

CICERO'S  
PRACTICAL PHILOSOPHY

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*Edited by*

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# Contents

|   |      |
|---|------|
| <i>List of Contributors</i>   | ix   |
| <i>Acknowledgments</i>  | xi   |
| <i>Abbreviations</i>  | xiii |
| <br>  |      |
| Introduction  | 1    |
| <br>  |      |
| 1 Cicero's <i>De Re Publica</i> and the Virtues of the Statesman<br>J. G. F. POWELL   | 14   |
| <br>  |      |
| 2 The Fourth Virtue<br>MALCOLM SCHOFIELD  | 43   |
| <br>  |      |
| 3 Philosophical Life versus Political Life: An Impossible<br>Choice for Cicero?<br>CARLOS LÉVY                                  | 58   |
| <br>  |      |
| 4 Cicero's <i>Constantia</i> in Theory and Practice<br>CATHERINE TRACY  | 79   |
| <br>  |      |
| 5 Cicero and the Perverse: The Origins of Error<br>in <i>De Legibus</i> 1 and <i>Tusculan Disputations</i> 3<br>MARGARET GRAVER | 113  |
| <br>  |      |
| 6 Radical and Mitigated Skepticism in Cicero's <i>Academica</i><br>HARALD THORSRUD  | 133  |

|   |   |     |
|---|---|-----|
| 7 | The Politico-Philosophical Character of Cicero's Verdict in <i>De Natura Deorum</i><br>DAVID FOTT       | 152 |
| 8 | Between <i>Urbs</i> and <i>Orbis</i> : Cicero's Conception of the Political Community<br>XAVIER MÁRQUEZ | 181 |
| 9 | Cicero on Property and the State<br>J. JACKSON BARLOW   | 212 |
|   | Appendix:<br>Cicero and the Rebirth of Political Philosophy<br>WALTER NICGORSKI                         | 242 |
|   | <i>Bibliography</i>   | 283 |
|   | <i>Index of Citations of Cicero</i>   | 298 |
|   | <i>General Index</i>  | 305 |

# Introduction

The first nine essays featured in this book were presented in initial form at a symposium on Cicero's practical philosophy late in 2006 at the University of Notre Dame. It was an event to mark and, one might even say, to celebrate the renewal of serious interest in Cicero as a thinker that had occurred in the Western world over the previous two generations. Little more than a decade earlier, Jonathan Powell's collection of essays *Cicero the Philosopher* had appeared in Great Britain and sought then to mark the change in regard for Cicero by a presentation of a rich array of European scholarship on various aspects of his philosophical writings. The symposium at Notre Dame brought together a cross section of those who have done significant thinking and research about Cicero as philosopher. A critical edge was not to be sacrificed to celebrating Cicero except, perhaps, in one respect, that being the shared recognition that Cicero was worthy of the renewed serious interest.

The celebrations on both sides of the Atlantic were manifestations that Cicero had much to offer as a philosopher and that his writings withstood serious critical engagement. They were indications that the study of Cicero had finally been liberated from the long shadow

Theodor Mommsen's mid-nineteenth-century critiques of Cicero had cast especially in the Anglo-American scholarly world. They represented some fulfillment of the nearly despairing hope expressed by A. E. Douglas as late as 1965 that there be some movement from the "contempt" for and "neglect" of Cicero's philosophical writings that was the bitter fruit of the previous century.<sup>1</sup> That movement was on the way in the decades that followed. Over that period there was a collective reconsideration and deepening appreciation of Cicero as philosopher. Elizabeth Rawson, a judicious modern biographer of Cicero, reflected this larger development when, upon issuing the second edition of her life of Cicero, she confessed that after ten years of further work on Cicero she found him possessed of "greater intellectual maturity" than most of the thinkers of his time and in fact saw him usually transcending his time. "Closer knowledge of Cicero," she explained, "tends to breed greater appreciation."<sup>2</sup> The scholarly world was coming around to greater esteem for Cicero's philosophical work, to where much of the Western tradition had been prior to the nineteenth century. The republication in the Appendix of my 1978 essay on the state of Cicero studies especially in political science allows a fuller view of where matters stood early in the renewal of the last two generations. It also reminds readers that criticism of Cicero the philosopher was not wholly absent from Western experience before Mommsen's severe judgment.

