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## INTRODUCTION

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### I EPICUREAN THEOLOGY

Epicurus' philosophy aimed to free the human being from fear of the gods and of punishment in the afterlife. He deployed atomic physics to eliminate divine causation from the world as well as the possibility that the soul could survive the death of the body. He might have been expected to deny the existence of the gods altogether,<sup>1</sup> but this he declined to do in view of the widespread belief in their existence<sup>2</sup> and in order to provide something that the gods of folkbelief had failed to yield, namely a model of blessedness for human beings to strive for, the happiness of his gods differing from that of the sage only in its infinite duration (and Epicurus was at pains to deny that duration had any important effect on pleasure<sup>3</sup>). In the case of the gods, as in that of free will, Epicurus had to make certain adjustments to his physics in order to accommodate his ethical goals. In this case he exempted the gods from the law of decomposition and decay to which other atomic compounds are subject.<sup>4</sup>

Epicurus dealt with theology in separate books entitled *On gods* and *On piety*, as well as in the twelfth book *On nature* (*Epicurea* pp. 103–4, 106–8, 127–8), all lost apart from small fragments, and *To Menoecus* 123–4. Later Epicurean accounts are partially preserved on papyrus: Demetrius Laco *On the form of god* (c. 100 BC) as well as the works of C.'s contemporary Philodemus *On piety* and *On gods*. In addition Lucretius, although he never produced his promised detailed treatment of the abode of the gods (5.153–5),

<sup>1</sup> Cf. §§85–6, 123; references to *N.D.* 1 are by the smaller section numbers first introduced in the edition of Alexander Scot (Lyons, 1588); the larger divisions stem from Gruter's edition (Basle, 1618), the divisions in the letters apparently from Orelli (Zurich, 1826–38); cf. Glucker (1984). In quoting epigraphical or papyrological texts I have not indicated uncertainly read letters with dots; I have ordinarily not used angular brackets in these or other texts; those interested in such details should refer to the relevant editions. Phld. *Piet.* 1 is cited according to line or section no. in Obbink's published edn., *Piet.* 2 by column and line no. of the papyrus.

<sup>2</sup> For the Epicurean appeal to consensus cf. on §§43b–44.

<sup>3</sup> Cf. Mitsis (1988) 23–6.

<sup>4</sup> This assumes that Cotta is correct in making the gods consist of atoms (§65); the doctrine that the gods possess *quasi corpus* and *quasi sanguis* remains obscure; see on §49; cf. also §105 *ex infinitis corporibus similitum accessio*.

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nevertheless provides valuable remarks about the gods in general (6.68–79) and the origin of human belief in the gods in particular (5.1161–1225). In view of the otherwise fragmentary nature of the evidence, our one continuous account, preserved in *N.D.* 1, deserves very careful study. It will be found to be basically reliable, albeit compressed and marked by some misunderstandings.<sup>5</sup>

## 2 COMPOSITION: DATE, CHANGE OF PLAN

Broadly educated in Greek philosophy, Cicero wrote a small excursus on the foundations of religious belief as early as his *Pro Milone* (§§83–4; 52 BC).<sup>6</sup> But it took a special combination of circumstances to motivate his composition of a detailed essay *De natura deorum*. The general prerequisite was leisure (cf. *Leg.* 1.8), and this was available in consequence of his exclusion from most public activity following Caesar's victory in the civil war (cf. §7). But the *causa efficiens* for this as for most of his philosophical writing was the death of his beloved daughter Tullia in childbirth in mid-February 45 (cf. §9). He sought to extricate himself from the deep depression that followed first by reading and by writing the essay *De consolatione*. Gradually the ambitious plan crystallized in his mind of a series of works forming a systematic introduction to Greek philosophy for Roman readers. The proreptic *Hortensius* (March) was followed by the epistemological books *Catulus* and *Lucullus* recast as the four *Academici libri* and joined by 30 June by the five books of the ethical treatise *De finibus*.<sup>7</sup>

Work on *N.D.* is first clearly attested in mid-August 45,<sup>8</sup> like *Fin.* it was dedicated to M. Brutus (cf. on §1). At *Div.* 2.3 (revised after the Ides of

<sup>5</sup> Cf. Lemke (1973) 94; for compression cf. §49 n.; for misunderstandings cf. §4 *infra*; on §§25, 50, and (perhaps) 75 and 105; cf. Kleve (1961).

