



RESEARCH ARTICLE

Panaetius, Scipio Aemilianus, and the Man of Great Soul

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(Received 11 January 2023; accepted 6 March 2023)

Abstract

In the second half of the second century BC, a single personality became ascendant in the Roman Republic. Scipio Aemilianus assumed the mantle of the first man in Rome from 146 BC until his death in 129 BC. Modern biographers of this leading statesman have drawn different conclusions about the influence of Greek ethics on the life of Scipio, either that he possessed a Hellenistic way of thinking or that he was a traditional Roman aristocrat. Much debate turns on historiography and the question of the usability of sources like Cicero for the history of the second century BC. This article focusses on *de Officiis* Books 1–2 and the issue of Cicero's debt to the writing of the Stoic philosopher Panaetius of Rhodes, Scipio's friend and tutor. I argue that sufficient evidence exists in the references to Scipio in *Off.* 1–2 to demonstrate that Panaetius had characterised Scipio as influenced by the Stoic way of living and explicitly as a Roman example of the virtue of greatness of soul. This argument is supported by corroborating evidence from Polybius, Scipio's friend and confidant, who also wrote about him in his *Histories*.

Keywords: Panaetius; Scipio Aemilianus; Cicero; *de Officiis*; Polybius; Stoicism

The Stoic philosopher Panaetius of Rhodes lived in Rome from the 140s BC as the houseguest, tutor, and friend of its leading statesman P. Cornelius Scipio Aemilianus (cos. 147, 134 BC). He accompanied Scipio at home and on campaign (*domi militiaeque*) and was eyewitness to that statesman's life and character.¹ Although it is reasonable to suggest he influenced Scipio, the degree to which he may have exercised philosophical influence is disputed in scholarship. Münzer summed up his *Realencyclopädie* entry with the comment that Scipio appears to have achieved a harmonious combination of the good qualities of the Roman national character with those of the Hellenistic way of

¹ Cic. *Tusc.* 1.81, *Rep.* 1.15; Vell. Pat. 1.13.3. For Panaetius, see van Straaten (1946); Pohlenz (1949); Alesse (1994); Vimercati (2004); Alesse (2015).

thinking.² Münzer's summary was developed in detail in early-twentieth-century studies which explored the influence of Stoic ethics on Scipio's life and career, such as that by Kaerst (1929). However, Münzer's summary was rejected by Astin, Scipio's modern biographer, who instead portrayed his subject as an intensely ambitious aristocrat using Roman customs and conventions and little touched, if at all, by a Hellenistic spirit. Astin's evaluation of his subject in terms of *Realpolitik* has been authoritative and is shared by biographers of other prominent Romans such as Drogula, who likewise downplayed Stoic influences in the life of Cato the Younger.³ In contrast, I have argued that Scipio claimed the cardinal virtues in public life and aligned utility with moral goodness on military campaign.⁴ This debate has broader implications for the history of the Roman Republic, whether its statesmen were portrayed by contemporaries as embracing Greek philosophical virtues and referenced as models of exemplary leadership in military and civic affairs of state, or not.

Panaetius was an eyewitness to Scipio's life and character and one who wrote about Scipio. Although his works were mostly lost and testimonies credited to him contested, his *Περὶ τοῦ καθήκοντος*, 'Concerning the Appropriate', persists in altered form to this day as the source for Cicero's *de Officiis* 1–2. Panaetius taught the cardinal virtues, illustrated his ethical instruction with exemplars of moral praiseworthiness, and referenced Scipio directly and with approval in *Περὶ τοῦ καθήκοντος*. Cicero later used his exemplars when composing *de Officiis*, and the provenance of two of the Scipio references to Panaetius is not disputed in scholarship. This article focusses mainly on *Off.* 1–2. Based on its internal evidence, as well as corroborating evidence from the historian Polybius, I argue that Panaetius conceived of Scipio as a Roman example of the Stoic way of living and specifically as a man of great soul. I begin with comments about the role of Stoic philosophers as advisors to men of power, before discussing the question of Cicero's debt to Panaetius in composing *de Officiis*, its references to Scipio Aemilianus, and the external evidence of Polybius.

Stoics as Advisors

The Stoic school had a tradition of sending philosophers to the courts of kings to serve as advisors on how to resolve conflict in the moral conscience, to guide the course of appropriate action, and to provide direction in leading the moral life.⁵ Zeno of Citium, the foundation Stoic, dispatched Persaeus and others to Macedonia to instruct the king and kingdom in virtue (Diog. Laert. 7.6–9). Persaeus appears to have taught the moral responsibility of

² Münzer (1900: 1462): 'In [Scipio] erscheint die harmonische Verbindung der Vorzüge des römischen Nationalcharakters mit denen der hellenischen Geistesanlage wirklich erreicht'.

³ Astin (1967); Drogula (2019), with Morrell (2021) and Volk (2021). For Stoic influences in Cato's character and career, see Morrell (2017).

⁴ Barlow (2018); (2022). For a seminal study of Greek ethics and Roman statesmen, see Stone (2008).

⁵ For Stoic conscience, see Sen. *Clem.* 1.1.1, 1.13.3; Sorabji (2015) 25–9; and, for Stoic advice to emperors and kings, see Sen. *Clem.* 2.5.2 and *passim*.

rulership as a service to others, or in the words of Antigonus II Gonatas, kingship as a 'glorious servitude' distinguished by mildness and humanity.⁶ Zeno's pupil, Sphaerus of Borysthenes, went to Sparta and advised Cleomenes III, the revolutionary monarch and social and economic reformer (Plut. *Cleom.* 2.2, 11.2). Stoics were active in Republican Rome in the second century BC among the intellectuals and men-of-letters who lived in the households of aristocratic families, like the Sempronii Gracchi, Aemilii Paulli, and Cornelii Scipiones, educating their scions in the language and culture of Greece. Blossius of Cumae advised Tiberius Gracchus and influenced the agrarian law of 133 BC and the more radical social movement at Pergamum later that year.⁷

Panaetius of Rhodes exemplified the Stoic tradition of advisor to power. He had adapted the strict sectarianism of the early Stoics to a broader cultural zeitgeist of accessible knowledge and practical ethics. A lover of Plato and of Aristotle, he had relaxed some of Zeno's doctrines (*Ind. Stoic. Herc.* 61). He rejected the 'harshness' (*acerbitas*) of Stoic doctrines and the density of logic and instead embraced gentler opinions and a clearer style (*Cic. Fin.* 4.79). He divided virtue into the theoretical and the practical, and had located wisdom in the former, and justice, greatness of soul, and self-control in the latter (*Cic. Off.* 1.15–17; *Diog. Laert.* 7.92). Like other Stoics, he advised that a course of action must be undertaken 'by means of the good and the useful' (*per honestum et utile*, *Cic. Off.* 3.11–12). He spoke Latin and communicated in non-technical language (*Cic. Tusc.* 4.4, *Off.* 2.35). In sum, Panaetius taught practical ethics for men making progress to virtue in their real-world conduct and he will have observed gradations in the progress of the proficient he instructed.⁸

Allese conveniently collects the evidence of the connections between Panaetius and Roman statesmen like Scipio, C. Laelius, Q. Aelius Tubero, and P. Rutilius Rufus under the headings *De amicitia Panaeti et Scipionis* (frs. 21–38) and *De Panaeti discipulis* (frs. 39–52); Vimercati assembles a similar collection (frs. A20–37, A38–52).⁹ Panaetius educated Scipio and other members of the Roman elite in the doctrines of the Stoic school and his instruction yielded notable results, making Scipio 'most gentle' (*lenissimus*). His influence is explicit in the testimony of Cicero, who drew on witnesses of an elder generation when contrasting the mildness of Scipio's way of living with the 'harshness' (*asperitas*) of Cato the Younger's brand of Stoicism (*Mur.* 66, 75). Of particular relevance to Rome, Panaetius is likely to have been one of the philosophers who re-evaluated glory by transforming it from a matter of moral indifference (the traditional Stoic judgement) into 'true glory' (*vera gloria*), a positive good with intrinsic value.¹⁰ It was in this form that stoic-inspired Romans like Tiberius Gracchus claimed it as a goal of action.¹¹ Possibly, Scipio Aemilianus did the

⁶ Ael. *VH* 2.20; Sen. *Clem.* 1.8.1; Braund (2009) 246.

