The Classical Quarterly 68.1 112–127 © The Classical Association (2018)
doi:10.1017/S0009838818000320

SCIPIO AEMILIANUS AND GREEK ETHICS*

Philosophical influences in the personality and public life of Publius Cornelius Scipio Aemilianus, consul in 147 and 134 B.C., were once emphasized in scholarship. In 1892, Schmekel demonstrated the reception of Stoic philosophy in the second half of the second century B.C. among the philhellenic members of the governing elite in general, and statesmen like Scipio Aemilianus in particular, in what he called the 'Roman Enlightenment'. In the 1920s and 1930s, Kaerst showed influences of Stoic philosophy on Scipio, contemporary politics and the Principate to come, while Capelle and Pohlenz identified Stoic ideas in Scipio's foreign and domestic policies. Together they formed a body of scholarship which held that Scipio possessed a serious interest in philosophy which defined his character and informed his public life.[1] In the 1960s, the challenge to this scholarship was led by Strasburger in two articles, and by Astin in his 1967 biography.[2] Both scholars downplayed and devalued philosophical influences on Scipio and denied him the pursuit of the Greek virtuous life. They placed him within the traditions of the Roman elite, ambitious for glory and results-driven, and they have successfully formed influential views to this end, despite the critique made by Erskine.[3] Astin remained the authoritative study of Scipio and there was much in his *Realpolitik* that scholarship found compelling, even when it allowed Scipio an attachment to Greek culture. For example, Gruen, Elvers and Badian acknowledged Scipio's interest in Greek culture and philosophy, in combination with the practices and goals of a traditional Roman aristocrat, but they placed their accent on the latter by affirming that Greek learning did not change the current of a traditional aristocratic

* A.M. Stone (n. 22) provided a conceptual basis for this article; and, for their comments and advice on drafts, I would like to thank Prof. B. Gibson, the *CQ* anonymous reader, Assoc. Prof. Kathryn E. Welch, Dr A.J. Turner and Assoc. Prof. T. Stevenson. A version was read to the Australasian Society for Classical Studies, Massey University, New Zealand, 29 January 2014.

[1] A. Schmekel, *Die Philosophie der mittleren Stoa in ihrem geschichtlichen Zusammenhange* (Berlin, 1892), 439–47, 454–60; findings accepted by F. Műnzer, *RE* 7 (1900), s.v. 'P. Cornelius Scipio Aemilianus Africanus' (no. 335), cols. 1439–62, at 1461–2; J. Kaerst, 'Scipio Aemilianus, die Stoa und der Prinzipat', *Neue Jahrbücher für Wiss. und Jugendbildung* 5 (1929), 653–75, at 668–71; W. Capelle, 'Griechische Ethik und rőmischer Imperialismus', *Klio* 25 (1932), 86–113, at 104–5; M. Pohlenz, *Antikes Fűhrertum. Cicero De Officiis und das Lebensideal des Panaitios* (Leipzig, 1934), 121, 143–5.

[2] H. Strasburger, 'Poseidonios on problems of the Roman empire', *JRS* 55 (1965), 40–53 and id., 'Der "Scipionenkreis"', *Hermes* 94 (1966), 60–72; A.E. Astin, *Scipio Aemilianus* (Oxford, 1967), 12–25.

[3] A. Erskine, *The Hellenistic Stoa. Political Thought and Action* (London, 1990, 2011[2]). J.-L. Ferrary, *Philhellénisme et impérialisme. Aspects idéologiques de la conquête romaine du monde hellénistique* (Rome, 1988), 589–602, 608–15 saw innovations in the leadership style of men like Scipio Aemilianus, informed by Greek culture and the cultural pattern of Hellenistic kings, rather than by philosophical influences, and was sceptical about the 155 B.C. embassy of Greek philosophers, the critique of Roman power by Carneades, the reply by Panaetius, and the extent of survival of Panaetius in the *De Officiis* (401–24).

https://doi.org/10.1017/S0009838818000320 Published online by Cambridge University Press

life.[4] The contention of this article is that the pre-Strasburger/Astin interpretation of Scipio, despite its shortcomings, was indeed correct to detect a deep current of philosophical influences on Scipio. The article argues that the evidence demonstrates that in education, character and public life Scipio was informed by the Greek moral and political tradition; that Scipio had claimed to possess the cardinal virtues, derived ultimately from Plato; and that he had acted under a moral imperative of power formulated by the Stoic philosopher Panaetius; the conclusion will address the ethical intention of Scipio.

VITA TRISTIOR

It must first be argued from the evidence that Scipio had possessed a lifelong interest in Greek culture and philosophy. Scipio was brought up in a household of Greek culture and philosophy by his natural father L. Aemilius Paullus (*cos*. 182, 168 B.C.), who had raised his sons particularly in the Greek model of education. 'For the young men were surrounded not only by Greek teachers, scholars, and rhetoricians but also by Greek sculptors, painters, overseers of horses and hounds, and instructors in hunting' (Plut. *Aem.* 6.5, trans. Astin [n. 2], 15). Aemilius Paullus welcomed Greek intellectuals into his house as was shown in 167 B.C. when he brought Metrodorus, a most distinguished philosopher, from Athens to Rome in order to educate his children (Plin. *HN* 3.135). The education of Scipio in Greek culture will have continued, when, at some stage before 168 B.C., Scipio was adopted by P. Cornelius Scipio, the son of Africanus Maior and an aristocrat who had not pursued a traditional career because of ill health, but instead had furthered his scholarship, writing a history in the Greek language (Cic. *Brut.* 77). Scipio had been taken on campaign to Macedonia by Paullus and, after victory over Perseus at Pydna (168 B.C.), he was given access to Perseus' library for the furtherance of his studies (Plut. *Aem*. 28.6). The Macedonian court had a tradition of welcoming philosophers to Pella, where they enriched its culture and provided moral and political advice.[5]