<sup>6</sup> Cf. Dyck (1998) 234; cf. also his answer to the charge of having come to philosophy late (§§6–7 with n.).

<sup>7</sup> Cf. Gelzer (1969) 290–3; Marinone (1997) 213–14; for the composition of *Catulus*/*Lucullus*/*Academici libri* cf. Griffin (1997).

<sup>8</sup> *Att.* 13.38.1 (15 August 45) *ante lucem cum scriberem contra Epicureos de eodem oleo et opera exaravi nescio quid ad te et ante lucem dedi*; *ibid.* 13.39.2 (16 August) *Romam ut censes veniam, sed inuitus: ualde enim in scribendo haereo . . . libros mihi de quibus ad te antea scripsi uelim mittas et maxime Φαίδρου περί ἸΟΣΩΝ et ΠΑΛΛΙΔΟΣ (θεῶν cj. Victorius; et Διογένοϋς Περὶ) Παλλάδος cj. Shackleton Bailey: cf. Obbink on Phld. *Piet.* pp. 22–3; Περὶ ὁσίων et Περὶ φιλίας cj. Summers (1997) 311, but cf. Obbink (2002) 188 n. 10). Also adduced in this connection is *Att.* 13.8 (9 June 45) *epitomen Bruti Caelianorum uelim mihi mittas et a Philoxeno Παναγιῆτος Περὶ προνοίας*. C. cites the *Histories* of Coelius*

March 44<sup>9</sup>) the work is listed among the books by which he has gained his object of transmitting the methods of the “best arts” to his fellow citizens (2.1; cf. also *Fat.* 1.1).<sup>10</sup> As we have them, the three books are all staged within a single day, but the text bears traces of an earlier plan whereby the conversation was spread over several days. Thus at 2.3 Balbus lays out his *diuisio* of the subject into four parts and proposes to postpone the third and fourth topics *in aliud tempus*, a plan which, however, Cotta immediately asks be altered so as to accommodate the whole subject. Then in 2.45 Balbus introduces the second of his topics with the words *restat ut qualis eorum natura sit consideremus*, as if this were the sole remaining item (at 2.154 the fourth topic in the series will likewise be introduced with *restat*). Still more striking are the references to the conversation as divided among different days. Thus at 2.73 Balbus refers to Velleius’ attack on Stoic providence (1.18) as having occurred *hesterno die*; again in his refutation of Balbus (3.18) Cotta refers to the argument for the divinity of the world and heavenly bodies (= 2.29–44) as given *nudius tertius* (“the day before yesterday”). Now external evidence points to changes of plan having been effected in other Ciceronian dialogues (*Rep.*, *Ac.*), so this is not so very surprising.<sup>11</sup> According to the original plan, the conversation of *Rep.* was to have been held during special propitiatory *feriae nouendiales* and to have been divided accordingly into nine books staged on nine successive days (*Qfr.* 3.5.1); the extant version has been reconfigured in six books taking place during the *feriae Latinae*, which comprised one day of sacrifice and two of holiday;<sup>12</sup> hence the extant six books were divided into pairs, each pair evidently occupying a separate day. Now *N.D.* likewise is set during the *feriae Latinae*, so that three days would have been available, and it would have been natural for C. to make full use of them for the staging of his dialogue. Various solutions have been put forward as to the original distribution of matter over days and books. Of these the one that

Antipater at *N.D.* 2.8 (*hist. fr.* 19), and Panaetius *On Providence* would be relevant to some of the arguments of Book II; but this is our only attested fragment (no. 33 van Straaten); and an application to *Tusc.*, also written around this time, would be conceivable; cf. Philippson (1939) 1151.31–41.