⁷ e.g., Plut. *Aem.* 6.8–9, *Ti. Gracch.* 1–2, 8, 17, 20, *C. Gracch.* 19; Diod. *Sic.* 31.26.5; *Cic. Brut.* 77, *Amic.* 37.

⁸ *Cic. Off.* 1.4, 1.17, 1.46, 2.35, 3.15–16; Pohlenz (1934) 92; Roskam (2005) 33–45.

⁹ Allese (1997); Vimercati (2002).

¹⁰ *Cic. Fin.* 3.57 (*SVF* 3, Antipater 55); Newman (2008) 318–19.

¹¹ Nicolet (1965) 156–7; Erskine (1990) 160–1. For Stoic influences on Tiberius Gracchus, see Arena (2012) 157–60.

same (Cic. *Rep.* 6.25). However, since much of the evidence is preserved by Cicero one must ask how much of it is a Ciceronian construction.

Panaetius and *de Officiis*

Ancient history scholarship has developed an antipathy towards source criticism, a variety of the branch of literary scholarship that is source research (*Quellenforschung*). This is somewhat understandable. Widely practised in the pre-WWII period as a method of identifying, evaluating, and reconstructing the content of lost sources, it has been criticised as insecure and conjectural and, worse, as fabrication. Source criticism is rejected by many scholars who view texts as expressive only of their time and place.¹² On this later valuation, Cicero is responsible for the content of *de Officiis*, an original and independent work that is expressive of the moral and political context of late 44 BC, and with little reliable information about second century BC thought. Attacks on Mark Antony and the dead Julius Caesar lend weight to this valuation.

Cicero's literary output was prodigious and, like other ancient authors, he acknowledged that he used and cited earlier sources. Atticus asked him how he could produce so much quality work in such a short period of time. He quipped, in reply, that his philosophical works were transcripts of the original sources of others with his additions (*Att.* 12.52.3). In other words, he acknowledged the use of sources while making light of his emendations, alterations, and departures from them. Cicero did not plan to include *de Officiis* in his initial schema of philosophical texts, and therefore it represents a special case with a distinctive provenance to a principal source. He stated explicitly that he was following the philosopher Panaetius of Rhodes in writing *Off.* 1–2, albeit at his own discretion and judgement and not as a translator (*Off.* 1.6, 2.60, 3.7); and he was accepted at his word in antiquity when saying that he was using Panaetius as his source (Plin. *NH* praef. 22; Gell. *NA* 13.28). Cicero's selection of a treatise from the previous century over recent treatises such as that by Hecato indicates his agreement with its content and his belief in its moral and political resonance with his audience. Nevertheless, scholarship holds different views about his dependence on Panaetius, the degree to which he may have followed him, and the amount of discretion he may have exercised.

Van Straaten (1962) produced the primary collection of fragments of Panaetius and he attempted to limit inclusion to texts which directly cited the philosopher. However, he realised this criterion was too restrictive in the case of *de Officiis*, and he included passages which did not cite Panaetius directly but where attribution of principles to the philosopher seemed secure. His methodology came in for criticism. According to Brunt, van Straaten made arbitrary choices about the inclusion of fragments and omitted content from *de Officiis* which Brunt subsequently sourced to Panaetius. Brunt commented that 'it would have been more consistent to excerpt only the texts in which Panaetius is named'.¹³ Edelstein and Kidd applied this methodology of

¹² See, for example, the discussion in Most (2016).

¹³ Brunt (2013) 218 and n. 78.

collecting fragments directly attested to Posidonius while acknowledging indirect survival of more of their subject's thought;¹⁴ and yet Theiler, finding this methodology restrictive, offered a more diffusive collection for Posidonius.¹⁵ In the case of *de Officiis*, scholars have detected the thought of Panaetius in unattested passages even when their criteria for the selection of passages remains controversial.

Allese and Vimercati independently produced new editions of Panaetius' fragments and testimonies, and each has included a number of unattested passages from *de Officiis*. Allese argued that Cicero had continuous reference to Panaetius and did not feel the need repeatedly to name him each time he used him and she cited the example of the unattributed inclusion of Stoic οἰκείωσις doctrine from Περὶ τοῦ καθήκοντος.¹⁶ Vimercati refined his collection of fragments and testimonies into three levels of reliability: (A) certain, (B) plausible, and (C) uncertain attribution.¹⁷ Allese and Vimercati each provided commentary and notes justifying their selections, as well as stand-alone monographs on Panaetius and his intellectual milieu.¹⁸ Allese and Vimercati are also notable in their disagreement about the publication date of Περὶ τοῦ καθήκοντος, with the former assigning it to the 140s and 130s BC and the latter to after the tribunate of Tiberius Gracchus.¹⁹

Pohlenz and Dyck, authors of two specialist studies of *de Officiis*, also disagreed about the publication date and historical context of Περὶ τοῦ καθήκοντος. Pohlenz in many respects commanded the field of Stoic studies in the middle of the twentieth century, and he advanced a selective and thematic treatment of *Off.* 1–2 premised on the detection of Panaetius' presence throughout. He presented his Panaetius as a moral and political philosopher writing for a Roman audience and taking into account the tribunate of Tiberius Gracchus and issues of property rights and agrarian reform. He dated publication to after the death of Scipio Aemilianus in 129 BC and believed Scipio pursued a political policy of *concordia* (ὁμόνοια, 'concord') in contrast to the demagogues in Rome who endangered it. Published in 1934, his monograph is linked to its times by its title and theme of 'Führertum' ('leadership'), along with its use of contemporary political diction like 'Volksgenossen' ('compatriots'). Conscious perhaps of the nature of National Socialism, Pohlenz felt the need to distance his work from the regime by averring that his subject was political conservatism.²⁰ Nevertheless, his work needed updating.

Dyck's commentary is the leading study of *de Officiis*. He explained Pohlenz's understanding of leadership principle as a concept of the 'Hohenzollern monarchy' anachronistically retrojected into Roman history. Dyck believed that

¹⁴ Edelstein and Kidd (1989) xvii–xxi.

¹⁵ Theiler (1982).

¹⁶ Allese (1997) 9–12.

¹⁷ Vimercati (2002) 16–22.

¹⁸ Allese (1994); Vimercati (2004).

¹⁹ Allese (1997) 160, 171, 235–6; Vimercati (2002) 245.

²⁰ Pohlenz (1934) 51–4, 113–26, 143–5. For a later publication date, see also Philippon (1929) 338–9; Erskine (1990) 158–61.

