravitas, non fides, non constantia, non ulla virtus, non denique animus ipse, qui tot virtutum praesidio tantoque comitatu, cum corpus eius caperetur, capi certe ipse non potuit. C. vero Marium vidimus, qui mihi secundis rebus unus ex fortunatis hominibus, adversis unus ex summis viris videbatur, quo beatius esse mortali nihil potest.

17. Nescis, insane, nescis quantas vires virtus habeat. Nomen tantum virtutis usurpas: quid ipsa valeat ignoras. Nemo potest non beatissimus esse, qui est totus aptus ex

sese quique in se uno sua ponit omnia: cui spes omnis et ratio et cogitatio pendet ex fortuna, huic nihil potest esse certi, nihil quod exploratum habeat permansurum sibi unum diem. Eum tu hominem terreto, si quem eris nanctus, istis mortis aut exilii minis: mihi vero quicquid accideret in tam ingrata civitate ne recusanti quidem evenerit, non modo non repugnanti. Quid enim ego laboravi, aut quid egi, aut in quo evigilarunt curae et cogitationes meae, si quidem nihil peperi tale, nihil consecutus sum, ut eo statu essem, quem neque fortunae temeritas neque inimicorum labefactaret iniuria? 18. Mortemne mihi minitaris, ut omnino ab hominibus, an exilium, ut ab inprobis demigrandum sit? Mors terribilis iis, quorum cum vita omnia extinguuntur, non iis, quorum laus emori non potest; exilium autem illis, quibus quasi circumscriptus est habitandi locus, non iis, qui omnem orbem terrarum unam urbem esse ducunt. Te miseriae, te aerumnae premunt omnes, qui te beatum, qui florentem putas. Tuae lubidines torquentur, tu dies noctesque cruciaris, cui nec sat est quod est et id ipsum ne non diuturnum sit futurum times. Te conscientiae stimulant maleficiorum tuorum, te metus exanimant iudiciorum atque legum: quocumque aspexisti, ut Furiae sic tuae tibi occurrunt iniuriae, quae te suspirare libere non sinunt.

19. Quam ob rem, ut inprobo et stulto et inerti nemini bene esse potest, sic bonus vir et sapiens et fortis miser esse nemo potest. Nec vero quoius virtus moresque laudandi sunt, eius non laudanda vita est, neque porro fugienda vita est quae laudandast: esset autem fugienda, si esset misera. Quam ob rem, quicquid est laudabile, idem et beatum et florens et expetendum videri decet.

III. HOTI ISA TA HAMARTEMATA KAI TA KATORTHOMATA.

20. 'Parva -- inquit -- est res'. At magna culpa: nec enim peccata rerum eventis sed vitiis hominum metienda sunt. In quo peccatur, id potest aliud alio maius esse aut minus, ipsum quidem illud peccare, quoquo verteris, unumst. Auri navem evertat gubernator an paleae, in re aliquantum, in gubernatoris inscitia nihil interest. Lapsa est /ipsius/ lubido in muliere ignota: dolor ad pauciores pertinet quam si petulans fuisset in aliqua generosa ac nobili virgine; peccavit vero nihilo minus, si quidem est peccare tamquam transire lineas: quod cum feceris, culpa commissa est; quam longe progrediare, cum semel transieris, ad augendam transeundi culpam nihil pertinet. Peccare certe licet nemini. Quod autem non licet, id hoc uno tenetur, si arguitur non licere. Id si nec maius nec minus umquam fieri potest,

quoniam in eo est peccatum, si non licuit, quod semper unum et idem est, quae ex eo peccata nascantur aequalia sint oportet. 21. Quod si virtutes sunt pares inter se, paria esse etiam vitia necessest. Atqui pares esse virtutes, nec bono viro meliorem nec temperante temperantiorem nec forti fortiorem nec sapienti sapientiorem posse fieri facillume potest perspici. An virum bonum dices qui depositum nullo teste, cum lucrari inpune posset auri pondo decem, reddiderit, si idem in decem milibus pondo auri non idem fecerit, aut temperantem qui se in aliqua libidine continuerit, in aliqua effuderit? 22. Una virtus est, consentiens cum ratione et perpetua constantia: nihil huc addi potest, quo magis virtus sit, nihil demi, ut virtutis nomen relinquatur. Etenim si bene facta recte facta sunt et nihil recto rectius, certe ne bono quidem melius quicquam inveniri potest. Sequitur igitur ut etiam vitia sint paria, si quidem pravitates animi recte vitia dicuntur. Atqui, quoniam pares virtutes sunt, recte facta, quando a virtutibus proficiscuntur, paria esse debent; itemque peccata, quoniam ex vitiis manant, sint aequalia necesse est.