As a general biographer of Cicero, Rawson's judgment of Cicero's writing and thinking was likely bound up with a judgment of Cicero the man and political actor and leader. Though Mommsen's extension of his negative judgment on Cicero as politician and statesman to his character and his philosophical writings is abrupt, careless, and seemingly lacking in engagement with those writings, Cicero himself seems to have wanted to be judged as a whole, though, to be sure, he wanted to be judged fairly. He looked at his life and writings as one fabric, the latter as but another form of his action for the long-term well-being of his political community. He would not have welcomed praise based on a distinction of his philosophical writings from his political efforts or, for that matter, on a separation of his style from his substance. The importance of overall consistency to Cicero, especially in his public actions, is highlighted and explored in Catherine Tracy's essay in this volume.

It is, however, a sensible and thus understandable tendency, especially with respect to Cicero given all the controversies surrounding his life and achievements, that one be able to assess his practical politics a failure or disappointing in some ways and still embrace as significant the substance of his philosophical writings, that one be able to see him as a master of Latin prose and the supreme orator and yet think that he used these talents in political efforts that were on the whole not admirable. In this spirit and even still in Mommsen's nineteenth century, J.S. Reid protested that the severe judgment of Cicero the philosopher that he frequently encountered was based on "wholly insufficient grounds." Reid attributed the "unfairness" in judging Cicero to scholars who having "learned to despise his political weakness, vanity, and irresolution, make haste to depreciate his achievements in philosophy, without troubling themselves to inquire too closely into their intrinsic value."<sup>3</sup>

It is important to remind ourselves of the almost incredible range and frequently regarded excellence of Cicero's overall achievements. In the light of these, it is no surprise to find that he was for so many during the Renaissance the ancient model of what we have come to take as the Renaissance man. His major achievements were sixfold: as orator, as student and scholar of the art of rhetoric, as lawyer and legal theorist, as statesman, as philosopher, and finally as a very active and revealing correspondent.<sup>4</sup> As remarkable as is the range of his achievements, even more surprising to most is the extensive written record of these that we still possess.

In a sense, Cicero's orations are both first and last among his achievements. First, because through his oratorical ability he initially gained public notice and positioned himself for elevation to public office. They are last for Cicero because they remain today the most acclaimed and least controversial of Cicero's achievements. We now have the texts of some fifty-eight orations by Cicero, some polished toward perfection and never actually delivered. His oratorical achievement seems clearly to be the fruit of the art of rhetoric coupled with his natural talent. He began to study the art at least as early as his adolescent years. His masterful achievement in that art was recorded in seven books of his, the chief being his three-book dialogue *De Oratore*. This work and all the other of his rhetorical writings but one appeared

in the last thirteen years of his sixty-three years of life and after his formal political service was completed, after, in other words, he had held the highest office in Rome and had already begun to suffer from decisions he made in that office and from the overall condition of faction-ridden Rome in those last days of the Republic.

Like the study of the art of rhetoric, so the study of law. Observing law's leading practitioners and thinking about its foundations in the very nature of things was a discipline to which Cicero submitted from his earliest years. First, his father it appears, then Cicero himself, held a conviction that rhetorical ability coupled with legal knowledge and skills would equip one to elevate oneself on the stage of Roman politics. Cicero in the courtroom represents then one of the two major venues for his oratorical ability as well, of course, for his legal knowledge and skills. His interests and achievements in this sphere as well as his deep probing of the foundations of all true law are represented in his dialogue *De Legibus*.

The law then, like the art of rhetoric, was first taken up as a necessary piece of equipment for the life of political leadership, of statesmanship. Cicero's achievement as political leader and statesman was indeed one of his significant accomplishments. He held all the major offices in the Roman Republic at the earliest possible age, including the highest elective office, that of consul. Assessment of how he led and governed has often turned on how one thinks about his struggle for the Republic over against the emerging popularly based tyranny of Caesar.

Cicero's achievement in philosophy is, of course, the basis for the scholarly renewal this volume celebrates. Cicero turned with a much-remarked-upon intensity to philosophical writing in the last dozen years of his life, after he had held the office of counsel and was suffering the recriminations just noted. In that time, from approximately 55 B.C. to his December death in 43 B.C., he wrote at least fourteen works of philosophy, eleven of which we possess substantially intact. While his love of philosophy and recognition of its importance was evident from his earliest years, his turn to philosophy in late life was for him a way to serve the Republic's possible future when the emerging tyranny and violence of Roman politics was closing the forum and courts to his oral eloquence.