Panaetius was not writing primarily for a Roman audience and had published his treatise around or shortly after 139–138 BC, that is before the Gracchan land reform program. According to Dyck, Cicero tailored Panaetius' moral and political philosophy to Rome, adding the references and allusions to the Gracchi and heightening emphasis on private property.²¹ On the use of moral exempla in *de Officiis*, Dyck sourced the examples of Greeks to Panaetius and those of Romans to Cicero, but acknowledged this division did not apply in the case of Scipio Aemilianus.²² Dyck did not pursue Pohlenz's line of enquiry into Scipio and instead accepted Astin's assessment of him.²³

Lefèvre has set out in most detail the sceptical case questioning the amount of content of *Περὶ τοῦ καθήκοντος* present in *de Officiis* and arguing in favour of Cicero's thorough reworking of Panaetius. He drew a distinction between the theoretical intentions and philosophical content of Panaetius on the one hand, and the practical intentions and political content of Cicero on the other, casting Panaetius as a theoretician with little interest in politics and the practical life, and *de Officiis* mostly as an original work by Cicero writing in 44 BC. Lefèvre believed that Cicero redacted his original source through the lens of contemporary politics to the extent that not much of it remained.²⁴

Independent of Dyck and Lefèvre, Brunt made the case for Cicero's reliance on Panaetius in a chapter published posthumously but intended as the foundation for a larger study of Panaetius. From a close reading of *de Officiis*, he argued it was possible to retrieve much of Panaetius' thinking in *Περὶ τοῦ καθήκοντος* and therefore to know the ethics of this major Stoic philosopher. He believed he had advanced argument and evidence sufficient to 'treat as Panaetian large parts of *de officiis*'.²⁵ Inwood has also recently applied the methodology of van Straaten and Alesse in his collection of Stoic thinkers by including unattested passages from *Off.* 1–2 on the assurance that Cicero was drawing on Panaetius.²⁶ Inwood's collection reaffirms the importance of Panaetius to the development of Stoic thought in the second century BC.

Lefèvre has not, in my view, overturned the collective research of Pohlenz, Dyck, Alesse, Vimercati, Brunt, and Inwood. In effect, he has fallen back on the cliché of Greeks as theorists and Romans as pragmatists, when his subject, Cicero, was a Roman *Realpolitiker* who was adept at handling Greek concepts. Moreover, Cicero did not conceive of his task in the way Lefèvre argued. Cicero says in *Off.* 1–2 that he is following and modifying the work of Panaetius and in *Off.* 3 that he is completing the unfinished identification of 'the morally good' (τὸ καλόν/*honestum*) with 'the useful' (τὸ συμφέρον/*utile*). Cicero publicly claims responsibility for *Off.* 3 when he states that he was no longer following a single source and instead boasted of his independence

²¹ Dyck (1996) 21–36, 461–79; Long (1995). For an earlier publication date, see also Brunt (2013) 193, 241–2. Walsh (2000: 181) remained uncommitted about the publication date.

²² Dyck (1996) 26, 383. Posidonius referenced Romans, including Scipio (Posid. fr. 254 EK).

²³ Dyck (1996) 26–7, 233, 274, 289.

²⁴ Lefèvre (2001) 189–216.

²⁵ Brunt (2013) 180–219, at 219.

²⁶ Inwood (2022) 565 (listing *Off.* 1.11–14, 1.15–20, 1.50–9, 1.93–103, 1.105–7, 1.110–15, 1.152, 2.18, 2.86, 2.88).

(*Off.* 3.7, 3.33–4), while privately he told Atticus that he had followed Panaetius for the first two books and now needed a new source for the third (*Att.* 16.11.4). Despite his efforts, *Off.* 1 and 2 remained of higher quality than *Off.* 3 on account of the excellence of the single source they followed. Further, if Cicero were mostly responsible for the political content of a moral treatise on Stoic themes composed in late 44 BC, we would expect him to accentuate the example of Cato the Younger, not Scipio who had died in 129 BC. Recently deceased (46 BC) and subject to polemical praise and condemnation, Cato was the obvious choice for him to use as a Roman moral exemplum as in the case of his other philosophical works of the period and his recent eulogy of Cato.²⁷

Dyck comments on Panaetius' interest in politics. Panaetius was familiar with Scipio and Laelius and an observer of political careers, his messaging was clear, and he wrote on politics in an accessible way. His decision to write on the useful as a 'criterion for judging actions' indicated his interest in practical matters, like instruction in the correct way for a man to make progress to virtue without conflict with the morally good. 'Panaetius' goal is to win over members of the ruling class to the *honestum*, if not for its own sake, then on the grounds of *utilitas* ...'. To this end, he wrote at length on 'the useful' (τὸ συμφέρον/*utile*) and sought to reconcile the useful with 'the morally good' (τὸ καλόν/*honestum*), thereby determining the correct course of action while avoiding shameful actions on account of the damage they did to the soul.²⁸

Greek philosophy classified politics as a branch of ethics and the Stoics agreed with the interdependence of moral and political philosophy.²⁹ Panaetius had developed a real-world interest in politics, government, and the state. He had written a (lost) book *On Politics* which emphasised the practical aspects of governance (*Cic. Leg.* 3.13–14). That book would have expounded on topics like the duties of magistrates and the administering of proportionate punishment.³⁰ Panaetius had discussed politics with his contemporaries Scipio and Polybius (*Cic. Rep.* 1.34), and he, like Polybius (13.6–8), had responded to social and economic reform in Sparta. The fact that Panaetius was the source for the references to the Spartan agrarian reformers Cleomenes III, Agis IV, and Lysander in *de Officiis* demonstrated his willingness to enter into political discussion about the precursors of the Gracchan revolution.³¹ Panaetius was interested in history (*Ind. Stoic. Herc.* 66). He had illustrated Περὶ τοῦ καθήκοντος with examples of kings and statesmen making moral choices in the active life; he had directly referred to Themistocles, Pericles, Cyrus, Agesilaus, Alexander (*Off.* 2.16) and, as Lefèvre himself conceded, he had directly referred to Scipio Aemilianus.³²

²⁷ Cato appears once in *Off.* 1–2, at 1.112 and twice in *Off.* 3, at 3.66 and 3.88.

²⁸ Dyck (1996) 18, 69, 97, 354–5.

²⁹ Schmekel (1892) 356–78, 439–65; Long and Sedley (1987) Vol. 1, 429–37; Vol. 2, 423–31.

³⁰ *Off.* 1.88–9, 1.124. For Panaetius on lawcourts, see *Off.* 2.51 and for Panaetius on public expenditure, see *Off.* 2.60.

³¹ For Cleomenes III, see *Off.* 1.33, with Dyck (1996) 132; Plut. *Cleom.* 17, *Arat.* 39. For Agis and Lysander, see *Off.* 2.79, with Dyck (1996) 462.

³² Lefèvre (2001) 52, 121, 194.