23. 'A philosophis -- inquit -- ista sumis'. Metuebam ne 'a lenonibus' diceres. 'Socrates disputabat isto modo'. Bene hercule narras; nam istum doctum et sapientem virum fuisse memoriae traditum est. Sed tamen quaero ex te,

quoniam verbis inter nos contendimus, non pugnis: utrum nobis est quaerendum quid baioli atque operarii an quid homines doctissimi senserint? Praesertim cum hac sententia non modo verior sed ne utilior quidem hominum vitae reperiri ulla possit. Quae vis est enim quae magis arceat homines ab improbitate omni, quam si senserint nullum in delictis esse discrimen, aeque peccare se, si privatis ac si magistratibus manus adferant, quamcumque in domum stuprum intulerint, eandem esse labem lubidinis?

24. 'Nihilne igitur interest -- (nam hoc dicet aliquis) -- patrem quis necet anne servum?' Nuda ista si ponas, iudicari qualia sint non facile possint. Patrem vita privare si per se scelus est, Saguntini, qui parentes suos liberos emori quam servos vivere maluerunt, parricidae fuerunt? Ergo et parenti non numquam adimi vita sine scelere potest, et servo saepe sine iniuria non potest. Causa igitur haec, non natura, distinguit: quae quoniam utro accessit, id fit propensius; si utroque adiunctast, paria fiant necesse est.

25. Illud tamen interest, quod in servo necando, si id fit iniuria, semel peccatur, in patris vita violanda multa peccantur: violatur is qui procreavit, is qui aluit, is qui erudivit, is qui in sede ac domo atque in re publica conlocavit: multitudine peccatorum praestat eoque poena maiore dignus est. Sed nos in vita non quae cuique peccato

poena sit, sed quantum cuique liceat spectare debemus: quicquid non oportet, scelus esse, quicquid non licet, nefas putare debemus. 'Etiamne in minimis rebus?' Etiam, si quidem rerum modum figere non possumus, animorum modum tenere possumus. 26. Histrio si paulum se movit extra numerum, aut si versus pronuntiatus est syllaba una brevior aut longior, exsibilatur, exploditur: in vita tu, quae omni gestu moderatior, omni versu aptior esse debet, in syllaba te peccasse dices? Poetam non audio in nugis, in vitae societate audiam civem digitis peccata dimetientem sua: 'si visa sint breviora, leviora videantur'? Qui possint videri, cum, quicquid peccetur, perturbatione peccetur rationis atque ordinis, perturbata autem semel ratione et ordine, nihil possit addi, quo magis peccari posse videatur?

IV. HOTI PAS APHRON MAINETAI.

Omnes stultos insanire.

27. Ego vero te non stultum ut saepe, non inprobum ut semper, sed dementem /insanire/ <...> rebus ad victum necessariis esse invictum potest: sapientis animus magnitudine consilii, tolerantia rerum humanarum, contemptione fortunae, virtutibus denique omnibus ut moenibus saeptus, vincetur et expugnabitur, qui ne civitate quidem pelli potest? Quae est enim civitas? Omnisne conventus etiam ferorum et immanium,

omnisne etiam fugitivorum ac latronum congregata unum in locum multitudo? Certe negabis. Non igitur erat illa tum civitas, cum leges in ea nihil valebant, cum iudicia iacebant, cum mos patrius occiderat, cum ferro pulsis magistratibus senatus nomen in re publica non erat: praedonum ille concursus et te duce latrocinium in foro constitutum et reliquiae coniurationis a Catilinae Furiis ad tuum scelus furoremque conversae, non civitas erat. 28. Itaque pulsus ego civitate non sum, quae nulla erat; accersitus in civitatem sum, cum esset in re publica consul, qui tum nullus fuerat, esset senatus, qui tum occiderat, esset consensus populi liber, esset iuris et aequitatis, quae vincla sunt civitatis, repetita memoria.