Xenophon, Socrates' disciple, was held to be a philosopher in antiquity and his *Cyropaedia* was Scipio's favourite book (Cic. *QFr.* 1.1.23; *Tusc.* 2.62). The *Cyropaedia* was a handbook on the acquisition and application of ethical principles in rulership, where the ruler, wise in his benefaction, gained the willing obedience of his soldiers and subjects under his paternal authority, and of his enemies under his benevolent guardianship. The work was themed around the ascetic model of leadership in the life of the idealized King Cyrus and his soldiers, namely the training in temperance which led to the freedom from external conventions.[6] Scipio's study of Xenophon

[4] E.S. Gruen, *Culture and National Identity in Republican Rome* (Ithaca, 1992), 252–6, at 254; K.-L. Elvers, 'C. Scipio Aemilianus Africanus (Numantinus), P.', in H. Cancik and H. Schneider (edd.), *Brill's New Pauly* 3 (Leiden, 2003), 819–21, at 821; E. Badian, 'Cornelius (*RE* 335) Scipio Aemilianus Africanus (Numantinus), Publius', *OCD*[4] (Oxford, 2012), 381–2.

[5] E.g. Aristotle (Diog. Laert. 5.4; Plut. *Alex*. 7–8), Callisthenes (Diog. Laert. 5.4–5, 5.10) who, with Anaxarchus, accompanied Alexander the Great on his Asian campaigns (Plut. *Alex*. 52.3–5), the Stoics Persaeus and Philonides (Diog. Laert. 7.6–9, 36, 38), Bion (Diog. Laert. 4.46), Menedemos (Diog. Laert. 2.142), Euphantus (Diog. Laert. 2.110) and probably Prytanis (Polyb. 5.93.8).

[6] Xen. *Cyr.* 1.3.4–7, 1.3.11, 1.5.11, 4.2.38–45.

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will have dated from this time, if Xenophon's works were held in Perseus' library or alternatively were among the volumes loaned to him by Polybius (31.23.4).[7]

Polybius, the Achaean hostage and future historian, was probably known to Aemilius Paullus while in Greece, and was befriended by Scipio who, with his brother, petitioned for his internment in Rome, and not in the provinces. He accompanied Scipio on campaign in Spain (151 B.C.), Africa (149 B.C.), Carthage (146 B.C.) and perhaps Numantia (133 B.C.). He served as Scipio's mentor and tutor and, as his friend, he was well placed to write about Scipio's private character and public life. His character sketch of Scipio (Polyb. 31.23–30) was the eyewitness observation of a primary source, who remembered Scipio as different from Roman behaviour, conduct and character, in his pursuit of virtue, his disinterest in pleading in the law-courts, his generosity in giving away rich inheritances and conferring benefits, and his pathway to glory which was far removed from the customs and ways of a Roman (31.23.11–12, 31.29.12). Scipio was indifferent to the extravagance of contemporary Rome in the period after the defeat of the Macedonian kingdom, and instead set himself to lead a life of self-consistency, and he established a reputation for 'harmonious character' (εὐταξία) and 'temperance' (σωφροσύνη), concepts drawn from the Greek moral life and Stoic philosophy.[8]

Although Polybius' later books were lost, content can be retrieved through authors such as Appian, Diodorus Siculus, Dio Cassius and the *Suda*, as well as through Latin authors such as Livy.[9] Plutarch's biography of Scipio was also lost, but he had paired Scipio with Epaminondas, the Theban general and former pupil of the Pythagorean philosopher, Lysis of Tarentum, and a man renowned for his incorruptible and austere character.[10] The *Apophthegmata* or 'Sayings' of Scipio from the *Moralia* preserved anecdotes and content of the kind Plutarch might have known in writing Scipio's biography. Gruen placed weight on the advice Polybius gave Scipio to make an 'acquaintance and friend' of someone each time he went to the forum (Plut. *Mor*. 199F), and he cited it as evidence of Roman practice and pragmatism in increasing *clientela*.[11] However, the *Apophthegmata* showed that this advice was not followed: when campaigning for the censorship of 142 B.C., Scipio was *not* interested in knowing the names of many Romans, as long as they knew him (Plut. *Mor*. 200D). Further, he was criticized in this campaign for shaming the family name by being accompanied in public in the forum by freedmen and men of low birth (Plut. *Aem*. 38.2–4; Plut. *Mor.* 810B). The evidence suggested a departure from traditional campaigning and the customary use of a *nomenclator*.[12] As young Scipio did not want to make his

[7] For Polybius' interest in Xenophon, see K. Münscher, *Xenophon in der griechisch-römischen Literatur* (Leipzig, 1920), 60–2; and B. Gibson, 'Polybius and Xenophon: the mercenary war', in B. Gibson and T. Harrison (edd.), *Polybius and his World. Essays in Memory of F.W. Walbank* (Oxford, 2013), 159–79, at 162–5.

[8] Polyb. 31.25.8; cf. Cic. *Off.* 1.142; Pohlenz (n. 1), 81–2; A.R. Dyck, *A Commentary on Cicero,* De Officiis (Ann Arbor, 1996), 320. See Astin (n. 2), 16–21, 31–4 and C.B. Champion, *Cultural Politics in Polybius's* Histories (Berkeley, 2004), 162–3, 174, 179–80, 224–5 for a different interpretation of the evidence.

[9] See J.M. Moore, *The Manuscript Tradition of Polybius* (Cambridge, 1965); H. Tränkle, *Livius und Polybios* (Basel, 1977); and S.D. Olson, 'Unattributed fragments', in W.R. Paton, F.W. Walbank, C. Habicht and S.D. Olson, *Polybius. The Histories*, revised Loeb edition (Cambridge, MA, 2012), 6.510–605.

[10] Műnzer (n. 1), 1439. See also K. Herbert, 'The identity of Plutarch's lost *Scipio*', *AJPh* 78 (1957), 83–8, at 85. For Epaminondas' moral and intellectual qualities, see Plut. *De gen.* 15.

