

Cicero and Clodius in the Work *Stoic Paradoxes* (Cic. *Parad.* 27–32)

Peter FRAŇO¹

Abstract. This paper aims to analyse the fourth paradox from Cicero's work *Stoic Paradoxes* (Cic. *Parad.* 27–32). In this text, Marcus Tullius Cicero tries to argue based on stoic-philosophical arguments that he did not leave into exile (in 58 BC). He rather implies that it was the Publius Clodius Pulcher who went into exile because of his loss of mental capacity. In *Stoic Paradoxes* author philosophically disputes his exile and because of moral dispositions, he achieves the positions of stoic sage as the highest ethical ideal.

Rezumat. Această lucrare își propune să analizeze al patrulea paradox din lucrarea lui Cicero intitulată *Paradoxurile stoice* (Cic. *Parad.* 27–32). În acest text, Marcus Tullius Cicero încearcă să demonstreze cu argumente stoico-filosofice că el nu a plecat în exil (în 58 î.Hr.). El sugerează că Publius Clodius Pulcher a fost cel care a plecat în exil din cauza pierderii capacității sale mentale.

Keywords: Marcus Tullius Cicero, Publius Clodius Pulcher, *Stoic Paradoxes*, stoic sage, exile.

The work *Stoic Paradoxes* is considered to be the shortest work of Cicero's but is also a most neglect philosophical work.² The author wrote this somewhere between April and May 46 BC, during the political battle between Caesar and the rest of the Pompeian army in North Africa.³ *Stoic Paradoxes* consists of an introductory prologue and six separate paradoxes that examine a specific ethical issue.⁴ The first two paradoxes⁵ describe examples of the behaviour of several historical Roman men. These men were so virtuous that they were

¹ University of SS. Cyril and Methodius Trnava; email: peter.frano@ucm.sk.

² WEBB 1985, 1.

³ BRINGMANN 1971, 60.

⁴ Paradox I: "That only what is morally noble is good" ("Ότι μόνον το καλὸν ἀγαθόν; *Quod honestum sit id solum bonum esse*); Paradox II: "That the possession of virtue is sufficient for happiness" ("Ότι αὐτάρκης ἡ ἀρετὴ πρὸς εὐδαιμονίαν; *In quo virtus site ei nihil deesse ad beate vivendum*); Paradox III: "That transgressions are equal and right actions equal" ("Ότι ἴσα τὰ ἀμαρτήματα καὶ τὰ κατορθώματα; *Aequalia esse peccata et recte facta*); Paradox IV: "That every foolish man is mad" ("Ότι πᾶς ἄφρων μαίνεται; *Omnem stultum insanire*); Paradox V: "That only the wise man is free, and that every foolish man is a slave" ("Ότι μόνον ὁ σοφὸς ἐλεύθερος καὶ πᾶς ἄφρων δοῦλος; *Solum sapientem esse liberum, et omnem stultum servum*); Paradox VI: "That the wise man alone is rich" ("Ότι μόνον ὁ σοφὸς πλούσιος; *Solum sapientem esse divitem*). For a structural and content side of the *Stoic Paradoxes* see MACKENDRICK 1989, 87–91. English translation of the work *Paradoxa stoicorum* is from CICERO 1942.

⁵ Cic. *Parad.* 6–19.