Panaetius' reference to Scipio as a moral exemplum in *Περὶ τοῦ καθήκοντος* on at least two occasions indicates his willingness to enter politics and endorse a conservative Roman politician. He did have members of the Roman ruling class in mind as his audience,³³ aristocrats like P. Rutilius Rufus who certainly were familiar with its content (Cic. *Off.* 3.10). He may have dedicated *Περὶ τοῦ καθήκοντος* to a Roman as his student Hecato had dedicated a treatise to Tubero (Cic. *Off.* 3.63), and he, Panaetius, had dedicated his *de Dolore Patiendo* to Tubero (Cic. *Fin.* 4.23, *Tusc.* 4.4). His involvement in Gracchan-era politics in opposition to the activist agenda of Blossius of Cumae and in support of Roman conservatives has been often averred.³⁴

Panaetius was integral to the creation of the source tradition on Scipio Aemilianus. I have shown elsewhere from the evidence that Cicero did not create the model of Scipio in the 40s BC. Rather, Scipio's status as an exemplum of moral praiseworthiness who laid claim to the cardinal virtues was part of a received tradition.³⁵ Although there were many origins for this received tradition, including Polybius (31.23–30) and the reports of other contemporaries,³⁶ the model was remarkably consistent, indicating its derivation from second-century-BC eyewitness accounts and sources. As Welch has shown, later authors like Cassius Dio did not create the criteria of four cardinal virtues to assess the moral character of men like Scipio because these criteria of assessment had already become canonical before their time of writing.³⁷ Scholars are justified in using the collections of van Straaten, Alesse, and Vimercati as evidence for the second half of the second century BC. Brouwer uses them in tracing Panaetius' influence among contemporary Roman jurists and politicians, the interaction of philosophy and law, and law and philosophy.³⁸

Lefèvre's claim that Cicero was mostly responsible for the content of *Off.* 1–2 cannot be sustained. It is difficult to see Cicero transforming a philosophical treatise into a political tract when the philosophical treatise was already political. As he undertook the task of rendering Greek terminology into Latin, Cicero was prepared to edit, emend, and abridge his source, deploy his rhetorical skills and add material and examples which post-dated Panaetius. He wrote *de Officiis* at pace in October–November 44 BC, with *Περὶ τοῦ καθήκοντος* in front of him and in agreement with its ideological tenor and its political content. Specialist research has demonstrated how the depth of the psychological and philosophical insight in *Off.* 1–2 shows the hand of its acknowledged source, Panaetius of Rhodes. Pohlenz, Dyck, Alesse, Vimercati, Lefèvre, and Brunt, despite their differences, are in agreement that

³³ Brunt (2013) 193, 208, 214–16.

³⁴ See Nicolet (1965) 155–6; Hadot (1970) 161–71, 178–9; Erskine (1990) 158–61; Behrends (2014) 62–4. For Blossius and his milieu, see Arena (2012) 158–65.

³⁵ Barlow (2018) 113–17; Welch (2019) 101–4.

³⁶ P. Rutilius Rufus (Cic. *Rep.* 1.13, 1.17, *Brut.* 85) and Q. Mucius Scaevola (Cic. *Amic.* 1) told Cicero about Scipio.

³⁷ Welch (2019) 97–8; for Scipio, see Welch (2019) 100–1, citing Dio Cass. frs. 70.4–9. See also Cic. *Amic.* 69, *De or.* 2.154, *Verr.* 2.2.86; Plin. *NH* 7.100.

³⁸ Brouwer (2021).

Panaetius had written about Scipio Aemilianus in Περὶ τοῦ καθήκοντος and in the following section we turn to assess the evidence of Scipio in *de Officiis*.

Scipio Aemilianus in *de Officiis*

Panaetius had posited an instinctive basis of ethics in Περὶ τοῦ καθήκοντος. He began discussion of the morally good with the doctrine of ‘appropriation’ or ‘affinity’ (οἰκειώσις), the instinct of self-preservation in living creatures that develops in man from a self-regarding impulse into an affinity with fellow men which is the foundation of the virtue of justice and of the society of the human race.³⁹ He identified four innate psychological impulses to the morally good – the desire for truth, the social instinct, the drive for independence, and the feeling for order which, refined by supervening reason, developed into the virtues of wisdom, justice, greatness of soul, and self-control – the four divisions of moral goodness (Cic. *Off.* 1.15–17). He discoursed at length on the useful but left unfinished his promised resolution of the apparent conflict between moral goodness and utility.

The first two books of *de Officiis* contain seven references to Scipio Aemilianus, six in *Off.* 1 and one in *Off.* 2. There are none in *Off.* 3, the book that Cicero composed without reliance on Panaetius. There is no doubt the references to Scipio at *Off.* 1.90 and 2.76 came from Panaetius. They appear in van Straaten’s collection as fragments 12 and 13, in Alesse as fragments 124 and 26, and in Vimercati as fragments A101 and A29. In the following, I assess the seven references and argue that Cicero presents a philosophical characterisation of Scipio that is consistent with the two references he took directly from Panaetius.

Panaetius had revised the virtue of ‘courage’ (ἀνδρεία) as ‘greatness of soul’ (μεγαλοψυχία) which he defined as the drive for independence (*Off.* 1.13, 1.61–92). He defined courage, via Cicero’s reworking of the Greek, as ‘the virtue that fights for fairness’ (*pro aequitate*).⁴⁰ For Panaetius, the two characteristics of greatness of soul are indifference to human affairs (especially the vicissitudes of fortune) and the undertaking of arduous actions of supreme utility.⁴¹

There are three references to Scipio within the treatment of greatness of soul, at *Off.* 1.76, 1.87, and 1.90. The first reference is:

... nec plus Africanus, singularis et vir et imperator, in excindenda Numantia reipublicae profuit quam eodem tempore P. Nasica privatus cum Ti. Gracchum interemit.

Cic. *Off.* 1.76

³⁹ Cic. *Off.* 1.11–14 (Pan. fr. 98 van Straaten, fr. 55 Alesse, fr. B11 Vimercati; Dyck [1996] 83–6). See also *Off.* 1.53–54 on degrees of *societas*, 1.149 on *concordiatio*; Long and Sedley (1987) Vol. 1, 346–54; Vol. 2, 343–9. For οἰκειώσις, see, for example, Schofield (1995) 201–5; Vimercati (2007); Klein (2016).

⁴⁰ *Off.* 1.62; Dyck (1996) 191–2. Atzert (1963: 137) suggested ἐπιείκεια for *aequitas*. For discussion of magnanimity in *de Officiis*, see Gill (2019) 59–68.

⁴¹ *Off.* 1.66; Pan. fr. 106 van Straaten, fr. 71 Alesse, fr. B20 Vimercati.

... and further, Africanus [Scipio Aemilianus], a unique personality as a man and as a commander, did not benefit the republic more by destroying Numantia than did Publius Nasica as a private citizen, when, at the same time, he [Nasica] killed Tiberius Gracchus.⁴²

Off. 1.76 referred to Scipio abroad and P. Scipio Nasica Serapio (cos. 138 BC) at home, two branches of the Scipiones whose arduous actions served the state in response to external and internal threats. Panaetius (*Off.* 2.16) had referred to examples of generals in war and statesmen at home who served the state by their exploits. He was probably responsible for the Greek examples of Themistocles, Solon, Pausanius, Lysander, and Lycurgus that preceded the above text while Cicero added the Roman examples of M. Scaurus, C. Marius, Catulus, and Pompey. Greatness of soul is displayed not only by generals in war but also by statesmen in the service of the state and Solon and Lycurgus are illustrious examples of abiding civic achievement over transitory military victory. Finding the theme congenial, Cicero appears to have upgraded Nasica's achievement over Scipio's before relating his own (*Off.* 1.74–8). Nevertheless, Cicero's reference to Scipio drew attention to Scipio's claim to be a unique personality, a claim he was known to have made in his lifetime (Polyb. 31.25.2–8, 31.29.12).

The context for the second reference is civil administration of the affairs of state, which must be conducted for the benefit of the governed, for the benefit of the whole, and with mutual respect among leading citizens (*Off.* 1.85–7). The section included a warning from Plato against competition in steering the ship of state, followed by:

Idemque praecipit ut eos adversarios existimemus qui arma contra ferant, non eos qui suo iudicio tueri rempublicam velint: qualis fuit inter P. Africanum et Q. Metellum sine acerbitate dissensio.

Cic. *Off.* 1.87

[Plato] further advises that we should regard as adversaries those people who take up arms against the state, not those who want to protect the state by following their personal convictions: such an example was the disagreement without bitterness between Publius Africanus and Quintus Metellus.