<sup>9</sup> Cf. Gelzer (1969) 335.

<sup>10</sup> The wording of 2.3 *quibus rebus editis tres libri perfecti sunt de natura deorum* has been interpreted as implying that C. did not publish *N.D.* in his lifetime: so Mayor on *N.D.* 3 p. xxvi; but cf. *Div.* 1.8; Schmidt (1978) 66.

<sup>11</sup> For *Ac.* cf. n. 7 *supra*; for *Rep.* cf. Zetzel on *Rep.* pp. 3–6.

<sup>12</sup> Cf. Scullard (1981) 114–15.

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fits the evidence most closely is that of Hirzel, who posited the following relations:

original Book I = day 1 = *N.D.* 1–2.72 (Epicureanism *pro* and *contra*  
 + points 1–2 of Balbus' *diuisio*)

original Book II = day 2 = *N.D.* 2.73–168 (= points 3–4 of Balbus'  
*diuisio*)

original Book III = day 3 = *N.D.* 3 (Cotta's critique of Stoicism).<sup>13</sup>

This scheme accounts for the separation of points 1–2 from points 3–4 in Balbus' plan (presumably he was originally persuaded to go on to the *maiora* if granted some rest). It likewise explains the cross-references: from the standpoint of 2.73 Velleius' attack on Stoic providence would indeed have occurred yesterday; and when speaking at 3.18 Cotta could refer to Balbus' doctrine of the divinity of the world and heavenly bodies as having been expounded "the day before yesterday." Velleius' remark to Cotta at 3.2 (*spero . . . te ut soles bene paratum uenire*) fits better if a new day's discussion is about to begin and Cotta has had the evening to prepare his rebuttal of Balbus. One can only speculate why C. chose to abandon this plan (while effacing the traces incompletely from his manuscript). Possibly he was disturbed by the odd proportions, with the first book comprising 196 paragraphs compared with only 95 in the second,<sup>14</sup> and the less than perspicuous organization, with the argument for Stoic theology divided between two books and sharing a book with Epicureanism. Possibly the original plan of a three-day conversation was meant to be combined with a more elaborate setting, and C. chose to reduce the length of the dialogue at the same time that he decided not to elaborate the scenery but concentrate on the arguments.<sup>15</sup>

<sup>13</sup> Hirzel (1895) 1529 and n. 3, revived by Schmidt (1978), who shows the inadequacy of alternative hypotheses.

<sup>14</sup> So Schmidt (1978) 65.

<sup>15</sup> Cf. Levine (1957a) 10–13; though the setting is undeveloped, it need not follow that the dialogue is unfinished (a possibility Levine leaves open; cf. n. 10 *supra*). Starting from this well-attested and accepted change of plan, Levine goes on to argue for a further change: he claims that C. originally intended that he, not Cotta, should be the main Skeptical speaker; this is based primarily on *Att.* 13.19.4 (28 June 45), in which he states that in the dialogues he is now writing he is following the Aristotelian custom *ut penes ipsum sit principatus*. This would apply to *Ac.* and *Fin.*, but it is not clear that at the date of the letter C. was at work on or contemplating *N.D.* Levine seems to think that C. would simply have given himself the rôle taken in the

### 3 THE SCENE, CHARACTERS, AND FICTIVE DATE

The scene of *N.D.* is so sketchily set that, though the dialogue takes place at the house of C. Aurelius Cotta, it is not clear whether this is his city house or a suburban villa.<sup>16</sup> The only concession to concreteness is that C. finds Cotta *sedentem in exedra* (§15) as one might do on a spring afternoon during the *feriae Latinae*. The conversation concludes not with consensus but for the external reason that evening is coming on (*quoniam aduesperascit*: 3.94). *N.D.* is unique among Ciceronian dialogues in continuing for three books without a change of position.<sup>17</sup>