[11] Gruen (n. 4), 254.

[12] See Astin (n. 2), 27–31.

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name pleading cases in the forum, so the mature Scipio maintained an unconventional attitude to the political and legal centre of public life.

The *Apophthegmata* shared themes found in Polybius. It introduced Scipio in terms of his austerity that was consistent throughout his life and remarkable for the conqueror of Carthage (Plut. *Mor.* 199F); and it noted his wisdom and bravery (*Mor.* 200A), and his zest as a moral reformer in purging indolence from the Roman army in Spain (*Mor.* 201A–D). Elsewhere, Plutarch (*Mor.* 777A [= Posid. fr. 254]) cited Panaetius as an example of the philosopher who provided moral advice to the statesman, Scipio; and *Moralia* 814C–D recorded the friendship between Scipio and Polybius and Panaetius, and the benefits he conferred on them and they on their respective states. Panaetius of Rhodes was the Stoic philosopher and friend of Diogenes who had taught Scipio Aemilianus after Polybius (*Suda* 184; 1941).

Scipio had been an auditor of Diogenes when the philosopher was a member of the embassy of three Greek philosophers sent to Rome to plead a diplomatic case on behalf of Athens in 155 B.C. (with Carneades the Academic and Critolaus the Peripatetic).[13] Although Carneades' criticism of *imperium* caused a scandal, Diogenes' defence of private property will have helped to mould Stoicism to Roman ways, and to place it on an ideological trajectory fulfilled by Panaetius.[14] Scipio, with his friends Gaius Laelius and Lucius Furius Philus and other notables, had heard the philosophers lecture; and all three Romans were described as men of notable renown, weighty influence and cultured humanity who at all times were accompanied by the most learned men of Greece.[15] The embassy had been chosen in anticipation that the study of philosophy would be received well among the Roman elite, and Laelius and Scipio were the first to embrace the study of wisdom (*sapientia*).[16] Scipio, Laelius and Philus added the foreign learning which had come from Socrates to ancestral customs (Cic. *Rep*. 3.5–6).

Panaetius of Rhodes was a second eyewitness source for Scipio. He was a student of Diogenes of Babylon and Antipater of Tarsus who rose to become head of the Stoic School in 129 B.C. In the 140s B.C., Panaetius began visiting Rome and he was received as a house-guest of Scipio.[17] He liked to hold discussions with Scipio, and frequently Panaetius and Polybius would discuss political theory and practice with Scipio (Cic. *Rep*. 1.15, 1.34). He was described as a worthy member of the circle of friends of Scipio and Laelius and a man of serious eminence (Cic. *Fin*. 4.23). We are told specifically that Panaetius set up a school (*studium*) in Scipio's house in which he taught Scipio, Laelius, L. Furius Philus and Gaius Gallus; teaching which made Scipio most gentle.[18] Other known students of his were P. Rutilius Rufus, Q. Aelius Tubero, Q. Mucius Scaevola, C. Fannius and M. Vigellius.[19] Of these, Rutilius, Scaevola and Tubero became Stoics (Ath. *Deipn.* 6.274c–e). Panaetius was Scipio's teacher and friend (Cic. *Off*. 1.90), descriptors which drew a distinction between the equal relations of *amicitia* and the unequal relations of teacher and student. Although there was a circle of friends interested in Greek culture and philosophy, there also was in existence a

[13] See J.G.F. Powell, 'The embassy of the three philosophers to Rome in 155 B.C.', in C. Kremmydas and K. Tempest (edd.), *Hellenistic Oratory: Continuity and Change* (Oxford, 2013), 219–48 (231 with n. 25 for the literature).
[14] F. Smuts, 'Stoïsynse invloed op Tiberius Gracchus', *AClass* 1 (1958), 106–16, at 113–15.
[15] Cic. *De or.* 2.154–5; cf. *Amic.* 104; *Top.* 78.
[16] Cic. *Tusc.* 4.5; cf. *Tusc.* 1.3.
[17] M. Pohlenz, *RE* 18.3 (1949), s.v. 'Panaitios', cols. 418–40, at 422–4; Schmekel (n. 1), 4–7.
[18] Cic. *Mur*. 66. See also Cic. *Att*. 9.12.2; *Tusc*. 1.81.
[19] Cic. *Brut.* 101, 114; *Tusc.* 4.4; *Acad.* 2.135; *Off.* 3.10, 3.63; *De or.* 1.75, 3.78; *Amic.* 69, 101.

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school of philosophy, with its hierarchy of knowledge, led by Panaetius, which educated members of the Roman aristocracy and advised them on matters of conscience and behaviour. Our concern is not with the former, which scholars have called the 'Scipionic Circle',[20] but with the latter, the Panaetian *studium*.

Panaetius, with Polybius, also accompanied Scipio abroad (Vell. Pat. 1.13.3). A trip to the eastern Mediterranean is attested in 144–143 B.C., in a small entourage with L. Caecilius Metellus Calvus (*cos*. 142 B.C.), Sp. Mummius and other members who were slaves, where they impressed King Ptolemy of Egypt by eating frugally at banquets given in their honour because they were men of higher morality who avoided extravagance.[21] These men created an impression at court by their frugality, sobriety, absence of excess and subjection of desire to reason, the very embodiment of temperance.