capable of sacrificing their lives for their country. The capability *pro patria mori* proves their high moral integrity, which should be an integral part of the character of every Roman politician. Cicero proposes his ideal conception of an ancient republic based on *mores maiorum* into the time of life these old legislators and commanders. This defence of the past serves as a reminder of ideal conditions that should be present in every state. The examples of virtuous men in this work are primarily old legislators (Romulus, Numa Pompilius, Lucius Iunius Brutus), commanders (Gaius Mucius Scaevola, Publius Horatius Cocles, Publius Decius Mus, Marcus Regulus, Gaius Marius), and righteous and modest statesmen (Gaius Fabricius Luscinus, Marcus Porcius Cato, Manius Curius Dentatus). In the third paradox,⁶ Cicero focuses on proving the controversial stoic statement: “That transgressions are equal and right actions equal” (*Aequalia esse peccata et recte facta*). In the last three paradoxes, there are almost no examples of *pro patria mori*, but there is a critique of contemporary social and political circumstances. Cicero probably believed that in his time, there are no similar examples of leading a virtuous life; as he introduced them in the first two paradoxes. He tries to persuade the readers that he is the single existing example of a virtuous life. In the past, there were other virtuous men, but now Cicero remains as a lonely “sage” (*sapiens*) — as he persists against the supremacy of triad of enemies. He indirectly names these with Latin expressions *demens*, *imperator* and *dives*. Behind these three terms, we can presumably discover three specific persons of Roman politics: Publius Clodius Pulcher, Gaius Iulius Caesar,⁷ and Marcus Licinius Crassus.⁸

In this article, we focus on character analysis of Publius Clodius Pulcher in the fourth paradox (Cic. *Parad.* 27–32). In this work, Clodius is given the greatest attention, but this interest is expressed indirectly.⁹ The author never mentions Clodius by name in the work *Paradoxa stoicorum*. He labels him only with a singular second-person personal pronoun —“you” (*te*)—and grants him only negative character traits. Cicero in the text names himself with a singular first-person personal pronoun—“I” (*ego*)—and inserts himself in the positive role of “sage” (*sapiens*), as an excellent example of the perfect “citizen” (*civis*). Cicero’s main goal in the *Stoic Paradoxes* is to challenge the moral status of Clodius and emphasize his own. He does this with stoic interpretation of terms such as “sage” (*sapiens*), “virtue” (*virtus*), “state” (*civitas*), “citizen” (*civis*), and “exile” (*exul*). Roman philosopher wants to prove that real “exile” (*exul*) is not the one realized through the decision of some state authority (law interpretation), but the real “exile” is while one loses rational part of the soul (*demens*, *insane*) and becomes dependent on irrational elements (stoic ethical

⁶ Cic. *Parad.* 20–26.

⁷ M.V. Ronnick states that term *imperator* could mean the character of Marcus Antonius (see RONNICK 1991, 128).

⁸ TAKAHATA 2004, 24.

⁹ He addresses Clodius in second (Cic. *Parad.* 17–19) and in fourth paradox (Cic. *Parad.* 27–32).

interpretation).¹⁰ On the contrary, the term “citizen” (*civis*) is connected with the possession of “virtues” (*virtutes*) and with the status of “sage” (*sapiens*), and not with the legal status of obtaining the citizenship. As a result of this intellectual substitution, real exile should be Clodius, and Cicero should be the real citizen. In *Stoic paradoxes*, both actors will imaginarily change their roles.

Cicero’s philosophical argumentation against Clodius takes place in fourth paradox in several steps. His first argumentation step stems from an introductory formulation of this paradox: “That every foolish man is mad” (“Ὅτι πᾶς ἄφρων μαίνεται; *Omnem stultum insanire*), and is rooted in contrast between mental dispositions of him and Clodius (Cicero = *sapiens* vs. Clodius = *demens*). Clodius symbolizes for Roman philosopher a person, who is “out of your mind” (*dementem*) and “mad” (*insanire*). Cicero appears in this work as a stoic “sage”¹¹ whose soul is endowed with “grandeur of purpose” (*magnitudine consilii*), “endurance of fortune” (*tolerantia fortunae*), “contempt for human affairs” (*rerum humanarum contemptione*) and “all the virtues” (*virtutibus omnibus*).¹² Roman philosopher, throughout the formulation of this thought, is proceeding from a stoic view that mental health of human resides in a state of calmness and mental stability; in such state dominates wisdom and rational part of the soul. The person who was missing the rational part of the soul was considered to be insane. According to Cicero, the idea that “all those who are not wise are insane” (*omnis insipientes esse non sanos*), stoics adopted from Socrates.¹³ This discontent of mind is making a person forget his rational judgment and provides him with irrational impulses.¹⁴ Therefore Clodius as a fool cannot have a true understanding of virtue and is thus subject to desires, torments and mental distress.

