

Cambridge University Press

978-1-107-04358-9 - Cicero on Politics and the Limits of Reason: The Republic and Laws

Jed W. Atkins

Frontmatter

[More information](#)

Cicero on Politics and the Limits of Reason

A prolific philosopher who also held Rome's highest political office, Cicero was uniquely qualified to write on political philosophy. In this book Professor Atkins provides a fresh interpretation of Cicero's central political dialogues – the *Republic* and *Laws*. Devoting careful attention to form as well as philosophy, Atkins argues that these dialogues together probe the limits of reason in political affairs and explore the resources available to the statesman given these limitations. He shows how Cicero appropriated and transformed Plato's thought to forge original and important works of political philosophy. The book demonstrates that Cicero's *Republic* and *Laws* are critical for understanding the history of the concepts of rights, the mixed constitution, and natural law. It concludes by comparing Cicero's thought to the modern conservative tradition and argues that Cicero provides a perspective on utopia frequently absent from current philosophical treatments.

JED W. ATKINS is Assistant Professor of Classical Studies at Duke University. His research focuses mainly on Greek and Roman political thought and ethics. In addition he works on the modern reception of ancient philosophy and the relationship between Greco-Roman philosophy and early Christian ethics.

Cambridge University Press

978-1-107-04358-9 - Cicero on Politics and the Limits of Reason: The Republic and Laws

Jed W. Atkins

Frontmatter

[More information](#)

Cambridge University Press

978-1-107-04358-9 - Cicero on Politics and the Limits of Reason: The Republic and Laws

Jed W. Atkins

Frontmatter

[More information](#)

CAMBRIDGE CLASSICAL STUDIES

General editors

R. L. HUNTER, R. G. OSBORNE, M. MILLETT, D. N. SEDLEY,
G. C. HORROCKS, S. P. OAKLEY, W. M. BEARD

Cambridge University Press

978-1-107-04358-9 - Cicero on Politics and the Limits of Reason: The Republic and Laws

Jed W. Atkins

Frontmatter

[More information](#)

Cambridge University Press

978-1-107-04358-9 - Cicero on Politics and the Limits of Reason: The Republic and Laws

Jed W. Atkins

Frontmatter

[More information](#)

**CICERO ON POLITICS AND THE LIMITS
OF REASON**

The Republic and Laws

JED W. ATKINS



CAMBRIDGE
UNIVERSITY PRESS

Cambridge University Press

978-1-107-04358-9 - Cicero on Politics and the Limits of Reason: The Republic and Laws

Jed W. Atkins

Frontmatter

[More information](#)CAMBRIDGE
UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

www.cambridge.orgInformation on this title: www.cambridge.org/9781107043589

© Faculty of Classics, University of Cambridge 2013

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 2013

Printed in the United Kingdom by Clays, St Ives plc

*A catalogue record for this publication is available from the British Library**Library of Congress Cataloguing in Publication data*

Atkins, Jed W.

Cicero on politics and the limits of reason : the republic and laws / Jed W. Atkins.

pages cm – (Cambridge classical studies)

Includes bibliographical references and index.

ISBN 978-1-107-04358-9 (hardback)

1. Cicero, Marcus Tullius – Political and social views.

2. Political science – Rome – History. I. Title.

JC81.C7A75 2013

320.1–dc23 2013012187

ISBN 978-1-107-04358-9 hardback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication, and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.

Cambridge University Press

978-1-107-04358-9 - Cicero on Politics and the Limits of Reason: The Republic and Laws

Jed W. Atkins

Frontmatter

[More information](#)

For Claire and William

Cambridge University Press

978-1-107-04358-9 - Cicero on Politics and the Limits of Reason: The Republic and Laws

Jed W. Atkins

Frontmatter

[More information](#)

Cambridge University Press

978-1-107-04358-9 - Cicero on Politics and the Limits of Reason: The Republic and Laws

Jed W. Atkins

Frontmatter

[More information](#)