Panaetius' works were mostly lost, for example his books on politics and providence (Cic. *Leg.* 3.14; *Att.* 13.8). His treatise on ethics Περὶ τοῦ καθήκοντος ('Concerning the appropriate') survived in *De officiis* Books 1 and 2.[22] Cicero (*Off.* 2.60) stated that he followed Panaetius, but he was not a translator and he emended the original for his own purposes, and this has fuelled scepticism about philosophical content in the *De officiis*.[23] Issues of translation, editing and addition of supplementary material abound. However, the *De officiis* does contain a deep layer of psychological and philosophical insight. Further to the scholarship of Pohlenz and Dyck, Brunt has made a detailed case for Cicero's dependence on Panaetius.[24]

In 'Concerning the appropriate', the Greek philosopher Panaetius cited the Roman aristocrat Scipio as an example of moral praiseworthiness: Panaetius (fr. 13 = Cic. *Off.* 2.76) agreed with Polybius (18.35.9), Scipio had not been corrupted by greed at the fall of Carthage and had not enriched himself. He praised the 'incorruptibility' (*abstinentia*) of Scipio, which, as a part of temperance, also aligned with the moral characterization of Scipio in Polybius (31.25.2–8, 31.28.12–13) and with the characterization of Cyrus in Xenophon (see above, n. 6). Elsewhere, we know that Scipio and Laelius were counted among the most intelligent of Romans, and characteristics of both men were likened to Socrates. C. Fannius (*FRHist* F6c) compared Scipio to Socrates in their shared use of irony; Laelius gained a reputation as a sage after the model of Socrates, constant and imperturbable (Cic. *Amic.* 7–8; *Off.* 1.90). A distinction in moral character, however, was drawn by Cicero. In contrast to the geniality of

[20] A 'Scipionic Circle' was rejected by Strasburger (n. 2 [1966]), 71–2 and Astin (n. 2), Appendix VI. Ferrary (n. 3), 587–602 and A. Erskine, 'Scipionic Circle', *OCD*[4] (Oxford, 2012), 1330 were skeptical. But see M. Sommer, 'Scipio Aemilianus, Polybius, and the quest for friendship in second-century Rome', in B. Gibson and T. Harrison (edd.), *Polybius and his World. Essays in Memory of F.W. Walbank* (Oxford, 2013), 307–18.

[21] Cic. *Acad.* 2.5; Diod. Sic. 33.28b.2; Plut. *Mor.* 200E–201A, 777A; Ath. *Deipn.* 12.549d. Embassy date: H.B. Mattingly, 'Scipio Aemilianus' eastern embassy', *CQ* 36 (1986), 491–5.

[22] Schmekel (n. 1), 29–46; Pohlenz (n. 1); Dyck (n. 8); A.M. Stone, 'Greek ethics and Roman statesmen: *De officiis* and the *Philippics*', in T. Stevenson and M. Wilson (edd.), *Cicero's Philippics: History, Rhetoric and Ideology* (*Prudentia* 37 and 38) (Auckland, 2008), 214–39, at 214–18; P.G. Walsh (trans.), *Cicero. On Obligations* (Oxford, 2000), xvii–xxi, xxvii–xxix.

[23] E. Lefèvre, *Panaitios' und Ciceros Pflichtenlehre. Vom philosophischen Traktat zum politischen Lehrbuch* (Stuttgart, 2001). M. van Straaten, *Panétius, sa vie, ses écrits et sa doctrine avec une édition des fragments* (Amsterdam, 1946), 276–83 realized that the criterion of only including fragments directly attributed to Panaetius could not be sustained in the case of *De officiis* Books 1 and 2.

[24] P.A. Brunt, 'Panaetius in *De officiis*', in M. Griffin and A. Samuels (edd.), *Studies in Stoicism* (Oxford, 2013), 180–242.

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Laelius, Scipio possessed a greater ambition for his conduct in life, linked to his greater austerity; his ambition was to lead a *uita tristior*, a 'life more austere'.[25]

Xenophon, Polybius, Diogenes and Panaetius were the most prominent of the Greek writers and intellectuals in the life of Scipio who, indirectly or directly, provided him with philosophical training and advice on refinement of moral character. The tradition of the philosophical character of Scipio was established in his lifetime, and Cicero's decision to build a philosophical dialogue around him in the *De republica* (54–51 B.C.), set dramatically during the *Feriae Latinae* of 129 B.C., drew on this established tradition, for it assumed that Scipio had held a serious interest in philosophy and had held conversations about it.[26] Cicero had been told in person about Scipio's character, friends and interests by two Roman Stoics: P. Rutilius Rufus (Cic. *Rep*. 1.13, 1.17; *Brut*. 85) and Q. Mucius Scaevola (Cic. *Amic*. 1).

Indeed, content from the *De republica* appeared in the references cited above throughout Cicero's œuvre, despite different genres and dates of publication, which indicated a received tradition that was broadly known to his audience, and not a tradition created by him. The received tradition entered later writers, such as Horace (*Sat.* 2.1.65–75) and the early Imperial authors Valerius Maximus (5.1.6, 8.8.1) and Velleius Paterculus (1.12.3 and 1.13.3), who wrote of Scipio's cultivation of the arts of war and wisdom, of his admiration of the liberal arts and learning, and of the company at home and on campaign of men renowned for their wisdom, Polybius and Panaetius, which placed his intellect and literary study alongside military and civil achievement.

Scipio's character was presented in the sources as irregular for a Roman aristocrat; so was the commemoration of his death, for which austerity was judged by his Stoic nephew Q. Tubero to be a fitting theme.[27] The funeral oration, written by Laelius but lost,[28] was cited in *De or.* 2.341–9 during a discussion of Greek-style *laudationes*, the focus of which was the praiseworthiness of the individual and his possession of the virtues. In *Amic.* 11, Cicero provided a version of the oration which nominated four specific virtues: *pietas*, *liberalitas*, *bonitas* and *iustitia*. We turn now to discuss in more detail the kind of virtues Scipio may have claimed.