Ac vide quam ista tui latrocinii tela contempserim. Iactam et inmissam a te nefariam in me iniuriam semper duxi: pervenisse ad me numquam putavi, nisi forte, cum parietes disturbabas, aut cum tectis sceleratas faces inferebas, meorum aliquid ruere aut deflagrare arbitrabare. 29. Nihil neque meum est neque quoiusquam, quod auferri, quod eripi, quod amitti potest. Si mihi eripuisses divinam animi mei constantiam <...> meis curis, vigilis, consiliis stare te invitissimo rem publicam, si huius aeterni beneficii inmortalem memoriam delevisses, multo etiam magis si illam mentem, unde haec consilia manarunt, mihi eripuisses, tum

ego accepisse me confiterer iniuriam. Sed si haec nec fecisti nec facere potuisti, reditum mihi gloriosum iniuria tua dedit, non exitum calamitosum. Ergo ego semper civis, et tum maxime cum meam salutem senatus exteris nationibus ut civis optumi commendabat: tu ne nunc quidem, nisi forte idem hostis esse et civis potest. An tu civem ab hoste natura ac loco, non animo factisque distinguis? 30. Caedem in foro fecisti, armatis latronibus templa tenuisti, privatorum domos, aedes sacras incendisti. Cur hostis Spartacus, si tu civis? Potes autem esse tu civis, propter quem aliquando civitas non fuit? Et me tuo nomine appellas, cum omnes meo discessu exulasse rem publicam putent? Numquamne, homo amentissime, te circumspicies, numquam nec quid facias considerabis, nec quid loquare? Nescis exilium scelerum esse poenam, meum illud iter ob praeclarissimas res a me gestas esse susceptum? 31. Omnes scelerati atque impii, quorum tu te ducem esse profiteris, quos leges exilio adfici volunt, exules sunt, etiam si solum non mutarunt. An, cum omnes te leges exulem esse iubeant, non appellet inimicus? 'Qui cum telo fuerit': ante senatum tua sica deprensast; 'qui hominem occiderit': plurimos occidisti; 'qui incendium fecerit': aedis Nympharum manu tua deflagravit; 'qui templa occupaverit': in foro castra posuisti. 32. Sed quid ego communes leges profero, quibus omnibus es exul?

Familiarissimus tuus de te privilegium tulit, ut, si in opertum Bonae Deae accessisses, exulares. At te id fecisse etiam gloriari soles. Quo modo igitur, tot legibus eiectus in exilium, nomen exulis non perhorrescis? 'Romae sum' -- inquit. Et quidem in operto fuisti. Non igitur, ubi quisque erit, eius loci ius tenebit, si ibi eum legibus esse non oportebit.

V. HOTI MONOS HO SOPHOS ELEUTHEROS KAI PAS APHRON DOULOS.

Omnes sapientes liberos esse et stultos omnes servos.

33. Laudetur vero hic imperator aut etiam appelletur aut hoc nomine dignus putetur: imperator quo modo? Aut cui tandem hic libero imperabit, qui non potest cupiditatibus suis imperare? Refrenet primum libidines, spernat voluptates, iracundiam teneat, coerceat avaritiam, ceteras animi labes repellat, tum incipiat aliis imperare, cum ipse improbissimis dominis, dedecori ac turpitudini, parere desierit: dum quidem iis oboediet, non modo imperator, sed liber habendus omnino non erit.