This example of respect is consistent with the restrained, gentlemanly qualities credited to the historical Scipio by his friend and apologist Polybius (31.26.10, 31.28.11) and with Cicero's assessment at *de Amicitia* 77, where Scipio continued to act with moderation towards Metellus (cos. 143 BC) after disagreement with him. However, this example is inconsistent with the assessment of them at *de Republica* 1.31, where their relations in politics were

⁴² All translations my own unless otherwise indicated.

described as hostile.⁴³ Therefore, *Rep.* 1.31 represented an earlier assessment by Cicero, written in 54–51 BC, while *Amic.* 77 and *Off.* 1.87 represented modifications made to this assessment in 44 BC as he read about philosophical themes in the life of Scipio. ‘Disagreement without bitterness’ was a sentiment topical in the wake of Scipio’s death in 129 BC when the moderation that prevailed among Optimates prompted the reconciliation of Metellus with Scipio’s memory, as he ordered his sons to carry the funeral bier of the late statesman.⁴⁴

The context for the third reference advised restraint in success given the variability of fortune, and it cited the imperturbability of Socrates and Laelius and the contrasting moral temperaments of Philip II and Alexander the Great (*Off.* 1.90–1). Romans aspired to emulate the model of Alexander as victor over three continents and it is possible that Scipio saw himself in this light.⁴⁵ Alexander had been tutored by Aristotle, and Aristotle’s (*Eth. Nic.* 1123a34–1125a35) conception of the man of great soul (μεγαλόψυχος) appealed to Panaetius, even though as a Stoic he denied moral content to the passion of anger. Panaetius had probably discussed with Scipio the moral failings of Alexander like the repeated outbursts of anger, as opposed to the example of Philip II, Alexander’s father.⁴⁶ Panaetius would have advised that, for actions to be righteous, the useful must identify with the morally good, and it cannot serve self-seeking aims or be subject to emotional outbursts. Panaetius quoted Scipio directly and with approval towards the end of his discussion of the virtue of greatness of soul:

Panaetius quidem Africanum auditorem et familiarem suum solitum ait dicere, ut equos propter crebras contentiones proeliorum ferocitate exsultantes domitoribus tradere soleant, ut iis facilioribus possint uti, sic homines secundis rebus effrenatos sibi praevidentes tamquam in gyrum rationis et doctrinae duci oportere, ut perspicerent rerum humanarum imbecillitatem varietatemque fortunae.

Cic. *Off.* 1.90

According to Panaetius, his pupil and friend Africanus used to say that when frequent skirmishing has made horses fierce and high-spirited, men are accustomed to give them to trainers so that they may have

⁴³ Although anti-Gracchan, Q. Metellus combined with *obtractatores ... et invidi Scipionis* (‘detractors and enemies of Scipio’) to oppose the granting of emergency powers to Scipio in 129 BC (Cic. *Rep.* 1.31).

⁴⁴ Val. Max. 4.1.12; Plin. *NH* 7.144; Plut. *Mor.* 202A. For the quality of gentlemanly moderation, see *Off.* 1.96, 1.98–9, 1.141.

⁴⁵ Pliny (*NH* 7.211) remarked that Scipio, rare for a Roman, was clean shaven. Alexander was clean shaven.

⁴⁶ Pohlenz (1934) 54. *Off.* 1.90, 2.53 commended Philip II for his *facilitas* (εὐκολία) and *humanitas* (φιλανθρωπία). The historical Philip II claimed to possess *μεγαλοψυχία* (Polyb. 18.14.14) and *ἐπιείκεια* and *φιλανθρωπία* in victory (Polyb. 5.10.1). Scipio claimed similar values. For Scipio’s *ἐπιείκεια*, see Dio Cass. fr. 70.9; for Scipio’s *φιλανθρωπία*, see App. *Pun.* 133; and for Scipio’s *humanitas* and *aequitas*, see Cic. *Verr.* 2.2.86, 2.4.81, *De or.* 2.154.

gentler mounts to ride. Similarly, men whom success has made unbridled and overconfident should be led into the training-ring of reason and learning, so that they perceive the frailty of human affairs and the variability of fortune.⁴⁷

Alesse (fr. 124) and Vimercati (fr. A101) are right to place this passage among the psychological testimonies of Panaetius. Alesse commented on the Platonic imagery of the soul and the metaphor of the unruly horse. Training in reason and learning disciplines the emotions just as the charioteer disciplines unruly horses.⁴⁸

Scipio's moral advice served to smooth out the course of life so that it was not subject to intense and inconsistent emotional irruptions. He advocated restraint in success, foreknowledge of the variability of fortune, and a message of indifference to matters of convention. The broader Stoic message is that moral goodness alone matters and the good is manifest in mental independence and rational consistency in character and conduct throughout the course of life. Scipio spoke as a possessor of greatness of soul, the virtue independent of the vicissitudes of worldly affairs.

Panaetius had quoted Scipio Aemilianus as an example of greatness of soul (*μεγαλοψυχία*), the virtue that was the third part of τὸ καλόν. Given the inseparability of the virtues (*Off.* 1.15, 162), Scipio's moral advice also related to the three other parts of the καλόν, to the virtues of wisdom, justice, and self-control. *Perspicientia* is the quality of *sapientia et prudentia*, the virtue of wisdom, that is the first of the cardinal virtues (*Off.* 1.15–16, 1.100, 2.18). The man of greatness of soul undertakes actions on behalf of the common good and in the interests of the social virtue of justice, and not from self-interest. His desire for consistency in character and conduct is a manifestation of his virtue of self-control.

In his *Scipio Aemilianus*, Astin did not explore the implications of this undisputed contemporary testimony at *Off.* 1.90 as it did not fit his narrative of Scipio as a Roman aristocrat fired by ambition.⁴⁹ A Roman aristocrat fired by ambition will desire success in increasing intensity and offer advice to that end, not least if he were the first man in Rome from 146 BC onwards. He would not advocate humility in achievement. Instead, Scipio's advice reflected ethical teaching on the need for restraint in the knowledge of the vicissitudes of fortune.⁵⁰

The fourth, fifth, and sixth references to Scipio Aemilianus occur within the treatment of the virtue of the fitting (*Off.* 1.93–151), at *Off.* 1.108, 1.116, 1.121. The context for the fourth reference was the introduction to Panaetius' 'roles' (*personae*) theory, which was the idea that nature had endowed man with four roles in life, first a general role stemming from human rationality and, second,

⁴⁷ Translation by Griffin and Atkins (1991).

⁴⁸ Alesse (1997) 257–8, citing Pl. *Phdr.* 246 A–D. Alesse suggests that Panaetius may have drawn on Socratic literature for the metaphor of horse training, such as Xen. *Mem.* 2.3.7, 2.6.7, 4.1.3. On the other hand, Scipio himself was fond of referencing Xenophon.

⁴⁹ Astin (1967) 25, 34, 268 (*Dicta Scipionis* 61), 298, n. 2.

⁵⁰ Barlow (2022) 29; cf. Long and Sedley (1987) Chs. 58, 61.

individual roles where unique differences of character were assigned to each individual (*Off.* 1.107–8), with treatment of the third and fourth roles to follow.⁵¹ The fitting (*Off.* 1.110) was present when each individual lived in agreement with the universal laws of nature and with his individual nature. Gaius Laelius and Scipio had appeared at *Off.* 1.108 as an example of a contrast in the qualities of individual characters, the one lighter and the other more austere, as part of a list of contrasting moral temperaments originally supplied by Panaetius and subsequently edited by Cicero:

... in C. Laelio multa hilaritas, in eius familiari Scipione ambitio maior, vita tristior.