THE CARDINAL VIRTUES

The wide range of sources cited in the previous section for the life of Scipio, writing at different periods and in different genres, suggests strongly that they were not imposing a pattern of Greek values on him, but they were in fact reflecting accurately the values he claimed. Before we assess these values in detail, we must note the different emphasis in Astin's *Scipio Aemilianus*. Astin's biography was not only learned but also skilfully executed, not least in the way in which he embedded emotional language into the character portrayal of his subject. He presented a young Scipio fired with an intense ambition, a passion to achieve and to be felt worthy. The phrase 'pride and arrogance'

[25] Cic. *Off*. 1.108. See Walsh (n. 22), 147, citing *OLD*, *tristis* 4.
[26] Cic. *Rep.* 1.13, 1.14, 1.17, 1.29, 1.34, 3.5–6, 3.47–8; *Amic.* 13–14.
[27] Cic. *Mur.* 75–6; Val. Max. 7.5.1; Sen. *Ep.* 95.72, 98.13; cf. Xen. *Cyr.* 8.7.25.
[28] See the discussion in W. Kierdorf, *Laudatio Funebris. Interpretationen und Untersuchungen zur Entwicklung der römischen Leichenrede* (Meisenheim, 1980), 21–33, who argued (31–2) that the *consolatio* element was a later entry into the *laudatio* tradition; and, in general, H.I. Flower, *Ancestor Masks and Aristocratic Power in Roman Culture* (Oxford, 1996), 128–58.

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was repeated, along with 'bitter and scornful', 'insult' and 'outburst', 'harshness' and 'cruelty'. Evidence of a philosophical nature was dismissed as 'fictitious idealization' and downplayed as a desire for a reputation for virtue and not virtue itself.[29]

Astin recognized Scipio's education in Greek culture, and he quoted the evidence that L. Aemilius Paullus had provided Greek teachers for his sons, including 'instructors in hunting'. But he downplayed the significance of the evidence by describing hunting as 'another quite unintellectual pastime … to which Scipio was much addicted' and 'an enduring passion'.[30] This interpretation missed a significant point of Greek moral philosophy. Scipio's favourite author was Xenophon (Cic. *Tusc.* 2.62), whose book *On Hunting* spoke of hunting as a divine invention which instilled goodness and piety in its practitioners. Hunting, in Xenophon, was a discipline associated with the virtue of courage, which was part of the character formation of the best type of men.[31] For Plato (*Leg.* 824a, 631b–d) too, the capture of four-legged animals by the hunter was the courage that was divine; and courage itself was one of the four divine goods, alongside temperance, justice and wisdom. Therefore, hunting in terms of character formation takes us into the thought-world of the Greeks, and into the cardinal virtues canonized by Plato (*Resp.* 427c–434d): temperance, courage, justice and wisdom (σωφροσύνη, ἀνδρεία, δικαιοσύνη, σοφία), virtues present in the pages of Scipio's favourite book, Xenophon's *Cyropaedia*.

The cardinal virtues subsequently entered Stoic moral and political philosophy, although they were modified and appeared in different combinations.[32] When they entered the Roman context, they were applied in a variety of combinations and alongside Latin values, as they were claimed, practised and applied by different Romans. They featured in Περὶ τοῦ καθήκοντος, and were rendered using a variety of Latin terms around *sapientia/prudentia*, *iustitia*, *magnitudo animi*, *temperantia/decorum*.[33] Greatness of soul was specifically elevated as a virtue in the practical ethics of Panaetius, who subsumed ἀνδρεία beneath μεγαλοψυχία in his canon of virtues, and thus *fortitudo* gave way to *magnitudo animi*.[34] The great-souled man placed the good of the whole community before the interests of the many or of the few or of his own advantage; he acted for the common good and rejected partisan politics, civil strife and discord (Cic. *Off.* 1.64–5, 1.85–7). In other words, Panaetius had contained this value by means of the moral abstraction of the preservation of the harmonic whole. Hence, the concept was brought within political conservatism and Cicero used it frequently of the Optimate defenders of the Republic.[35]

Panaetius modified Stoic philosophy to place emphasis on 'making progress' towards virtue which replaced the moral absolutism of virtue and vice in the early Stoa. He acknowledged that life was not passed in the company of men who were

[29] Astin (n. 2), 17, 21–5, 31–2.
[30] Astin (n. 2), 15–16, 26.
[31] Xen. *Cyn.* 1.1–18, 12.1–21, 13.11–18. Education of youth in δικαιοσύνη (Xen. *Cyr.* 1.2.6), σωφροσύνη (1.2.8) and θήρα (1.2.9–11). See also Cyrus' πρόνοια (1.6.8, 8.2.1–2) and φιλανθρωπία (1.2.1, 1.4.1, 4.2.10, 8.2.1, 8.4.7, 8.7.25).
[32] A.A. Long and D.N. Sedley, *The Hellenistic Philosophers* (Cambridge, 1987), 1.377–80; H.F. North, 'Canons and hierarchies of the cardinal virtues in Greek and Latin literature', in L. Wallach (ed.), *The Classical Tradition. Literary and Historical Studies in Honor of Harry Caplan* (New York, 1966), 165–83, at 174–6.
[33] Cic. *Off.* 1.13, 1.15, 1.17, 1.20, 1.93 (*decorum* translated the aesthetic πρέπον 'what is fitting'); Stone (n. 22), 217–18.
[34] Cic. *Off.* 1.61–92; Dyck (n. 8), 183–5.
[35] E.g. Cic. *Mil.* 1.61, 1.69; *Sest.* 85.

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perfect and fully wise, but among men who do well to have in them the 'images of virtue' (*simulacra uirtutis*), and he took note of anyone who had in him the sign of virtue (Cic. *Off.* 1.46). He also relaxed the principle 'to possess one virtue is to possess them all' (Cic. *Off.* 2.35) and embraced externals like health, wealth and strength.[36] These modifications favoured practical ethics and the combination of thought and action. Since the cardinal virtues were harmonic but Roman ethics were competitive, Panaetius needed to provide the intellectual flexibility for the reception of harmonic values into a competitive society. Panaetius, however, did not speak for the whole Stoic school and, in any case, a division was already present between 'conservative' and 'progressive' wings over questions of property ownership and social reform. Diogenes of Babylon, Panaetius, Hecaton and Posidonius were on the Stoic 'conservative' wing upholding proportional justice; Antipater and Blossius of Cumae on the 'progressive' wing upholding distributive justice.[37]