Praeclare enim est hoc usurpatum a doctissimis -- quorum ego auctoritate non uterer, si mihi apud aliquos agrestes haec habenda esset oratio; cum vero apud prudentissimos loquar, quibus haec inaudita non sint, cur

ego simulem me si quid in his studiis operae posuerim perdidisse? -- dictumst igitur ab eruditissimis viris, nisi sapientem, liberum esse neminem. 34. Quid est enim libertas? Potestas vivendi ut velis. Quis igitur vivit ut volt, nisi qui recta sequitur, qui guadet officio, cui vivendi via considerata atque provisa est, qui ne legibus quidem propter metum paret, sed eas sequitur et colit quod id salutare esse maxime iudicat, qui nihil dicit, nihil facit, nihil cogitat denique nisi lubenter ac libere, cuius omnia consilia resque omnes quas gerit ab ipso proficiscuntur eodemque referuntur, nec est ulla res quae plus apud eum polleat quam ipsius voluntas atque iudicium, cui quidem etiam quae vim habere maximam dicitur, Fortuna ipsa cedit, si, ut sapiens poeta dixit, suis ea cuique fingitur moribus? Soli igitur hoc contingit sapienti, ut nihil faciat invitus, nihil dolens, nihil coactus. 35. Quod etsi ita esse pluribus verbis disserendumst, illud tamen et breve et confitendumst, nisi qui ita sit adfectus esse liberum neminem.

Servi igitur omnes improbi, servi. Nec hoc tam re est quam dictu inopinatum atque mirabile. Non enim ita dicunt eos esse servos ut mancipia, quae sunt dominorum facta nexo aut aliquo iure civili; sed, si servitus sit, sicut est, oboedientia fracti animi et abiecti et arbitrio carentis suo, quis neget omnes leves, omnes cupidos, omnes denique improbos esse servos?

36. An ille mihi liber, cui mulier imperat, cui leges imponit, praescribit, iubet, vetat quod videtur, qui nihil imperanti negare potest, nihil recusare audet? Poscit, dandum est; vocat, veniendum; eicit, abeundum; minatur, extimescendum. Ego vero istum non modo servum sed nequissimum servum, etiam si in amplissima familia natus sit, appellandum puto.

37. Atque, ut in magna familia stultorum, sunt alii -- lautiores, ut sibi videntur, servi, sed tamen servi, atrienses ac topiarii stultitiae suae -- , quos signa, quos tabulae, quos caelatum argentum, quos Corinthia opera, quos aedificia magnifica nimio opere delectant. 'At sumus -- inquit -- principes civitatis'. Vos vero ne conservorum quidem vestrorum principes estis; sed, ut in familia qui tractant ista, qui tergent, qui ungunt, qui verrunt, qui spargunt, non honestissimum locum servitutis tenent, sic in civitate qui se istarum rerum cupiditatibus dediderunt, ipsius servitutis locum paene infimum obtinet. 'Magna -- inquit -- bella gessi, magnis imperiis et provinciis praefui'. Gere igitur animum laude dignum. Aetionis tabula te stupidum detinet aut signum aliquod Polycleti. Mitto unde sustuleris, quo modo habeas: intuentem te, admirantem, clamores tollentem cum video, servum esse ineptiarum omnium iudico. 38. 'Nonne igitur sunt illa festiva?' Sint (nam

nos quoque oculos eruditos habemus); sed, obsecro te, ita venusta habeantur ista, non ut vincla virorum sint, sed ut oblectamenta puerorum. Quid enim censes? Si L. Mummius aliquem istorum videret matellionem Corinthium cupidissime tractantem, cum ipse totam Corinthum contempsisset, utrum illum civem excellentem an atriensem diligentem putaret? Revivescat M'. Curius aut eorum aliquis, quorum in villa ac domo nihil splendidum, nihil ornatum fuit praeter ipsos, et videat aliquem, summis populi beneficiis usum, barbatulos mullos exceptantem de piscina et pertractantem et murenarum copia gloriantem: nonne hunc hominem ita servum iudicet, ut ne in familia quidem dignum maiore aliquo negotio putet?

39. An eorum servitus dubiast, qui cupiditate peculii nullam condicionem recusant durissimae servitutis? Heredi-tatis spes quid iniquitatis in serviendo non suscipit, quem nutum locupletis orbi senis non observat? Loquitur ad vo-luntatem, quicquid denuntiatumst facit, adsectatur, adsidet, muneratur: quid horum est liberi, quid denique servi non inertis? Quid? 40. Iam illa cupiditas, quae videtur esse liberalior, honoris, imperii, provinciarum, quam dura est domina, quam imperiosa, quam vehemens! Cethego, homini non probatissimo, servire coegit eos, qui sibi esse amplissimi videbantur, munera mittere, noctu venire domum ad eum, Praeciae denique supplicare. Quae servitus est, si haec libertas existimari potest?