Cic. *Off.* 1.108

... Gaius Laelius was the most genial of men, but his close friend Scipio nursed greater ambition, and his life was more austere.⁵²

Brunt thought it plausible that Panaetius had referred to Laelius, a Roman he had personally educated in Stoic philosophy.⁵³ Although Cicero elsewhere attests to Panaetius' instruction of Scipio and Laelius in Stoic doctrine (*Cic. Mur.* 66), it is not certain that Panaetius had referred to Laelius here. Nevertheless, the phrase 'life more austere' agrees with Panaetius' conception of Scipio as a person who taught and practised restraint in success (*Off.* 1.90, 2.76). Ambition to live a 'life more austere' suggests a level of moral consistency aligning with a philosophical characterisation of a person influenced by the Stoic way of living. A 'life more austere' also aligned with Polybius' comment about the impulse to virtue that was innate in the young Scipio and displayed in his early life.⁵⁴ Austerity was chosen as the theme appropriate for Scipio's funeral banquet and benches were covered with tatty goatskins and laid out with cheap crockery, more in keeping, we are told, with the death of a philosopher like Diogenes the Cynic than an eminent Roman.⁵⁵

The context for the fifth reference was the development of Panaetius' roles theory, specifically the addition of the third role which is imposed by chance or circumstance, like inheritance (*Off.* 1.115–16):

Quorum vero patres aut maiores aliqua gloria praestiterunt, ii student plerumque eodem in genere laudis excellere, ut Q. Mucius P. f. in iure civili, Pauli filius Africanus in re militari. Quidam autem ad eas laudes

⁵¹ For the *personae*, see Gill (1993) 341–2; Gill (1994) 4603–8; Tieleman (2007); Schofield (2012); Visnjic (2021) 88–100.

⁵² Translation by Walsh (2000). For the translation of *tristis* as 'solemn' or 'austere', see Walsh (2000) 37 and 147, citing *OLD* s.v. *tristis* 4b.

⁵³ Brunt (2013) 192, n. 26. At *Off.* 1.108, *hilaritas* is present in Laelius and absent in Pythagoras and Pericles; at *Off.* 1.90, Laelius and Socrates shared imperturbability; and at *Off.* 2.40, wise Laelius overcame fierce Viriathus. For Panaetius' education of Laelius, see *Cic. Fin.* 2.24 and *Brut.* 101; Pomp. Porphy. *Comm. in Horatii epist.* 1.13–14; cf. *Cic. Amic.* 7–9, *Off.* 3.16.

⁵⁴ Polyb. 31.25.2, 31.25.8–10, 31.28.10–13; Barlow (2018) 116–17.

⁵⁵ *Cic. Mur.* 75–6; *Val. Max.* 7.5.1; *Sen. Ep.* 95.72, 98.13; cf. *Xen. Cyr.* 8.7.25.

quas a patribus acceperunt addunt aliquam suam, ut hic idem Africanus eloquentia cumulavit bellicam gloriam, quod idem fecit Timotheus Cononis filius, qui cum belli laude non inferior fuisset quam pater, ad eam laudem doctrinae et ingenii gloriam adiecit.

Cic. *Off.* 1.116

Those men whose fathers or forefathers have achieved glory in a specific field generally strive to excel in the same field themselves; for example, Quintus Mucius, son of Publius, in civil law, Africanus [Scipio Aemilianus], the son of [L. Aemilius] Paulus, in military affairs. Indeed, some sons add praise of their own to those distinctions inherited from their fathers; Africanus [Scipio Aemilianus] is again an example, he added eloquence to the glory gained in war, and similarly Timotheus, son of Conon, who was not inferior to his father in military renown, added the glory of his learning and intellectual ability to that renown.

Cicero's fifth reference featured Scipio's eloquence, which Cicero praised elsewhere (*De or.* 1.215; *Brut.* 82). Stoics were renowned as concise, restrained, and unadorned orators, and they distrusted appeals to the emotions of the audience. However, Panaetius also embraced oratory and probably was among the certain Stoics known to have included eloquence as a part of the virtue of wisdom (Cic. *De or.* 1.75, 3.65). Panaetius had commented directly on eloquence, a quality of language and a distinctive feature in humans. In a concession to the pragmatism of forensic oratory, he allowed *eloquentia* in the lawcourts a lower threshold than truth, the level of the plausible (*Off.* 2.48–51). The example of Scipio, son of Paulus at *Off.* 1.116, did fit the third role in the *personae* theory. Scipio had fulfilled what chance of birth and inheritance had bestowed, he had emulated the military renown of his natural father, and then excelled in eloquence. Scipio is compared with Timotheus (c. 444–392 BC), the Athenian general renowned for his learning (Cic. *De or.* 3.139). The synkrisis is appropriate in several ways. Scipio and Timotheus both practised restraint in victory; and, as Panaetius had accompanied and advised Scipio, so Isocrates accompanied and assisted Timotheus (Ps.-Plut. *X. Orat.* 837c).

The context for the sixth reference was a continuation of Panaetius' roles theory and an elaboration on the fourth role which was the choice of career in life (*Off.* 1.117–21). The passage merely named Scipio as the 'son of Paulus' and instead focussed on his adoptive father P. Scipio, augur in 180 BC:

Sed quoniam paulo ante dictum est imitandos esse maiores, primum illud exceptum sit, ne vitia sint imitanda, deinde si natura non feret ut quaedam imitari possint (ut superioris filius Africani, qui hunc Paulo natum adoptavit, propter infirmitatem valetudinis non tam potuit patris similis esse quam ille fuerat sui), si igitur non poterit sive causas defensitare sive populum contionibus tenere sive bella gerere, illa tamen praestare debet quae erunt in ipsius potestate, iustitiam fidem liberalitatem modestiam temperantiam, quo minus ab eo id quod desit requiratur.

Cic. *Off.* 1.121

But although I said a little earlier that we should imitate our ancestors, there are some exceptions, first, their faults must not be imitated; second, if our nature does not allow the possibility of imitating certain aspects. For example, [P. Scipio, augur 180 BC] the son of the elder Africanus who adopted [Scipio Aemilianus] the son of Paulus, could not, on account of ill-health, be like his father in the way the latter was like his father. If, therefore, someone is not able to plead cases for the defence or convince the people in public assemblies or wage wars, he will have to show the qualities which are within his power – justice, good faith, generosity, moderation, and self-restraint – to stop those in which he is deficient from being demanded of him.

During his lifetime, ill-health prevented P. Scipio (augur 180 BC) from imitating the actions of his own father but choice still lay within his power as a moral agent and he chose those virtues that lay within his capability – various forms of justice and self-control (*iustitia*, *fides*, *liberalitas*, *modestia*, and *temperantia*). This example also fits Panaetius' roles theory as, although P. Scipio was unable to fulfil the role imposed by chance of birth and inheritance, he still exercised the choice to lead a virtuous life, leaving a version of the Stoic cardinal virtues as his legacy for his children to imitate.