Nor are the participants in the dialogue strongly individualized; rather they are virtually personifications of the qualities of their respective philosophical schools:<sup>18</sup> Velleius is first described as one deferred to by other Epicureans (just as Epicurus himself was) and Balbus as an instantiation of progress (a key component of Stoic ethics: §15). Velleius begins his exposition as a portrait of self-confidence without any trace of doubt (§18), as one might expect of a dogmatist (cf. Cotta's admonition to confess his ignorance (§84a)); and he shares the general Epicurean penchant for biting criticism of opposing schools (esp. §§18–24, 37, 39, 42; Cotta criticizes this at §§93–4; cf. §73). Balbus first intervenes to reject Antiochus' view that the distinction between the Stoa and Peripatos is purely verbal, i.e. to affirm the separateness (and correctness) of Stoic doctrine; his last speech affirms that he wants to redouble his efforts to persuade Cotta of the rightness of Stoic theology (3.94): he thus remains the true Stoic from first to last. Cotta, the Skeptic, begins by pointing out that his forte lies in refutation, not the discovery of positive doctrine (§57; cf. §91), and that remains his stance throughout. Each is given impeccable school credentials: Cotta quotes L. Crassus as declaring Velleius outstanding among Roman Epicureans and with few peers even in Greece (§58); similarly Balbus is first introduced as one so advanced in Stoic doctrine as to be comparable only with its outstanding Greek representatives (§15), and he is later said to be personally acquainted with Posidonius (2.88); and Cotta, like C., was a pupil of the extant dialogue by Cotta; but he can hardly have presented himself in 77–6 (see §3 *infra*) as a figure on equal terms with Velleius, Balbus, and Cotta. Nor is it clear that on reflection C. would have shied away from assigning himself the rôle of Skeptic, for he did so in *Div.*

<sup>16</sup> Cf. Kiaulehn (1913) 181.      <sup>17</sup> Levine (1957a) 12.

<sup>18</sup> Cf. Heinemann (1921–28) II 145–6.

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Academic Philo of Larissa (§17) and on his advice attended lectures of the Epicurean Zeno of Sidon so as to sharpen his skills in refutation (§59). But Cotta also has an individual attribute relevant to the topic at hand, namely his tenure of a priesthood. C. uses this fact to start a little debate about the implications of Roman cult or lack thereof for this topic. Thus at the end of his long speech Balbus seeks to determine the character of Cotta's reply with reference to his status as a priest (2.168 *tu autem, Cotta, . . . teque et principem ciuem et pontificem esse cogites . . .*); Cotta, on the other hand, begins his reply by claiming that acceptance of ancestral custom need not imply preference for any particular philosophical position (3.5–6).<sup>19</sup>

Of the historical personages on whom these characters are based, Q. Lucilius Balbus and C. Velleius are known only from this dialogue and *De orat.*, where they are mentioned as representatives of the Stoic and Epicurean schools (3.78).<sup>20</sup> Velleius is introduced in *N.D.* as a senator (§15), and Balbus' father was already a member of the senate (2.10); these facts together with Cotta's priesthood<sup>21</sup> make it clear that the interlocutors all have standing within the Roman upper class. A more substantial figure than the other main speakers, C. Aurelius Cotta attained the consulship of 75 and served the following year as proconsul in Gaul, being voted a triumph which he never lived to celebrate.<sup>22</sup> Cotta, who was a personal friend of C. (§15), proved to be a valuable tool in the dialogues. As the last surviving member of the group, Cotta could be invoked as a credible source for the conversation of *De orat.* (3.16), where he and P. Sulpicius Rufus are the youngest participants, for whose benefit the discussion is prolonged (1.99–102). On Atticus' suggestion C. contemplated but rejected Cotta as a possible speaker in *Ac. (Att. 13.19.3)*.

In this last passage C. justifies his decision with the argument that if the principal parts fell to Cotta and Varro, he himself would be reduced to a mute actor (κωφὸν πρόσωπον). This argument raises the question why he allowed himself to appear in just such a rôle in *N.D.* In fact, though he must clarify that he has come merely as an *auditor* (§17), C.'s presence

<sup>19</sup> Similar the problem of "Cicero" at *Div. 2.70 difficilis auguri locus ad contra dicendum*.