In the second argumentation step, this opposition of mental dispositions begins to focus on the legal-political area. If Cicero is truly *sapiens*, then ultimately, he could not have been expelled from the “state” (*civitas*) because, for orthodox stoics, a state is not defined legal-political but ethical. For stoics, a residence was not restricted to the birth origin, walls or borders of the city it was limited only by the world itself. Stoics perceived the whole world (gr. κόσμος) as area, in which humans live and can realize their potential as they become the citizens of the whole *cosmos* (gr. κοσμοπολίτης).¹⁵ As Cicero claims in work *De finibus bonorum et malorum*: “Again, they hold that the universe is governed by divine will; it is a city or state of which both men and gods are members, and each one of us is a part of this universe” (*Mundum autem censent regi numine deorum eumque esse quasi communem urbem et civitatem*

¹⁰ For stoic ethics and psychology see SCHOFIELD 2003, 233–256; BRENNAN 2003, 257–294; BETT 2006, 530–548.

¹¹ See BROUWER 2014.

¹² Cic. *Parad.* 27.

¹³ Cic. *Tusc.* 3.5.10.

¹⁴ Cic. *Parad.* 18.

¹⁵ See BROWN 2006, 552–555.

hominum et deorum, et unumquemque nostrum eius mundi esse partem).¹⁶ From this stoic perspective, Cicero's exile loses its real legitimacy. The Roman author in the text stylizes himself into a position of cosmopolite that does not care in which state he lives. As he says in the eighteenth chapter of *Paradoxa stoicorum*: “exile [is terrible] to those whose place of domicile is encircled by a bounding line, not to those who deem the whole world to be a single city” (*exilium [terribilis est] autem illis quibus quasi circumscriptus est habitandi locus, non eis qui omnem orbem terrarum unam urbem esse ducunt*).¹⁷

In the third argumentation step, Cicero leaves his philosophical perspective of state and begins to polemize about the acceptable legal characterization of the term state. He offers his imaginary opponent two questions to consider. Can we view the state as “every collection even of uncivilized savages?” (*omnisne conventus etiam ferorum et immanium?*),¹⁸ or “every multitude even of runaways and robbers gathered into one place?” (*omnisne etiam fugitivorum ac latronum congregata unum in locum multitudine?*).¹⁹ According to Cicero, even Clodius would not agree with these two expressive alternatives, but the state had similar characteristics, while Clodius was ruling. The function of the state is, according to Cicero, primarily bound with the ability to actually implement the rule of law.²⁰ If ever occurs to state that it is unable to implement laws, unable to make courts of justice decisions, the customs of ancestors cease to exist, or if the officers of government are expelled from the state by force and the prestige of the state is forgotten, then there is no longer a state in the true sense.²¹ According to Cicero, these were the features of nullity concerning the state concept. This claim was valid during the 50s of 1st century BC; this was during the period of Cicero's exile. Following this logic, Cicero should not have been exiled because, throughout this time, the state did not exist. The author himself claims in the twenty-eight chapter of his work *Stoic Paradoxes* that: “According I was not exiled from the state, which did not exist, but I was summoned to the state by the existence in our commonwealth of a consul, who had previously been non-existent, a senate, which had previously fallen, a free and unanimous people, and memories once more recalled of justice and equity that are the bonds of the state” (*Itaque pulsus ego civitate non sum, quae nulla erat: arcessitus in civitatem sum, cum esset in republica consul qui tum*

¹⁶ Cic. *Fin.* 3.19.64.

¹⁷ Cic. *Parad.* 18.

¹⁸ Roman philosopher uses the phrase *ferorum et immanium* also in other works (for example Cic. *Nat. Deor.* 2.161; *Off.* 1.44.157; *Inv.* 1.2; see CÍCÉRON 1971, 112).

¹⁹ According to tradition, Romulus opened the gates of the newly established city for foreigners, who escaped into the city from a region of neighbouring tribes (Liv. 1.8; *Iuv. Sat.* 8.273; see CÍCÉRON 1971, 112).