Let us assess Polybius' view of Scipio in more detail with the cardinal virtues in mind. Polybius provided a digression (31.23–30), in which he explained the character of Scipio and their friendship. The digression was a late composition, written after 129 B.C.[38] The great statesman was dead and Polybius was laying claim (possibly in competition with Panaetius) to having played a formative role in Scipio's life and character as his teacher and mentor. Here, as elsewhere in Polybius, there was the alignment of the Greek author and his Roman subject in a positive way, and the possibility existed of exaggeration and the projection of the mature Scipio into the younger Scipio. Nevertheless, it was an eyewitness account of the character of the early Scipio. Polybius associates a cluster of virtues with Scipio. Polybius recorded Scipio's acquisition of a reputation for the possession of three virtues: σωφροσύνη (Polyb. 31.25.2 and 31.25.8; 31.28.10–12), μεγαλοψυχία (Polyb. 31.25.9, 31.26.8, 31.27.16, 31.28.9) and ἀνδρεία (Polyb. 31.29.1, 31.29.11),[39] that is, temperance, greatness of soul and courage. Temperance was the bedrock virtue that elevated Scipio above the cut and thrust of forum life and above the decadent youths who preferred to submit to their appetitive impulses. Greatness of soul was shown by his bestowal of benefits on family and friends which placed him above the appetitive impulses, because the giving of benefits was the avoidance of greed. Courage he gained when Aemilius Paullus turned over to him for his physical and moral training in the hunting estates of Macedon, where he hunted like a king in his domains. He continued to hunt on his return to Rome, in the company of Polybius. This was how he spent his time while the other Roman youth busied themselves in the forum and the courts, and cultivated the Roman people. Scipio's pathway to glory had been different from the normal Roman custom. Polybius concluded his digression with the comment that the reader will now know

[36] Diog. Laert. 7.128; J.M. Rist, *Stoic Philosophy* (Cambridge, 1969), 7–10, 189–90.

[37] See Kaerst (n. 1), 671–3; Pohlenz (n. 1), 144; Smuts (n. 14), 114–16; C. Nicolet, 'L'inspiration de Tibérius Gracchus (A propos d'un livre récent)', *REL* 67 (1965), 142–58, at 154–7; I. Hadot, 'Tradition stoïcienne et idées politiques au temps des Gracques', *REL* 48 (1970), 133–79, at 161–71, 178–9; Erskine (n. 3), 152–8.

[38] See Polyb. 31.28.13 and F.W. Walbank, *A Historical Commentary on Polybius*, 3 vols. (Oxford, 1957–1979), 3.492–3.

[39] See also Diod. Sic. 31.26.4–27 (especially 5–6), which drew on Polybius and the virtue language he used of Scipio. Walbank (n. 38), 3.499–514 downplayed Stoic influences at Polyb. 31.25.2 and 31.25.8, made no mention of the cardinal virtues and he (3.499) called Diod. Sic. 31.26.5 'of no independent value'.

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the true reason for Scipio's subsequent achievements—that they flowed from his character and were based on the moral virtues he possessed.

Scipio thus was credited with the possession of temperance, greatness of soul and courage. But there is no mention of the virtue of σοφία in the digression of Book 31. Does this mean that Scipio was unable to complete a canon of four virtues in the eyes of Polybius? The issue was clouded by problems such as the incomplete survival of Polybius' later books. But, if we turn to Panaetius' 'Concerning the appropriate' (Cic. *Off.* 1.15), we find *sapientia* defined as 'the perception and intelligent awareness of the true'. *Sapientia* was then connected to *prudentia* and 'the literal meaning of *prudentia* (prudence) is "foresight"'.[40] In others words, wisdom contained foresight, and *prudentia* was defined (Cic. *Off.* 1.153) as the 'knowledge of the things to be sought and things to be avoided', which was a prior knowledge. Since wisdom contained foresight, if Scipio possessed foresight, he possessed wisdom.

Wisdom and foresight can be linked to fortune, and Walbank observed a variety of meanings of Fortune (τύχη) in Polybius.[41] One of the meanings, according to Walbank, was Fortune as the conscious directive mind and beneficent design, which had overseen the rise to power of Rome and the attainment of Empire.[42] It was conscious as the bestower of wisdom, and retributive to the doers of evil. This use of τύχη was certainly Stoic, the rational directive mind which was the Stoic conception of Providence (πρόνοια).[43] Providence did not deny choice. Rational choice functioned *within* predestination which was knowledge of Providence and of how to act in accord with its world order.

Polybius' Scipio did possess foresight. The word πρόνοια appeared in a quotation by Scipio as military tribune in Africa in 149 B.C. in a fragment of Polybius (36.8.5) from the *Suda*. Likewise, Appian's account of Scipio's actions in Africa, which drew directly on Polybius,[44] relates that the idea arose in the army that Scipio was helped by the same deity which was thought to have allowed his grandfather Scipio Africanus to foresee the future (App. *Pun.* 104).[45] Troops in the army wrote home expressing the hope that Scipio would return as consul, for they believed that he was divinely inspired and only he could conquer Carthage (App. *Pun.* 109).[46] Scipio Aemilianus and Scipio Africanus were informed by the same deity, the deity which granted foresight.

[40] Walsh (n. 22), liv and 165; Cic. *Off.* 2.33–5.

[41] F.W. Walbank, *Polybius* (Berkeley, 1972), 58–65; F.W. Walbank, 'Fortune (τύχη) in Polybius', in J. Marincola (ed.), *A Companion to Greek and Roman Historiography* (Malden, MA and Oxford, 2007), 349–55.

[42] Polyb. 1.4.1, 1.4.4–5. Polybius (1.1.5, 6.2.3) credited Rome's acquisition of world power to her constitution; a predetermined Fortune (or Providence) worked through the constitution in order to achieve this goal (Polyb. 8.2.3–4; cf. 21.16.8, 4.2.4).