<sup>20</sup> In addition, Velleius' name has been conjecturally restored by Préchac in an Epicurean context (*Fam. 7.12.1*).

<sup>21</sup> For the correlation between the holding of priesthoods and major magistracies cf. Szemler (1972) esp. 179–92.

<sup>22</sup> *MRR* II 96 and 103; P. v. Rohden, *RE* II 2.2482.68; for his likely political affiliations and main achievement as consul (the law freeing tribunes to seek higher office) cf. Marshall (1975) 142–4 and 146.

within the dialogue offers several advantages: (a) he need not invent a path of transmission by which the content of the conversation reached him (though he could have invoked Cotta, as in *De orat.*); (b) beginning with a gracious compliment to the author (2.104), Balbus can use passages from the *Aratea* to illustrate his argument about the orderliness of the universe; (c) the presence of four persons enables C. to stage the conclusion of the dialogue as an evenly divided court with Velleius and Cotta on the one side, “Cicero” and Balbus on the other, whereby, however, in good Academic fashion the verdict of “Cicero” is carefully hedged (*mihi Balbi ad ueritatis similitudinem uideretur esse propensior*: 3.95).

In the absence of an explicit dramatic date for this dialogue, it is to be inferred from what is known of the participants’ careers, since C. strove for verisimilitude in such matters. Cotta is known to have been in exile following prosecution under the *lex Varia* between 91 and 82 (cf. Gruen (1965) 64); he has returned and already been elected *pontifex* by the date of the dialogue. C., on the other hand, was on a study tour of Greek lands from 79 to 77.<sup>23</sup> Cotta was elected to the consulate (and C. to the quaestorship) for 75; but if Cotta were consul or consul-elect that fact would have had to be mentioned.<sup>24</sup> Since Cotta would probably not have been elected *pontifex* very shortly after his return from exile and C.’s interest in philosophy (§15 *pro tuo studio*) would be most evident in light of his study tour, we are probably meant to suppose that the interlocutors gathered during the latter part of 77 or prior part of 76.

#### 4 THE SOURCES

The study of the sources of *N.D.* 1 begins with the puzzle that, according to the reading usually adopted, C. wrote to Atticus requesting Phaedrus’ essay *On gods* after he had already embarked upon the refutation of Epicureanism (*Att.* 13.39.2 and 38.1); but he can hardly have written Cotta’s refutation before Velleius’ exposition of Epicurean doctrine, since the former follows the latter fairly closely (see §65 n.) and sometimes quotes or summarizes it.<sup>25</sup> Possibly C. wanted Phaedrus’ work merely to fill in gaps.<sup>26</sup>

<sup>23</sup> Cf. Gelzer (1969) 23; Marinone (1997) 59–60 and 59 n. 1.

<sup>24</sup> Cf. the mention of T. Manlius Torquatus’ approaching praetorship at *Fin.* 2.74; cf. Dyck on *Off.* p. 568 n. 53.

<sup>25</sup> Cf. on §§57–124; Kleve (1963) 103 n. 2; Obbink on *Phld. Piet.* p. 23 n. 1.

<sup>26</sup> Cf. Obbink (2002) 188 n. 11; this seems likelier than Summers’ (1997) supposition that the true reading is “Phaedrus *On Holy Things* and *On Friendship*”; see n. 8 *supra*;

After the personal prologue and setting of the stage, philosophical argument begins with Velleius' preliminary attack on the Platonic and Stoic notions of the deity (§§18–24). The source of this material remains a puzzle; it is clear, however, that it cannot derive from Philodemus *De pietate*, for he proceeds directly from a mythological section to the philosophers, the latter corresponding in coverage to C.'s main doxography.