It is fair to Cicero and necessary to completeness at this point to add a word about Cicero the letter-writer. Remarkably and again like no other ancient thinker in quantitative terms, Cicero has left more than nine hundred letters between himself and friends and family, allies and enemies, associates in business and those with philosophical interests. In the material of these letters, we have in effect the first autobiography. These letters are not, of course, a polished whole book as is Augustine's *Confessions*, but in these letters the soul and struggles of Cicero are bared to view, sometimes embarrassingly so. He confesses his weaknesses and matters of confusion; he explains his intent and his efforts in constructing certain of his written texts, including the dialogue of special importance to this volume, *De Re Publica*. So the very human Cicero at the center of his heroic-like accomplishments is brought before readers.

Besides the issue of fairness in how one handles disappointment with one or another of the many facets of Cicero's talents and achievements, there is the prudential consideration for some of not wanting to take on at once all or many of the controversies surrounding Cicero and thus necessarily a number of those regarding the complex politics of the late Roman Republic. This understandable desire to distinguish aspects of Cicero's life and achievement seems to have brought Leo Strauss to a very interesting question. Strauss appears at one point to want to bracket and set aside Cicero's concrete political judgments and actions while appreciating his philosophical work, in this instance appreciating the political defense of philosophy that constitutes an important theme of that work. Strauss had compared Cicero's political action on behalf of philosophy to Plato's and then observed that this political action has nothing in common with Cicero's actions against Catiline and for Pompey.<sup>5</sup> In the very same essay, Strauss wonders whether the separation of the high politics of defending philosophy from ordinary politics has been too successful in the West. It seems that Strauss is concerned that philosophy's defense in a certain way can give rise to a philosophy and science unrelated to the citizen's and statesman's horizons of political engagement, of necessary decisions about the good. Rather, active political life and leadership may appear simply as forms of data to be explained in a science of politics, if not the science of psychology, both in the service of a comprehensive



philosophy or science of humankind. Strauss's wonder then may allow us to understand better why Cicero's distinctively *practical* philosophy has often seemed alien and even unphilosophical to the dominant strains of philosophy in the post-Enlightenment world.

However much Cicero's political actions are seen as related or unrelated to his philosophical work, there is an overlap in the methodology that students of each are now, in a period of greater respect for Cicero, drawn to follow. It is the caveat that one must pay close attention to Cicero's own words, and we have, indeed, many words of his in various genres to which to attend. Early in the shift on Cicero in the last couple of generations, W.K. Lacey began his historical study of Cicero's role in the late Roman Republic with such sensible advice. "Cicero's biographers," he wrote, "must begin with Cicero himself. How much of his testimony they believe, and which parts, will make them produce differing interpretations, but Cicero must himself always be consulted first about what he thought of the situation in the Roman *res publica*."<sup>6</sup> As to Cicero the philosopher and this specific volume, J.G.F. Powell opens his essay here describing what he is doing (and I would add, what is happening in this volume as a whole) as in accord with the emphasis of recent times, namely, as an effort "to interpret Cicero on his own terms." Margaret Graver, another contributor here, cannot be seen to deny this emphasis even as she attends here and in much of her other work to significant sources that Cicero appears to have utilized. Graver, early in her essay, remarks that "we do not necessarily deny Cicero's intellectual agency when we grant that many of the arguments he employs have a significant philosophical prehistory." In fact, Graver can be said to illustrate in her piece how knowledge of certain sources and teachers of Cicero can further our understanding of what he means in expressing his distinctive agency. Earlier in introducing her translation and commentary on the *Tusculans* (Books 3 and 4), she had noted her commitment to follow Cicero's "argument on its own terms," for he is "well-informed about his subject through many sources, oral and written, that are now lost to us, and his treatment is both intelligent and relatively impartial."<sup>7</sup>