[43] R. von Scala, *Die Studien des Polybios I* (Stuttgart, 1890); W. Warde Fowler, 'Polybius' concept of τύχη', *CR* 17 (1903), 446–7; R. Brouwer, 'Polybius and Stoic *tyche*', *GRBS* 51 (2011), 111–32; Walbank (n. 41 [1972]), 63–5. For Stoic πρόνοια, see Long and Sedley (n. 32), 1.7, 1.323–33, 1.337; see also Diog. Laert. 7.135–9, 7.147, 7.149; Cic. *Nat. D.* 2.73–153.

[44] F. Tweedie, 'Appian's characterization of Scipio Aemilianus', in K. Welch (ed.), *Appian's Roman History. Empire and Civil War* (Swansea, 2015), 169–84, at 178.

[45] For Scipio Africanus Maior acting under the guidance of πρόνοια, see Polyb. 10.2.13, 10.5.8, 10.11.7–8. For the divine inspiration of the elder Scipio in Spain, see App. *Hisp.* 18, 19, 21, 23, 26. Foresight, in the avoidance of the need to use the phrase *non putaram*, is linked to Panaetius in philosophy and to Scipio on campaign in the field (Cic. *Off.* 1.81; Val. Max. 7.2.2; Dyck [n. 8], 213–14).

[46] Cf. App. *Pun.* 71, where Scipio witnessed battle from a lofty height, like Jupiter and Neptune

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The famous instance of Scipio's foresight occurred at the fall of Carthage in 146 B.C., when he witnessed the destruction of the city and of a civilization ancient and mighty. He reflected on the fall of cities and empires, peoples and individuals, on the fate of Troy and the ancient examples of the Assyrians, the Medes, the Persians and, most recently, the Macedonians. Asked by Polybius, who was present with him, to explain his thoughts, he named his own country, Rome, the doom of which he feared given the changeability of human affairs (App. *Pun.* 132 = Polyb. 38.22; Polyb. 38.21.1–3; Diod. Sic. 32.23–4).

For Polybius, Scipio's knowledge that the same fate awaited Rome struck him as profound: 'For at the moment of our greatest triumph and of disaster to our enemies to reflect on our own situation and on the possible reversal of circumstances, and generally to bear in mind at the season of success the mutability of Fortune, is like a great and perfect man, a man in short worthy to be remembered' (Polyb. 38.21.3; trans. Paton [n. 9]).

From the evidence, we may deduce that Scipio believed that his decision to order the destruction of human life and property was foreordained and he bore no personal responsibility for the catastrophe. His decision was made within predetermination and in accord with Providence. The tears he cried were the rational tears of foresight, in the foreknowledge that the same fate awaited Rome, his 'dread foreboding'. Scipio, therefore, possessed the virtue of wisdom, as his wisdom was his foresight.[47] Wisdom as foresight can now be added to the three virtues mentioned in Polyb. 31.23–30, to make temperance, bravery, greatness of soul and wisdom (foresight). But since greatness of soul arose out of bravery, this reduced Scipio to three virtues—temperance, greatness of soul and wisdom. Did Scipio achieve a canon of four virtues in Polybius' presentation of him? Let us turn our attention to justice.

Scipio's claim to justice was attested in Polybius' account of the war in Africa in 149 B.C., as it survived in later sources, Appian and Diodorus Siculus. On service in Africa as a military tribune, Scipio was renowned among friends and enemies alike for his courage and good faith, in contrast to the bad faith of other tribunes (App. *Pun.* 101); his reputation for justice was such that an enemy surrendered only if Scipio were a party to the agreement.[48] For Polybius, Scipio did possess justice and he had completed a canon of four cardinal virtues; he had temperance, greatness of soul (bravery), wisdom (foresight) and justice.

The cardinal virtues were a centrepiece of 'Concerning the appropriate'. According to Panaetian psychology, each virtue arose out of an innate impulse, which then was regulated by reason (Cic. *Off.* 1.11–14). To which impulse was Scipio linked? *De officiis* referred to Scipio seven times (1.76, 1.87, 1.90, 1.108, 1.116, 1.121, 2.76), including three times each within 'greatness of soul' (*magnitudo animi*, *Off.* 1.61–92) and 'temperance' (*decorum*, *Off.* 1.93–151). There was no reference to Scipio in Book 3 which did not use Panaetius. Scipio, therefore, was cited during the treatment

before him. Contrast Scipio with Piso, who was sent to Africa and was repulsed, as if a divine agent were working against him (Diod. Sic. 32.18, probably from Polybius).

[47] Cf. App. *Pun.* 98, where Scipio proved himself more prudent than the general in command; and Plut. *Cat. Mai.* 27.4; *Mor.* 200A, which referred to Scipio's reputation for bravery and judgement as a young man, and the quotation from Homer (*Od.* 10.495) used of the wisdom of Scipio, 'the others fly like shadows, only he is wise'.

[48] Diod. Sic. 32.7. Tweedie (n. 44), 179 commented: 'Although the text of Diodorus is fragmentary at this point, it appears to have followed Polybius closely in both the narrative and in the personal qualities attributed to Aemilianus.'

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of greatness of soul and temperance, virtues which arose out of the impulse to achieve independence and the desire for limitation and order. Both of the direct citations of the historical Scipio by Panaetius (*Off.* 1.90 = fr. 12; 2.76 = fr. 13) related to the limiting influence on success and power displayed by the mind, and hence σωφροσύνη. This is not to say that Scipio did not appear during treatment of all four virtues in the original, given that temperance permeated the cardinal virtues and was the manifestation of moral goodness (Cic. *Off.* 1.94–5).