²⁰ In the work *De re publica*, Scipio Africanus defines the states as follows: “the commonwealth is the concern of a people, but a people is not any group of men assembled in any way, but an assemblage of some size associated with one another through agreement on law and community of interest” (*res publica res populi, populus autem non omnis hominum coetus quoquo modo congregatus, sed coetus multitudinis iuris consensu et utilitatis communione sociatus*) (Cic. *Rep.* 1.25.39).

²¹ Cic. *Parad.* 27.

nullus fuerat, esset senatus qui tum occiderat, esset consensus populi liberi, esset iuris et aequitatis, quae vincula sunt civitatis, repetita memoria).²² The function of the state is integrally connect with the presence of institutions and legal awareness. These two guarantee social order. From the stoic perspective and its logic, we could, according to Barbara Price Wallach, assemble Cicero's argument as follows:

“Our state was not both a lawless place peopled by lawless men and a state”.

“Our state (Rome) was a lawless place peopled by lawless men”.

“Therefore, our state was not a state”.²³

After more thorough characterization of the term state, Cicero continues with the fourth argumentation step, which is concerned with the question of “citizen” (*civis*) and “exile” (*exul*). Stoic interpretation of citizenship is not based on origin or residence (in the legal sense). It is grounded in the deeds and character of the mind (philosophically). Exile is not bound with leaving the region or with loss of property, but it is tied with moral failure and with loss of mental character. In the text, Cicero proves that during his exile he did not suffer from the loss of property, because everything material that can be “carried away” (*aufferri*), “plundered” (*eripi*) or “lost” (*ramitti*), could not be in his real ownership or anyone else's.²⁴ Forced departure from Rome in 58 BC cannot be considered a real exile.²⁵ Cicero would leave into the real exile only if the Clodius seized the divine nature of his soul; the conviction that his loyalty, vigilance, and care held the state united; the immortal memory on his public service, or if he robbed him of his mind.²⁶ Demolished and burnt property and the real abandonment of the state is incompatible with the ethical definition of exile; this definition is bounded to the absence true mental dispositions. From the perspective of stoic logic, we could, according to Barbara Price Wallach, write down Cicero's argument as follows:

“If I despised your physical attacks against my property, then I knew that nothing that can be lost belongs to me”.

“I despised your physical attacks against my property”.

“Therefore, I knew that nothing that can be lost belongs to me”.²⁷

²² Cic. *Parad.* 28.

²³ This pattern is based on the subsequent formal form:

“Not both the first and the second”.

“The first; therefore”.

“Not the second” (WALLACH 1990, 176).

²⁴ Cic. *Parad.* 29.

²⁵ This translation affirms the fact that Cicero in his work never uses terms such as *exilium*, *exsul*, or *exsulo*, which can be connected to his exile. In the fourth paradox, during the description of the author's exile, we cannot encounter terms such as *pulsus*, *exitum*, *meo discessu* or *meum illud iter* (see ROBINSON 1994, 475–480).

²⁶ Cic. *Parad.* 29.

²⁷ This pattern is based on the subsequent formal form:

“If the first, then the second”.

“The first”.

“Therefore, the second” (WALLACH 1990, 176).

Cicero puts himself, as in the first paradox, into the character of Bias,²⁸ who was one of the seven Greek sages. According to legend Bias refused to save his material possessions, during the siege of his hometown Priéné, because the real fortune was inside of him and ultimately he had that with him (*omnia mecum porto mea*).²⁹ For the authentic sage, true ownership is his mind, memories, virtues, and not the fate-dependent material possessions. Cicero had to go into the exile, although morally he remained a citizen, and metaphorically the entire state went with him.³⁰ On the contrary, Clodius never left his homeland and remained in Rome, yet from an ethical perspective, he became a true exile. Author's philosophical self-stylization as a perfect stoic sage (also a moral victor) who was able withstand all the hardships of exile is a complete contrast of what letters tells about his mental condition.³¹ In these letters, Cicero is mostly depicted as a mentally broken man without rationality. He experiences during exile the greatest misfortune, fear, and humiliation, which none philosophical thoughts can overcome.³²