The privileging of Cicero's own words and thoughts in seeking to interpret him is more than the offspring of the new respect for him; it is the fertile basis for comprehending Cicero much better than at times

in the past and in turn for a much greater sense of how he has contributed and yet can contribute to our own thinking. The scholarship assembled here and developed from that basis makes clear again that, as T.P. Wiseman once remarked, Cicero matters. Writing well into this period of a Ciceronian renewal as he reviewed scholarship on Cicero the political leader and philosopher, Wiseman observed that “Cicero matters not just to classical scholars” but because his political career “for all its failings and compromises stood for the rule of law against the rule of force,” and he matters because he gifted us with “a literary corpus that effectively defined our civilization’s concepts of *humanitas* and the liberal virtues. Mommsen was wrong,” continued Wiseman. “We need to read Cicero’s lesson; Caesar’s is all too familiar.”<sup>8</sup> Whether or not the effect of Mommsen’s shallow depreciation of Cicero still lingers as Christian Habicht and others have suggested, there is no basis for anything like a triumphal retaliation or an uncritical reverencing of Cicero.<sup>9</sup> To act so would be, at the least, to be forgetful that if Homer nods at times, surely the busy and passionately engaged Cicero does and possibly in ways more significant than a casual slippage. Present in the Notre Dame symposium was a celebration of the space and air for scholarly balance and with it a contribution to the growing rediscovery of the riches in thought and action of one of the truly remarkable figures in our Western tradition.

Cicero’s achievement, of course, transcends the conventional disciplinary lines, lines that too often have walled off various communities of scholars and their discourse from each other. The Notre Dame symposium sought to bring into conversation specialists in political theory, ancient philosophy, classics, history, Latin, and Roman literature. One of the delights of the meetings here was the confessed mutual discovery of the significance and quality of work focused on Cicero being done outside of one or another’s specific community of discourse. Notre Dame’s celebration of the renewal of Cicero studies sought also to contribute to building some bridges over the gaps in direct contact between different generations of Cicero scholars and between European and American Ciceronians. It was also an effort to pay specific attention to Cicero’s practical philosophy and thus to bring scholarly illumination to bear on a dimension of Cicero’s thinking that has been especially valued by the educated public down

through the years and that arguably might provide the key to a greater understanding of the coherence of Cicero's overall philosophy.

A few words follow about this concept of "practical philosophy," which gave title to the symposium as it does to this book. "Practical philosophy" is understood in the sense that is usually found in Aristotelian studies, namely, to refer to moral and political philosophy. In the case of Cicero and his writings, this translates into his *De Re Publica*, *De Legibus*, *De Finibus*, and *De Officiis*, his primary writings on political community, law, the ultimate good, and moral duties. These texts and their primary topics should not be taken as narrowly and exclusively definitive of the range of concerns that might and often do enter Cicero's practical philosophy. Room must be made for his extensive writings on the art of rhetoric, the chief of which he explicitly draws into the orbit of his philosophical work (*Div.* 2.4). His concern with the divine, with epistemological issues, and with competing analyses of the human soul are among matters that are necessarily encountered in pursuing with Cicero, likely with any serious inquirer, those large entry questions of moral and political philosophy, namely, what is the good and genuinely happy life and how are our communities to be rightly ordered. In fact, such issues as seem outside the practical sphere appear within the very "practical" texts of Cicero just named and point us to the relevance of others of his writings. There is no surprise in this. Important philosophical questions are all interrelated, and they all will arise in any careful and thorough effort at trying to make sense of the human condition.

Cicero above all seeks to make sense of that condition in order to find guidance for action. He is insistent that philosophy bear this fruit of giving moral direction and is drawn to judge philosophies on the basis of whether and how persuasively they do this (*Fin.* 1.11; 2.51; *Off.* 1.4–5). He associates practical philosophy and its priority among all learning with the Socratic orientation to which he gave the most memorable and classic formulation in describing Socrates as bringing philosophy down from the heavens and into the homes and everyday lives of people (*Tusc.* 5.10–11; *Brut.* 31). If Aristotle gives us the concept of practical philosophy, Cicero is its most enthusiastic and purest devotee among ancient thinkers. It distorts Cicero's thinking, however, to believe that he does not appreciate inquiry for

inquiry's sake or the delightful pleasure of the philosophical life for its own sake. Duty, nonetheless, does not allow such indulgence in the lives of the most talented, most of the time. Yet one of the fruits of the chapters here by Carlos Lévy, Jonathan Powell, and Harald Thorsrud, each with a different primary focus, is that they, notably in their pointing to *De Inventione*, lead readers to appreciate that Cicero's philosophical interests are not casual or simply incidental to the practical life; rather, they are serious, long-standing, and broad interests, not limited to practical philosophy.