There follows the main doxography (§§25–43a), long recognized as closely affiliated with the part of Phld. *De pietate* fragmentarily preserved at PHerc. 1428.<sup>27</sup> C. knew the Greek philosopher personally and used his writings to supply detail for his invective against L. Calpurnius Piso Caesoninus (*Pis.* 68–72). Now C. was well acquainted with and could reproduce the neutral style of doxographical reporting,<sup>28</sup> but in *N.D.* he has presented his doxography with a hostile *color*, evidently in imitation of what he regarded as the Epicurean style of philosophical polemics.<sup>29</sup> Occam's razor favors the hypothesis that C. simply added this overlay to Philodemus' less polemical account, rather than that both depend on a third doxography;<sup>30</sup> otherwise one would have to assume a remarkable coincidence of philosophers chosen by Phld. and C. Where there is divergence, Phld. is in every case closer to the doxographical tradition.<sup>31</sup>

Velleius' account of Epicurean theology (§§43b–56) is compressed sometimes to the point of obscurity, as he himself admits (§49); see further on §§18–56 and 49. Ciceronian misunderstanding may be a factor at certain points (see p. 2 n. 5 *supra*). Parallels to extant Epicurean sources are pointed out in the appended notes. Part of it (§§46–8) seems to be the

Obbink goes on to suggest that C. asked for Phaedrus' book when he found it cited at Phld. *Piet.* 2.360.14–16.

<sup>27</sup> The two texts were printed in parallel columns already by Diels, DC 531–50; a new edition of the work has been prepared by Obbink, the first part already published (1996); the second part (containing the parallels to our doxography) currently in press is quoted here with his kind permission; cf. also Henrichs (1974).

<sup>28</sup> Cf. *Luc.* 118; McKirahan (1996) 876.

<sup>29</sup> The possibility was raised by Mayor on *N.D.* 1 li.; cf. McKirahan (1996) 877–8; for an exception cf. on §39. Notable changes include the order by which critique of philosophers precedes that of poets (§§42–3a n.), Xenophon's assimilation to Plato (§31), shortening of the treatment of Chrysippus (§§39–41), as well as hasty excerpting at §§34 and 36; see *ad locc.*

<sup>30</sup> The latter was the hypothesis of Mayor *loc. cit.*, who suggested Zeno of Sidon, the teacher of both Philodemus and C., as the common source; cf. Obbink on Phld. *Piet.* p. 96 and n. 4; Obbink (2002) 193.

<sup>31</sup> Cf. McKirahan (1996).



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product of discussions between Epicureans and Stoics, perhaps at the stage of Chrysippus.<sup>32</sup> There is, however, no need to assume that the doctrine put forward by Velleius represents a younger stratum of Epicureanism than the one that served as the basis for Cotta's refutation. C. clearly knew recent sources for Epicureanism,<sup>33</sup> but incompatibilities of doctrine and refutation can be otherwise explained.<sup>34</sup>

Academic material underlies Cotta's speech; this is clear from similar arguments in Sextus Empiricus, who used Carneades' criticisms of dogmatic theology as written down by Clitomachus,<sup>35</sup> as well as the parallels to objections cited by Philodemus or to Cotta's refutation of Stoicism in Book III (cf. on §§67–8 and 119). Some characteristics of C.'s Academic source can be specified: it has taken over anti-Epicurean polemics from Timocrates (§93 n.); it criticizes Epicureanism at a stage prior to Philodemus, who sought to meet many of the objections raised;<sup>36</sup> and it goes into details of doxography or Epicurean doctrine that Velleius had not mentioned. Thus Cotta, not Velleius, mentions Leucippus (§66) and Prodicus (§118) and that the εἰδωλα (= *imagines*) that give access to the idea of god indicate that the deity has the *liniamenta* of the human form (§§75 and 98b). At the same time there are misunderstandings or misrepresentations of Epicurean views: that the atomic doctrine implies the mortality of the gods (§§67–8); the apparent transfer of characteristics of their *imagines* to the gods themselves (§75a n.); the notion that the process by which humans derive their picture of the gods leaves no distinction between gods and Centaurs (§105); the treatment of ἰσονομία as an argument for the existence of the gods (§§50a, 109). Whether or to what degree such features are the faults of C. writing in haste or of his source(s) remains unclear.