Last argumentation step consists in contrasting calculating of Clodius's moral delinquencies: "You caused a massacre in the forum, you held the temples with armed brigands, you burnt private persons' houses and consecrated buildings" (*Caedem in foro fecisti, armatis latronibus templa tenuisti, privatorum domos, aedes sacras incendisti*).³³ He supports these moral crimes with legalistic arguments. On the one hand, by listing laws under which a person should have been sent into exile, and on the other by naming Clodius's concrete actions that realized subject matter of violating these laws: "A person found with a weapon': your dagger was detected in front of the senate-house; 'who has killed a man': you have killed a great many; 'who has caused a fire': your hand set fire to the Temple of the Nymphs³⁴ and it was burnt down; 'who has seized temples'³⁵: you encamped in the forum" (*Qui cum telo fuerit: ante senatum tua sica deprehensa est; qui hominem occiderit: tu plurimos occidisti; qui incendium fecerit: aedes nympharum manu tua deflagavit; qui templa occupaverit: in foro castra posuisti*).³⁶ Besides violating stated laws, Cicero in his text directly mentions the most famous

²⁸ See RONNICK 1991, 110.

²⁹ Cic. *Parad.* 8–9.

³⁰ Cic. *Parad.* 30.

³¹ See Cic. *Att.* 3.7–9; 3.13; 3.15; 3.20; *Quint. Frat.* 1.3; *Fam.* 14.2; 14.4.

³² For possible psychological explanations of Cicero's behaviour during his exile see DUGAN 2014, 9–22; EVANS 2007, 83–84.

³³ Cic. *Parad.* 30.

³⁴ According to the Roman author, the reason for this action (see Cic. *Mil.* 73) was the effort to destroy *tabulae censoriae* that should have been there. In reality, there were stored records of recipients of grain distribution (see NICOLET 1988, 64; CICÉRON 1971, 115).

³⁵ Cicero talks in speech *Pro Sestio*: "arms were openly carried into the temple of Castor" (*arma in templum Castoris palam comportabantur*) (Cic. *Sest.* 34; see RONNICK 1991, 125).

³⁶ Cic. *Parad.* 31.

“special bill” (*privilegium*) from 62 BC. In this year Clodius committed the desecration of the Good Goddess ceremony.³⁷

Cicero grants Clodius paradoxical attributes because on the one side Clodius has the status of “citizen” (*civis*), but on the other side, as a result of all these proven actions, it appears as if he is an “enemy” (*hostis*). Cicero even compares him to Spartacus.³⁸ Roman philosopher emphasizes the negative deeds of Clodius so he could answer this contradiction (citizen vs. enemy). Once again, he uses one of the stoic arguments in the following form:

“Not both: you are an enemy and a citizen”.

“You are an enemy”.

“Therefore, you are not a citizen”.³⁹

Cicero proves this way that Clodius through the loss of mental dispositions, in a philosophical sense, loses his claim for civil rights, and is becoming a moral exile and enemy of the state. Cicero doubts the relevancy of his exile because of his courage and position of stoic sage. Because of this, he is starting to be a bearer of moral citizenship.⁴⁰ By applying stoic principles to his person and through moral dishonour of Clodius, the Roman philosopher tries to defend, in fourth paradox, his exile and offer the reader his new philosophical interpretation.

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³⁷ Cic. *Parad.* 32. For this incident see TATUM 1999, 62–86.

³⁸ Cic. *Parad.* 30.

³⁹ WALLACH 1990, 181.

⁴⁰ This defence of Cicero was not accepted by the latter Latin literary tradition. For example, Lucius Annaeus Seneca did not consider Cicero to be a person with great moral credit because a stoic sage should have been fitted to endure all the disfavours of fate. We can count among these the exile — but apparently, Cicero could not do this. See GAMBET 1970, 171–183.

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