There seems, however, to be great potential significance to attending more to Cicero's own practical orientation in philosophical inquiry. His engagement in political practice might then be seen less as a philosophical distraction and more of an advantaged perspective, a view that Cicero himself held not only of himself but also of certain major figures in Rome's earlier history, like Scipio Africanus Minor. The practical orientation could then be the key to discerning more clearly what is Cicero's distinctive contribution to the Platonic-Aristotelian tradition of the Academy that he appears to embrace and revere. The practical orientation and what assurance comes with it might well be the key to understanding how Cicero understands his own philosophical foundation and thus a way to finding coherence in Cicero's overall philosophical thinking (*Div.* 2.2; *Fin.* 4.14).

Everywhere in the troubled modern world there are publically spirited citizens with whom Cicero's appeal to ethical need along with commonsensical rational responses would seem to resonate. The practical assurance or certitude that emerges from his mix of rich moral and political experience and philosophical skepticism can itself be appealing amid the confusion of disabling modern skepticism and the fog of so much of postmodern thinking.

In this larger picture or set of concerns, this volume presents nine illuminating studies of certain texts and topics at the heart of Cicero's practical philosophy. Properly, then, the volume focuses initially on *De Re Publica*, Cicero's first philosophical writing save, perhaps, for his somewhat philosophical earlier writings on the art of rhetoric. That the four classic virtues are highlighted in the first two essays, those by Powell and Schofield, can serve to remind us of their foundational role in Cicero's moral philosophy, a role clearly articulated in

*De Officiis*, Cicero's last philosophical writing, which appeared in the year before his death.

Powell finds the imprint of the virtues as an organizing basis for the gap-ridden *De Re Publica*. His chapter, self-confessedly speculative in some ways, makes even more convincing the critical role of the virtues in Cicero's thinking and makes even more incumbent on modern interpreters of Cicero to formulate his specific voice and argument in the context of discussions about virtue ethics. Powell couples his long experience working with *De Re Publica* and other texts of Cicero with his recent fresh examination and critical rethinking of Cardinal Mai's Vatican manuscript of *Re Publica* to provide the interpretation offered here.

Malcolm Schofield, characteristically one might say, takes on likely the most vexing problem in Cicero's treatment of the virtues and among the most important problems bearing on his practical philosophy, namely, the nature and high status of the fourth virtue, *moderatio*, or temperance, as commonly expressed in Cicero. He brings not only his well-established expertise in Hellenistic philosophy and Stoicism in particular to this challenging task but also his proven aptness at close critical reading well-informed by a mastery of the subtleties of the original language. He takes us through an inquiry on *decorum*, *honestum*, and *verecundia* as aspects of what the fourth virtue is and how it is functioning with respect to the other virtues and in human community. Schofield leaves us with a better appreciation for the coherence of Cicero's treatment of the four virtues and the critical role of reason in Cicero's understanding of them.

Carlos Lévy's work on Cicero has been distinguished by his uncovering a view of the unity and coherence of Cicero's overall philosophy, even being able to integrate into that understanding Cicero's skepticism and *Academica*. In his chapter in this collection, he brings fresh insights marked by notable subtlety to one of the large themes and points of tension in Cicero's life. This is Cicero's fundamental and seemingly anguished ethical choice between the active political life and the philosophical life. Though this fundamental issue is highlighted in the prologue and early pages of *De Re Publica*, Lévy's focus is on other sources, such as the correspondence with Atticus, *Pro Sestio*, and *De Fato*, as he explores Cicero's personal struggle with the issue.

In portraying how Cicero slides to one side or another under the pressure of specific contexts and opportunities, Lévy's study invites a reading that relates this basic tension and choice to the more general concern of Cicero, also anguished, for consistency and sensitivity to appearances that Catherine Tracy highlights in her contribution to the volume. Employing a wide selection of Cicero's texts, including orations and close scrutiny of key terms of Cicero, Tracy not only explores the long-standing issue of the "two Ciceros"—Cicero the political actor and Cicero the writer of ennobling philosophical treatises—but also *constantia* within each side of that basic divide.