CONTENTS

<i>Acknowledgments</i>	page xi
<i>Texts, translations, and abbreviations</i>	xiii
Introduction	I
1 Reading the <i>Republic</i>	14
Skepticism and authority	17
Platonic dialogue	23
An invitation to political philosophy	27
Cicero's mouthpiece?	33
A cooperative investigation	42
2 The Dream of Scipio and the science of politics	47
Astronomy and politics	49
Models	56
Plato's ideal regimes: the <i>Republic</i> and <i>Laws</i>	61
The cosmos and the limits of reason	64
The statesman and the lessons of Scipio's Dream	73
3 Constitutional change and the mixed constitution	80
The Platonic-Aristotelian framework	81
Polybius' alternative	85
Scipio and Polybius	93
Ideal regimes and chance	96
Human nature and constitutional change	99
The Roman mixed constitution	105
Rationalism and the mixed constitution	115
4 Political society and citizens' rights	120
Rights in Roman law and political thought	121
Rights and the "property of the people"	128
Citizens' rights	138
Rights, justice, and the common good	144
Nature's conspicuous absence	152
5 Natural law	155
Approaching the <i>Laws</i>	155
	ix

Cambridge University Press

978-1-107-04358-9 - Cicero on Politics and the Limits of Reason: The Republic and Laws

Jed W. Atkins

Frontmatter

[More information](#)

CONTENTS

Sources and the interpretation of <i>Laws</i> I	161
Antiochus and the Platonic provenance of natural law	165
From right reason to natural right	169
Skeptical fingerprints	176
Philo, Carneades, and the criterion of the persuasive	179
Legislation and the limits of philosophy	185
6 Legislation for the best practicable regime	188
Plato and the Stoics on law and nature	189
The conventional and the natural	195
Natural law and written legislation	199
Religious and constitutional law	208
Platonic paradigmaticism and the tripartite division of law	217
The legacy of the <i>Laws</i>	224
Conclusion	227
<i>Bibliography</i>	239
<i>Subject index</i>	251
<i>Index locorum</i>	265

Cambridge University Press

978-1-107-04358-9 - Cicero on Politics and the Limits of Reason: The Republic and Laws

Jed W. Atkins

Frontmatter

[More information](#)

ACKNOWLEDGMENTS

This book emerged from a University of Cambridge doctoral dissertation that was submitted and defended in 2009. Malcolm Schofield directed the dissertation and, prior to that, served as my primary mentor for the Cambridge MPhil program in Political Thought and Intellectual History. From his example and instruction alike, I have learned much about doing research in Greek and Roman political thought, and I am grateful for his support during my time at Cambridge and beyond. Another longstanding debt is owed to Paul Franco and Jean Yarbrough, who introduced me to the history of moral and political philosophy at Bowdoin College. Paul gave me a copy of the Oxford World's Classics edition of Cicero's *Republic* and *Laws* late in my undergraduate career; Jean later suggested that I write my dissertation on Cicero. The original dissertation was examined by Christopher Gill and Peter Garnsey, whose incisive comments proved most helpful when I began to transform the thesis into a book.

During the past four years, I have been fortunate to be employed as an Assistant Professor in the Classical Studies Department at Duke University. I am thankful for the support and encouragement of my colleagues as well as the administrative staff. I owe a particular debt of gratitude to Diskin Clay, who not only read most of the penultimate draft of the manuscript, but has also been a most generous and supportive mentor and friend.

I have benefited from the comments of a number of readers on earlier drafts of portions of the manuscript. They include Jack Barlow, Keegan Callanan, Diskin Clay, Peter Euben, Paul Franco, Benjamin Keim, Joel Schlosser, and Quentin Skinner. I should also like to thank the Program in Constitutionalism and Democracy, and in particular Jim Ceaser, who twice hosted me at the University of Virginia, where I presented drafts of Chapters 3 and 4. I am grateful for the feedback I received on these occasions.

Cambridge University Press

978-1-107-04358-9 - Cicero on Politics and the Limits of Reason: The Republic and Laws

Jed W. Atkins

Frontmatter

[More information](#)

ACKNOWLEDGMENTS

David Sedley and Mary Beard read the entire manuscript as editors for the CCS series and provided helpful feedback and corrections. At Cambridge University Press, Michael Sharp and Elizabeth Hanlon provided timely advice and support as the book made its way to press. Annie Jackson handled the copy-editing, and Kate Mertes compiled the indexes. Jenny Slater guided me through the production process.