<sup>32</sup> Cf. Kleve (1978a) 73. The fact that Velleius' speech is based on a younger Epicurean source might help to explain the relatively few points of contact with Lucretius, who was working directly from Epicurus; cf. Sedley (1998).

<sup>33</sup> On Phaedrus and Philodemus see above.

<sup>34</sup> Philippson (1940) 32 sought to account for the absence of the doctrine of *transitio* (which he interpreted as μετάβασις; see on §49) from Cotta's refutation by the assumption that it was not yet known to C.'s Academic source, which he thought to be Carneades; but the Academic source may be later (see below). Nor will the excuse of being based on an earlier source apply to the refutation of doctrine *de uita deorum*; cf. Kleve (1978a) 76–7.

<sup>35</sup> Cf. S. E. M. 9.182; for the parallels see on §§65, 67–8, 69, and 92.

<sup>36</sup> He provided the gods with food (§§92 and 112), the use of sexual organs (§95), various activities (§102), movement and appetency (§104), and friendship (§121b n.).

Analysis of the source(s) of Cotta's speech has been bedevilled by a misunderstanding of Academic procedure. The Academic was free to adopt premises of opposing schools for the sake of refuting the dogmas under discussion,<sup>37</sup> as Cotta does in various passages: he adopts Stoic teleology at §92, uses the Stoic definition of *sanctitas* at §116, and argues that the Stoic picture of the *sapiens* is more plausible than the Epicurean concept of the deity at §121b; and he cites Posidonius' critique of Epicurus as a crypto-atheist at §123. The adoption of some Stoic viewpoints need not, however, mean that C. has changed from an Academic to a Stoic source, as has sometimes been thought.<sup>38</sup> The Academic is under no obligation to adopt any consistent positive doctrine. Thus Cotta uses Aristotle's definition of virtue, rather than the Stoic one, at §110b. So little is he concerned with consistency that Cotta speaks at first as though he does not believe in the gods at all (§61) but later seeks to tar Epicurus with the brush of atheism (§123)! A special problem, however, is whether the rejection of Epicurus' atheism at §§85–6 and the return to the problem with a different solution at §123 points to a change of source.<sup>39</sup> But there is no contradiction, for the basis of argument is different in each passage. At §§85–6 Cotta, in his mode of *liberalitas*, is prepared to take Epicurus' professions at face value; by §123, however, he has shown that the basic tendency of his philosophy is at odds with the cult of the gods, so that Epicurus' mere words no longer have the power to avert the conclusion that he was in fact an atheist. Though C. was widely read, personally acquainted with Posidonius (see §6), and for one of the few times in *N.D.* cites a specific book, one need not necessarily infer that §123 derives from other than his basic Academic source. If C. found the citation of Posidonius in his Academic source and did not add it himself, then an Academic younger than Clitomachus (187/6–110/9) would be indicated, possibly his own teacher Philo of Larissa.<sup>40</sup>

<sup>37</sup> C. was wont to interpret this Academic license even more broadly; cf. Görler (1997) esp. 54.

<sup>38</sup> E.g. Reinhardt (1888) 29, who gives Clitomachus and Posidonius as the sources of Cotta's speech; similarly Uri (1914) 111–12; Cropp (1909) 22–3 would substitute for Clitomachus an Academic with Stoic leanings (Antiochus?).

<sup>39</sup> So Philippson (1940) 42, followed by Pease 1 p. 44.

<sup>40</sup> The view e.g. of Sedley (1976) 128–9; similarly Winiarczyk (1976) 35; Philippson (1940) likewise thinks that Philo was probably the source though he believes C. himself added the reference to Posidonius at §123 in view of the different treatment of the matter at §§85–6; at 30 n. 1 he explains *liniamenta* in §123 (also §§75 and 98b) through Posidonius' acceptance of Carneades' critique of Epicurus. For Clitomachus' dates