Quid? Cum cupiditatis dominatus excessit et alius est dominus exortus ex conscientia peccatorum, timor, quam est illa misera, quam dura servitus! Adulescentibus paulo loquacioribus est serviendum, omnes, qui aliquid scire videntur, tamquam domini timentur. Iudex vero quantum habet dominatum, quo timore nocentes adficit. An non est omnis metus servitus? 41. Quid valet igitur illa eloquentissimi viri L. Crassi copiosa magis quam sapiens oratio 'eripite nos ex servitute'? Quae est ista servitus tam claro homini tamque nobili? Omnis animi debilitata et humilis et fracta timiditas servitus est. 'Nolite sinere nos cuiquam servire': in libertatem vindicari volt? Minime; quid enim adiungit? 'Nisi vobis universis': dominum mutare, non liber esse volt. 'Quibus et possumus et debemus'. Nos vero, si quidem animo excelso et alto et virtutibus exaggerato sumus, nec debemus nec possumus: tu posse te dicito, quoniam quidem potes, debere ne dixeris, quoniam nihil quisquam debet nisi quod est turpe non reddere.

Sed haec hactenus. Ille videat quo modo imperator esse possit, cum eum ne liberum quidem esse ratio et veritas ipsa convincat.

VI. HOTI MONOS HO SOPHOS PLOUSIOS

Quod solus sapiens dives.

42. Quae est ista in commemoranda pecunia tua tam insolens ostentatio? Solusne tu dives? Pro di immortales, egone me audisse aliquid et didicisse non gaudeam? Solusne dives? Quid, si ne dives quidem? Quid, si pauper etiam? Quem enim intellegimus divitem, aut hoc verbum in quo homine ponimus? Opinor in eo, quoi tanta possessiost, ut ad liberaliter vivendum facile contentus sit, qui nihil quaerat, nihil appetat, nihil optet amplius. 43. Animus oportet tuus te iudicet divitem, non hominum sermo neque possessiones tuae. Nihil sibi deesse putat, nihil curat amplius, satiatus est aut contentus etiam pecunia: concedo, dives es. Sin autem propter aviditatem pecuniae nullum quaestum turpem putas, cum isti ordini ne honestus quidem possit esse ullus, si cotidie fraudas, decipis, poscis, pacisceris, aufers, eripis, si socios spolias, aerarium expilas, si testamenta amicorum expectas, aut ne expectas quidem atque ipse supponis, haec utrum abundantis an egentis signa sunt? 44. '<An> animus hominis dives, non arca, appellari solet?' Quamvis illa sit plena, dum te inanem videbo, divitem non putabo. Etenim ex eo, quantum cuique satis est, metiuntur homines divitiarum modum. Filiam quis habet: pecuniast opus; duas: maiore; pluris: maiore etiam; si, ut aiunt Danao,

quinquaginta sint filiae, tot dotes magnam quaerunt pecuniam. Quantum enim cuique opus est, ad id accommodatur, ut ante dixi, divitiarum modus. Qui igitur non filias plures, sed innumerabiles cupiditates habet, quae brevi tempore maximas copias exhaurire possint, hunc quo modo ego appellabo divitem, cum ipse egere se sentiat? 45. Multi ex te audierunt, cum diceres neminem esse divitem, nisi qui exercitum alere posset suis fructibus, quod populus Romanus tantis vectigalibus iam pridem vix potest: ergo hoc proposito numquam eris dives, ante quam tibi ex tuis possessionibus tantum reficietur, ut eo tueri sex legiones et magna equitum ac peditum auxilia possis. Iam fateris igitur non esse te divitem, cui tantum desit, ut expleas id quod exoptas.