These references to the Scipionic family at *Off.* 1.116 and 1.121 suggest interest in Scipio's lineage, through both the natural father L. Aemilius Paulus and the adoptive father P. Scipio. Brunt believed Panaetius was interested in and had written about Romans other than Scipio Aemilianus.⁵⁶ Erskine assigned the synkrisis of Scipio and P. Scipio Nasica Serapio at *Off.* 1.76 to around 129 BC when both had recently died, although this attribution is dependent on Pohlenz's dating of *Περὶ τοῦ καθήκοντος*.⁵⁷ Nasica was characterised elsewhere as upholding Stoic principles and being unaffected by the impulse to anger in acting against Tiberius Gracchus (*Cic. Tusc.* 4.51). In *de Officiis*, Cicero appears to have contrasted Nasica, and his unaffable conversation, with Xenocrates, the 'severest of philosophers' (*Off.* 1.109). Heumann deleted the phrase *ne Xenocratem quidem severissimum philosophorum* on the grounds that it was a mediaeval marginal annotation incompatible with the text's argument, and Winterbottom printed it in square brackets.⁵⁸ However, the phrase is compatible with the text's argument about the contrasting moral temperaments in men like Lysander and Callicratidas, Nasica and Xenocrates.

The context for the seventh reference to Scipio Aemilianus was the theme of service to the state and its citizenry, the safeguarding of property rights, and the contrast between 'abstinence' (*abstinentia*) and 'avarice' (*avaritia*) (*Off.* 2.72–85). Panaetius had supplied examples to illustrate a moral and political contrast between the abstinence of men like Scipio and the avarice of the Spartan reformers Lysander and Agis. Panaetius' praise of Scipio survives in Cicero's Latin:

⁵⁶ Brunt (2013) 192.

⁵⁷ Erskine (1990) 160.

⁵⁸ Heumann (1712) 35–6; Winterbottom (1994) 45.

Laudat Africanum Panaetius quod fuerit abstinentes. [Quidni laudet? Sed in illo alia maiora; laus abstinentiae non hominis est solum sed etiam temporum illorum. ... Imitatus patrem Africanus nihilo locupletior Carthagine eversa.]

Cic. *Off.* 2.76

Panaetius praises Africanus because of his abstinence. [Why should he not praise him? But there were other greater virtues in him; and praise of abstinence belongs not only to that man, but also to his age ... Africanus followed his father's example becoming no wealthier for his overthrow of Carthage.]

The text elaborated on Scipio's emulation of his natural father whose only profit from victory at Pydna was glory. Likewise, Scipio had not enriched himself at the fall of Carthage (146 BC), a fact that was well known at the time (Polyb. 18.35.9). The seventh reference is direct evidence of the moral quality Panaetius had found in Scipio. It is likely that the praise of the individual in this passage comes from Panaetius and the generalisation to the times is Cicero's addition, moralising about decline, although *imitatus patrem Africanus nihilo locupletior Carthagine eversa* might be a derivative of Panaetius' explanation of why he had praised Scipio.⁵⁹ Panaetius will have agreed with Polybius (31.25.2–8; Diod. Sic. 31.26.6–31.27.1) who recorded that Scipio stood out in contrast to the prevailing 'incontinence' (ἀκρασία) of his age. Indeed, he may have used ἀκρασία as part of the contrast between self-control and its opposites (*Off.* 2.77). Panaetius' praise of *abstinentia* related to the limiting influence displayed by the mind in its choice to restrain from acquisitiveness, and hence it was part of σωφροσύνη. The self-control shown here was associated with integrity in public life and moderation in victory, in both domestic and foreign fields.

Cicero alluded to Scipio on several occasions in *Off.* 1–2. He showed a lot of interest in Carthage and Numantia, the scenes of Scipio's two triumphs.⁶⁰ At the time of writing *de Officiis* in late 44 BC, the campaigns against these cities were long past and neither city posed a threat. However, the campaigns were topical in second-century-BC Rome. It is possible, but unprovable, that Panaetius had accompanied Scipio on campaign, as Polybius had done in 151, 149, 146, and probably 134–133 BC.⁶¹ Panaetius had formulated an ethic of imperial power that identified utility with moral goodness and legitimised the waging of war.⁶² In *Περὶ τοῦ καθήκοντος*, he had written on war and had drawn a distinction between enemies capable and incapable of 'seeing

⁵⁹ Cf. the two voices in the evaluation of L. Mummius. At *Off.* 2.76, Mummius was paired with Scipio and positive comment made about his moral restraint at Corinth in 146 BC, whereas, in editorial voice at *Off.* 1.35 and 3.46, Cicero adopted a negative tone towards Mummius.

⁶⁰ For Carthage, see *Off.* 1.35, 1.38, 1.39, 2.76, 3.47, 3.99, 3.100. For Numantia, see *Off.* 1.35, 1.38 (Celtiberians), 1.76, 3.109.

⁶¹ Vell. Pat. 1.13.3. For the eastern embassy undertaken by Scipio, Panaetius, and a small entourage, see Mattingly (1986).

⁶² Barlow (2022).

reason' and the harsher treatment that must be afforded to the latter (*beluae*, in Cicero's Latin).⁶³ He had devalued ἀνδρεία in warfare as physical courage that did not require the mind's assent and could be exhibited by beastly men, and had replaced ἀνδρεία with μεγαλοψυχία which did require the power of the intellect. In *de Officiis*, there are references to Stoic foresight (πρόνοια) within the treatment of greatness of soul that allude to Scipio. Foresight is presented as the quality of the man of great soul in war who plans his moves and does not rush impulsively into battle like a beast (*Off.* 1.80–1). Focus rests on the power of the mind to anticipate events and plan for them, and never be forced to say, 'I had not thought of it' (*non putaram*). The historical Scipio placed his trust in foresight on campaign in Africa;⁶⁴ and he is reported to have thought it shameful to have to say the words *non putaram* (Val. Max. 7.2.2). Scipio had displayed foresight at Numantia in his cautious planning and anticipation of enemy moves, as explained by Rutilius Rufus, the Roman Stoic who served in this campaign and authored an autobiographical *History* (App. *Hisp.* 87–8). In another allusion to Scipio, Cicero's statement at *Off.* 2.43 that the Gracchi were not approved of by good men when they were alive and that their murder was justifiable aligns with the judgement publicly expressed by Scipio about the death of Tiberius Gracchus which was the cause of his unpopularity.⁶⁵

In summation, the evidence of *de Officiis* 1–2 shows Cicero presenting Scipio Aemilianus as transcending the way of living of a traditional Roman aristocrat: Scipio was unique in character and command; he conducted public affairs without bitterness; he was an example of a man of great soul who taught restraint in success and the perception of the variability of fortune; he lived an austere life true to his individual persona; he emulated his natural father in military renown and added excellence in eloquence as dictated by his circumstance; he fulfilled the legacy of his adoptive father in acquiring virtues of moderation and self-control; and he was a model of moral praiseworthiness for his abstinence. This philosophical characterisation of Scipio cannot be Cicero's creation alone, writing in 44 BC. Cicero had Περὶ τοῦ καθήκοντος in front of him and there is no doubt that Panaetius had referred to Scipio in this work as a Roman example of 'greatness of soul' (μεγαλοψυχία).

οἰκείωσις and Scipio Aemilianus

The case for the derivation of a philosophical conception of Scipio from the second century BC is strengthened by corroborating evidence from beyond Cicero. Polybius, like Panaetius, was a friend, companion, and an eyewitness source to the life of Scipio. Later in life and after the death of Scipio in 129 BC, he added a digression to his *Histories* at 31.23–30 about Scipio's early life and education and about the role he himself played in the character formation

⁶³ *Off.* 1.34, with Pohlenz (1934) 31–3; Dyck (1996) 137–8; Brunt (2013) 204; Barlow (2022) 32. For the interest shown by the philosopher Antiochus in the Battle of Tigranocerta, see Plut. *Luc.* 28.7.

⁶⁴ App. *Pun.* 104; Polyb. 36.8.5; Dio Cass. fr. 70.8.