Emotions and the control of reason are clearly involved not only in Cicero's fundamental choice, highlighted by Lévy, but also in what Cicero and earlier thinkers on morality like him, especially the Stoics, regarded as bearing on the choices of all humans. Understanding how error and moral wrong come about is a part of better understanding human nature and human agency. That the seeds of virtue are implanted by nature and bound up with the human's inclinations turns out to be part of an important tradition before Cicero appropriates it to this thinking. Margaret Graver's contribution here as well as much of her other work is a reminder of how necessary it is to assimilate well Cicero's *Tusculan Disputations* into any effort to grasp the overall coherence of Cicero's moral and political philosophy.

Consistency again appears as an issue with respect to Cicero's skepticism. Catherine Tracy finds, in fact, that Cicero's skeptical allegiance, along with its entailed adaptable posture, is in tension with his attachment to *constantia*. Harald Thorsrud, endeavoring here to find a consistent position in Cicero's various expressions of his skepticism, works out a lucid portrayal of the specific nature of that skepticism as essentially a "mitigated" skepticism. Thorsrud shows in the course of his essay how that specific mitigated skepticism impacts on and is impacted by Cicero's practical philosophy. Like Graver as noted earlier, Thorsrud illustrates how attention to key sources of Cicero can help in understanding the very text of Cicero himself, in this case, his *Academica*.

David Fott, too, is interested in this skepticism and how it bears on Cicero's political philosophy. He looks at this issue, however, not in terms of two directly related items but through these concerns

meeting in Cicero's resolution for himself of the debate over the gods, their existence and nature, which he presents in *De Natura Deorum*. Fott has brought fresh eyes to an examination of this vexing text and the varied interpretations of its conclusion. He highlights the problem of a dogmatic skepticism and Cicero's apparent sophistication in confronting this. For many in his time and through the years, how Cicero resolves the question of the divine's existence and possible role in our lives is critical to an adequate teaching about the law and the obligations of humans to their political communities and one another.

Central topics for Cicero's political theory are treated in the essays by Xavier Márquez and J. Jackson Barlow. Márquez provides a crucial and necessary inquiry into Cicero's model for a political community (*res publica*), how it stands with respect to those of his Greek predecessors in political theory, how Rome and her history impacts on that model, and how translatable it is to the modern nation-state. What then did Cicero think about the political community's responsibilities with respect to property? Was a true political community, suggested by Cicero as a kind of property of a people, simply to protect absolutely and unqualifiedly property rights? If Cicero thought this, was he so inclined simply as a representative of an advantaged class, as some have suggested? Barlow addresses such questions in the course of a chapter that reveals Cicero's treatment of property to be more sophisticated and complex than has generally been thought. Barlow anchors his interpretation in the role justice plays in Cicero's thinking and brings readers back to the foundational function of the four virtues in Cicero. As with Schofield's piece, Barlow provides an important new perspective on an aspect of *De Officiis*.

My remarks here have been, in each case, but one perspective on the significance of these scholarly essays and are intended above all to constitute an invitation to engage them directly in the rest of this book. Some readers will find the essay republished in the Appendix a helpful starting place in approaching this collection, for it reviews the life of Cicero and his varied interests and accomplishments and probes the reasons for the relative neglect of his philosophical writings in recent times. It gives special attention to how Leo Strauss and Eric Voegelin engage Cicero in the course of their leading efforts to renew the study of classical political philosophy in the second half of the

twentieth century. Thus it used the term “rebirth” in two senses, one to refer to Cicero’s return to and reworking of the political philosophies of his great Greek teachers and the other to refer to how Cicero was treated in the revival of classical political philosophy in the twentieth century.

## NOTES

1. Douglas, “Cicero the Philosopher,” 164ff.
2. Rawson, *Cicero*, vi.
3. Reid, *Academica of Cicero*, 9–10.
4. For a more chronological and biographical narrative of Cicero’s achievements, see Appendix, Nicgorski, “The Rebirth,” 240–49.
5. Strauss, “Restatement on Xenophon’s *Hiero*,” 127.
6. Lacey, *Cicero and the End of the Roman Republic*, v.
7. Graver, *Cicero on the Emotions*, viii.
8. Wiseman, “The Necessary Lesson,” 648.
9. Habicht, *Cicero the Politician*, 5, 121–22 n. 29.