Itaque istam paupertatem vel potius egestatem ac mendicitatem tuam numquam obscure tulisti. 46. Nam, ut iis, qui honeste rem quaerunt mercaturis faciendis, operis dandis, publicis sumendis, intellegimus opus esse quaesito, sic qui videt domi tuae pariter accusatorum atque indicum consociatos greges, qui nocentes et pecuniosos reos, eodem te actore, corruptelam iudicii molientes, qui tuas mercedum pactiones in patrociniis, intercessiones pecuniarum in coitionibus candidatorum, dimissiones libertorum ad defenerandas diripiendasque provincias, qui expulsiones vicinorum, qui latrocinia in agris, qui cum servis, cum

libertis, cum clientibus societates, qui possessiones vacuas, qui proscriptiones locupletium, qui caedes municipiorum, qui illam Sullani temporis messem recordetur, qui testamenta subiecta, tot qui sublatos homines, qui denique omnia venalia, edictum, decretum, alienam, suam sententiam, forum, domum, vocem, silentium: quis hunc non putet confiteri sibi quaesito opus esse? Cui quaesito autem opus sit, quis umquam hunc vere dixerit divitem? 47. Etenim divitiarum est fructus in copia; copiam autem declarat satietas rerum atque abundantia: quam tu quoniam numquam adsequere, numquam omnino es dives futurus.

Meam autem quoniam pecuniam contemnis -- et recte: est enim ad volgi opinionem mediocris, ad tuam nulla, ad meam modica --, de me silebo, de re loquar. 48. Si censenda nobis sit atque aestimanda res, utrum tandem pluris aestimemus pecuniam Pyrrhi, quam Fabricio dabat, an continentiam Fabrici, qui illam pecuniam repudiabat? Utrum aurum Samnitium, an responsum M'. Curi? Hereditatem L. Pauli, an liberalitatem Africani, qui eius hereditatis Q. Maximo fratri partem suam concessit? Haec profecto, quae sunt summarum virtutum, pluris aestimanda sunt, quam illa, quae sunt pecuniae. Quis igitur, si quidem ut quisque quod plurimi sit possideat, ita divitissimus habendus sit, dubitet quin in virtute divitiae sint, quoniam nulla possessio, nulla vis auri et argenti pluris quam virtus aestimanda est?

49. O dii inmortales, non intellegunt homines quam magnum vectigal sit parsimonia! Venio enim iam ad sumptuosos, relinquo istum quaestuosum. Capit ille ex suis praediis sescena sestertia, ego centena ex meis. Illi aurata tecta in villis et sola marmorea facienti et signa, tabulas, supellectilem et vestem infinite concupiscenti non modo ad sumptum ille est fructus sed etiam ad faenus exiguus: ex meo tenui vectigali, detractis sumptibus cupiditatis, aliquid etiam redundabit. Uter igitur est divitior, cui deest, an cui superat, qui eget, an qui abundat, cui possessio, quo est maior, eo plus requirit ad se tuendam, an quae suis se viribus sustinet? 50. Sed quid ego de me loquor, qui morum ac temporum vitio aliquantum etiam ipse fortasse in huius saeculi errore verser? M'. Manilius patrum nostrorum memoria, ne semper Curios et Luscinos loquamur, pauper tandem fuit? Habuit enim aediculas in Carinis et fundum in Labicano. 'Nos igitur divitiores, qui plura habemus'. Utinam quidem! Sed non aestimatione census, verum victu atque cultu terminatur pecuniae modus. 51. Non esse cupidum pecuniast, non esse emacem vectigal est: contentum vero suis rebus esse maximae sunt certissimaeque divitiae.

Etenim si isti callidi rerum aestimatores prata et areas quasdam magno aestimant, quod ei generi possessionum minime /quasi/ noceri potest, quanti est aestimanda virtus,

quae nec eripi nec subripi potest, neque naufragio neque incendio amittitur, nec tempestatum nec temporum perturbatione mutatur! 52. Qua praediti qui sunt, soli sunt divites: soli enim possident res et fructuosas et sempiternas solique, quod est proprium divitiarum, contenti sunt rebus suis, satis esse putant quod est, nihil adpetunt, nulla re egent, nihil sibi deesse sentiunt, nihil requirunt. Inprobi autem et avari, quoniam incertas atque in casu positas possessiones habent et plus semper adpetunt, nec eorum quisquam adhuc inventus est, quoi quod haberet esset satis, non modo non copiosi ac divites, sed etiam inopes ac pauperes existimandi sunt.

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