⁶⁵ Cf. Cic. *De or.* 2.106, *Mil.* 8; Dyck (1996) 426.

of this Roman aristocrat.⁶⁶ In it, the elderly Greek reflected on his internment in Rome between 167–150 BC and the time he spent in the company of the young Scipio, before his departure and, around the same time, the arrival in Rome of his brilliant compatriot Panaetius. Here, as elsewhere, Polybius was anxious to praise the qualities of Scipio and omit the flaws.⁶⁷ He also appeared to have a personal interest in setting the record straight about the early role he played in forming young Scipio's character and his influence on this aristocrat's acquisition of virtue, prior to the advent of Panaetius.

Scipio, Polybius recalled,⁶⁸ was not yet eighteen and was already atypical for a Roman because of his natural impulse (ὁρμή) towards a virtuous life and his intention to excel all other reputations for 'self-control' (σωφροσύνη). Rejecting the 'incontinence' (ἀκρασία) of his contemporaries, young Scipio set out to control his passions, making his life 'coherent' (ὁμολογούμενος) and 'harmonious' (σύμφωνος). Within five years, according to Polybius, he gained renown for 'self-control' (σωφροσύνη) and 'moderation' (εὐταξία). As he continued on this course of life, he displayed 'greatness of soul' (μεγαλοψυχία) and a 'good and noble character' (καλοκαγαθία) while furthering his renown for self-control and bravery. Polybius concluded that the reader now knew Scipio's achievements stemmed from the principles he acquired earlier in life.⁶⁹

Pohlenz drew attention to Polybius' ethical terminology and specifically his use of ὁμολογούμενος – a Stoic word which expressed coherence, coordination, and consistency with λόγος in the course of life – and he noticed its resemblance to Panaetius' language.⁷⁰ In his digression, Polybius explained how Scipio acquired two of the four cardinal virtues, σωφροσύνη and μεγαλοψυχία (ἀνδρεία), with self-control the unifying virtue in the intention to lead and to live a life of self-consistency. He had elsewhere (Polyb. 35.4) provided the same emphasis on these two cardinal virtues when praising Scipio's achievement of 'self-control' and 'bravery' in the Celtiberian War (152–151 BC). In *de Officiis*, all of the references to Scipio concern self-control (σωφροσύνη or the related πρέπον) and bravery (μεγαλοψυχία). Polybius, therefore, provided the same accent on the same two virtues as that found in the references to Scipio in *de Officiis*.⁷¹

In addition, Polybius' summary of the stages of young Scipio's way of life aligns with the pattern of *de Officiis*. In Polybius (31.25.2–10), Scipio possesses the natural 'impulse' (ὁρμή) to the virtuous life, the intention to reject incontinence and to discipline the appetites, leading to a coherent and harmonious disposition in the course of life, and the acquisition of renown for 'moderation'

⁶⁶ Cf. Walbank (1979) 492–3, 512.

⁶⁷ Cf. Polyb. 35.4.8–14. For the pro-Scipio nature of the Polybian narratives, see Tweedie (2015).

⁶⁸ Polyb. 31.24.4, 31.25.2–8; Diod. Sic. 31.26.5. See also Friedländer (1969) 323–6; Barlow (2022) 33.

⁶⁹ Polyb. 31.25.9, 31.26.9–10, 31.27.16, 31.28.11–13, 31.29.1, 31.29.11–12, 31.30.

⁷⁰ Pohlenz (1934) 111; see also Friedländer (1969) 325, 397, n. 4 (SVF 3.12, 3.197, 3.262, 3.293); Walbank (1979) 501–2; Long and Sedley (1987) Vol. 1, 394–401; Vol. 2, 389–94; Polyb. 31.25.8, 31.28.11; Pan. fr. 109 van Straaten, fr. 54 Alesse, fr. A81 Vimercati.

⁷¹ Cf. Mohay (2008) who argues that Polybius' notion of μεγαλοψυχία is similar to Panaetius' notion.

and ‘self-control’ (εὐταξία and σωφροσύνη). In *de Officiis*, the natural ‘impulse’ (*appetitus*; ὁρμή) is directed to virtue under the guidance of reason, which disciplines the impulses and restrains their incontinence (1.11, 1.21, 1.100–3),⁷² leading to self-consistency in the course of life and individual actions (*aequalitas universae vitae*, 1.111, 1.119, 1.125), and to the realisation of ‘the fitting’ (πρέπον/σωφροσύνη) (*Off.* 1.142). *Aequalitas universae vitae* is probably Cicero’s understanding of ‘living in accordance with nature’ (ὁμολογουμένως τῆ φύσει ζῆν), that is living life consistent with concordant reason and being impervious to the vicissitudes of fortune.

Polybius did not claim to have been Scipio’s instructor in philosophy and yet he used the language and concepts of Greek philosophy to describe him. Indeed, Polybius used concepts drawn from the Stoic doctrine of ‘appropriation’ (οἰκείωσις) and its theory of the moral development of humans in stages from primary impulse to the acquisition of the cardinal virtues and the undertaking of appropriate actions, from ὁρμή to λόγος refining ὁρμή, and a life lived in accord with concordant reason (ὁμολογούμενος, συμπονία) and virtue (ἀρετή), understood as φρόνησις, δικαιοσύνη, ἀνδρεία and σωφροσύνη (Diog. Laert. 7.85–93; Cic. *Fin.* 3.16–26). The historian Polybius presents Scipio’s intention to lead the life of self-consistency and restraint, independent of the vicissitudes of fortune, and in agreement with the *telos* of Stoic philosophy ‘living in accordance with nature’ (ὁμολογουμένως τῆ φύσει ζῆν). Panaetius had been Scipio’s instructor in Stoic philosophy. When the historian Polybius eulogised young Scipio for his way of living, there is little doubt he had known the detail of the philosopher Panaetius’ conception of Scipio Aemilianus.⁷³

Conclusion

The natural disposition to virtue which exists in some men develops out of their self-regarding instinct for self-preservation and avoidance of harm and into their other-regarding choice to preserve justice and the bonds of human society and it is accompanied in the virtuous few by their acquisition of wisdom, justice, greatness of soul, and self-control. Reason allows man to refine his instincts, curb his passions, and lead a coherent and consistent life in thought and action. Panaetius was expert in οἰκείωσις doctrine and its account of man’s moral development from the natural instincts and towards the end of ‘living in accordance with nature’. He had lowered his sights from the sage to the men making progress to virtue and adapted Stoic philosophy to the zeitgeist of the cultural mainstream and to the ideological imperatives of Roman conservatism. He had referenced examples to illustrate his moral instruction and his two directly attested references to Scipio from Περὶ τοῦ καθήκοντος demonstrate his characterisation of Scipio Aemilianus as a model of exemplary leadership in philosophical terms. His eyewitness

⁷² Cf. *Off.* 1.13–14, 1.132, 2.18.

⁷³ Cf. Dyck (1996) 281. For εὐταξία as a part of σωφροσύνη in Stoic thought, see Diog. Laert. 7.126 (*SVF* 3.295); *SVF* 3.264; Pohlenz (1934) 81–2; Dyck (1996) 320. Scipio’s favourite book (Cic. *Q. Fr.* 1.1.23, *Tusc.* 2.62), Xenophon’s *Cyropaedia* (2.1.22, 8.1.33), featured εὐταξία.

testimony is a Greek valuation of a Roman aristocrat. Panaetius had characterised Scipio as living the Stoic way of life, acquiring the cardinal virtues, and had referenced him explicitly as a Roman example of the man of great soul (μεγαλόψυχος).

Acknowledgements. I thank Dr Kit Morrell, Dr Andrew Turner, and Associate Professor Kathryn Welch for their comments on earlier drafts of this paper.

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