Writing a book is at times a lonely venture, and one that has made me all the more aware of my dependence on the support of friends and family. The friendships of Keegan Callanan and Benjamin Keim in particular have helped encourage and sustain me throughout the process of writing this book; the selfless love of my parents, Bill and Mary Atkins, has done so from my earliest days. For their unwavering support, and for that of my sisters, Carrie and Hannah, I am most grateful. Most of all, however, I thank my wife Claire and son William, who fill each day with joy. It is to them that I dedicate this book.

Cambridge University Press

978-1-107-04358-9 - Cicero on Politics and the Limits of Reason: The Republic and Laws

Jed W. Atkins

Frontmatter

[More information](#)

TEXTS, TRANSLATIONS, AND ABBREVIATIONS

For the Latin text of Cicero's *Republic* and *Laws* I have used the following edition: *M. Tulli Ciceronis. De re publica, De legibus, Cato Maior de senectute, Laelius de amicitia*, ed. J. G. F. Powell, Oxford Classical Texts (Oxford, 2006). The editor has reordered the fragments of Books 3, 5, and 6 of the *Republic*. When referring to these passages, I have included the standard reference to Ziegler's Teubner edition after the reference printed in the OCT (e.g., 6.22 = 6.18). For other ancient works, I have generally followed the texts printed in the Oxford Classical Texts series and, for works not available in that series, the Teubner series. Exceptions are listed in the abbreviations provided below or in the first section of the bibliography.

Translations are my own unless otherwise indicated. In working on Cicero's *De republica* and *De legibus*, I have consulted the recent translations by Niall Rudd in the Oxford World's Classics series and James E. G. Zetzel in the Cambridge Texts in the History of Political Thought series. I have also somewhat less frequently looked at the older translations by Clinton Walker Keyes (in the Loeb series) and by George Sabine and Stanley Smith (*Republic* only). Zetzel's excellent edition in particular has seen much use (both within the classroom and without) during the writing of this book: I have benefited greatly from both his translations and notes. In order to make this book accessible to as wide an audience as possible while limiting its length, I generally have not supplied complete Greek and Latin texts for primary passages quoted in English. I have, however, frequently included relevant Greek and Latin words along with my own translations. When doing so, I have typically quoted the Greek and Latin as they appear in the texts; e.g., nouns are generally cited in oblique cases. Conversely, when citing Greek and Latin words within my own discussion, I usually refer to them by their dictionary form.

Cambridge University Press

978-1-107-04358-9 - Cicero on Politics and the Limits of Reason: The Republic and Laws

Jed W. Atkins

Frontmatter

[More information](#)

TEXTS, TRANSLATIONS, AND ABBREVIATIONS

Abbreviated references to classical works follow the abbreviations used in the *Oxford Classical Dictionary* (3rd edn.). Please note the following abbreviations for Plato's major political works: *Statesman (Politicus) Plt.*; *Republic (Respublica) Resp.*; *Laws (Leges) Leg.* In the notes, I have generally included abbreviated references to the author's name along with the title to avoid any possible ambiguity between Plato's *Republic* and *Laws* and Cicero's, e.g., *Pl. Leg.* and *Cic. Leg.* Journal titles are abbreviated in the Bibliography according to the conventions of *L'année philologique*. Please note the following additions and exceptions:

- ANRW* *Aufstieg und Niedergang der römischen Welt*, ed. H. Temporini. Berlin, 1972–.
- DL* Diogenes Laertius: *Lives of Eminent Philosophers = Diogenis Laertii Vitae Philosophorum*, ed. H. S. Long (2 vols.). Oxford Classical Texts. Oxford, 1964.
- LS* *The Hellenistic Philosophers*, eds. A. A. Long and D. N. Sedley (2 vols.). Cambridge, 1987.
- OLD* *Oxford Latin Dictionary*, ed. P. G. W. Glare. Oxford, 1968.
- SVF* *Stoicorum Veterum Fragmenta*, ed. H. von Arnim (3 vols.). Leipzig, 1903–5.