Last, in the fragmentary text of the *De republica*, the character of Scipio was associated with wisdom—*sapientia*, *prouidentia* and *prudentia* (*Rep.* 1.33, 1.71, 2.67, 6.26). During a discussion about fluctuation and change in the political cycle, Scipio commented (*Rep.* 1.45) that the wise man was able to recognize changes, and the great citizen and man almost of divine insight foresaw changes and controlled them. Similar men of *prouidentia* were Romulus (*Rep.* 2.5, 2.12) and Scipio himself (2.67, 6.26).[49] Laelius (*Rep.* 2.67) gave Scipio *prudentia*; and *iustitia* was used of Scipio at *Rep.* 6.16. What of *fortitudo*/*magnitudo animi* and *temperantia*? The cardinal virtues had appeared in the original text of *De republica* Books 5 and 6, the subject of which was the best citizen. The *rector rei publicae* was *sapiens*, *iustus*, *temperans*, *eloquens* (Cic. *Rep.* 5.2); and heaven awaited those who served the Republic with *prudentia*, *iustitia*, *fortitudo* and *moderatio* (Cic. *Rep.* 6.6).[50] Macrobius, who had read the *De republica* and knew its content (Macrob. *In Somn.* 1.1.1), interpreted *Rep.* 6.13 in terms of the cardinal virtues (*In Somn.* 1.8.3, 1.8.7) and went on to assign to Scipio the canon of four cardinal virtues—*prudentia*, *temperantia*, *fortitudo* and *iustitia* (*In Somn.* 1.10.2–4).

MORAL IMPERATIVE OF POWER

The accounts of different sources linking Scipio to the cardinal virtues demonstrate that Scipio was knowledgeable of Greek values and laid claim to them. But we must now assess how this knowledge squared with his actions in war. Panaetian Stoicism accommodated the destruction of Carthage because of its acceptance of a higher obligation of 'living in peace without suffering injustice' in undertaking war, and the moral qualities of sparing an enemy who was not cruel or savage in war, and extending the arm of protection (Cic. *Off.* 1.35). The moral imperative was acute, and Scipio at Carthage was informed by a moral imperative distinct from traditional Roman statecraft. It was usual for commanders to enrich themselves with booty taken from a conquered city, but Scipio took none for himself (Polyb. 18.35.9–12; Cic. *Off.* 2.76). Unique was the appearance of the *humanitas* idea in the form of the return of property looted by the Carthaginians. Scipio sent word to the cities of Sicily that they may come and reclaim property seized by the Carthaginians in previous wars, and in this way he was shown to combine philanthropy and power (App. *Pun.* 133). The example of the return of statues to Thermae was illustrative of his *humanitas*.[51] These passages linked the exercise of power by the Roman commander Scipio to the Greek philosophical principle of φιλανθρωπία, the love of fellow man.

[49] Cf. [Cic.] *Rhet. Her.* 4.43: *Scipionis prouidentia Kartaginis opes fregit*.

[50] K. Ziegler, *Cicero Staatstheoretische Schriften* (Berlin, 1974), 175, 184–6. For the *rector rei publicae*, see Kaerst ([n. 1], 688–70); J.G.F. Powell, 'The *rector rei publicae* of Cicero's *De republica*', *SCI* 13 (1994), 19–29; J.E.G. Zetzel (ed.), Cicero, *De Re Publica: Selections* (Cambridge, 1995), 25–9.

[51] Cic. *Verr.* 2.2.85–7, 2.4.98; cf. Cic. *De or.* 2.154; Val. Max. 5.1.6.

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However, when Astin wrote that Scipio 'was capable of cruelty and harshness',[52] Scipio's actions in war would seem to support this, not least the destruction of Numantia in 133 B.C. Consul for the second time in 134 B.C., Scipio was denied troops by the Senate for his impending attack and, instead, he raised forces at his own expense from his friends and clients, in effect a private army loyal to him.[53] Nor did Scipio feel the need to refer his decision to destroy Numantia to the Senate for ratification. The destruction of Numantia raised the objection that surely here was a case of the separation of morality and power, and the appearance of power for its own sake.

Appian (*Hisp.* 90–8), our source for the siege of Numantia, drew on a Stoic source, probably P. Rutilius Rufus who accompanied Scipio to Numantia or, alternatively, he drew on Rutilius Rufus via an intermediary, the Stoic philosopher Posidonius.[54] During the siege, an appeal to philanthropy (φιλανθρωπία) was rejected by Scipio (*Hisp.* 95), who ordered the destruction of the city. Negative comments were made about Scipio's motives in Appian (*Hisp.* 98), namely that he destroyed Numantia for the advantage it brought Rome, or because he was by nature passionate and vengeful, or because he thought that great glory came from great catastrophe. These comments could be Appian's own editorial comments that he added at the end of the narrative of the Stoic source, as he was willing to make interpretative comments about his sources, or they could have been expressed within the original Stoic source, Rutilius Rufus. Either way, scholars[55] rightly observe negative comments made about Scipio and about his actions which appeared intemperate and devoid of φιλανθρωπία. Strasburger, for example, drew a distinction between what he judged to be the 'authoritarian' principle of Scipio (and the elder Cato) and the 'humanitarian' principle of Rutilius Rufus, the Scaevolae and Nasica Corculum, with only the latter group drawing on Stoic doctrine, and found it a 'gigantic paradox' that the 'most humane' or 'most learned' of men, as Cicero called Scipio, could order the destruction of Carthage and Numantia, with the accompanying bloodshed.[56]

Nevertheless, history is testament to the fact that culture and violence were not mutually exclusive categories, as the humane and learned have ordered destruction on the grounds of the moral reasons they believed to exist. Such a moral rationalization which legitimized the use of force existed in Panaetian Stoicism and its ethical formulation of the 'just war'. The section on the 'just war' in the *De officiis* (1.34–5), under the doctrine 'living in peace without suffering injustice', drew a distinction between negotiation and force, humans and beasts, and the pardon of those who were not cruel or savage in war. The destruction of Numantia and Carthage were then deemed as the righteous use of force deployed against beasts incapable of negotiation and, when victory was won, the killing only of the cruel and the savage. The *De officiis* (1.76) thereafter preserved a positive source tradition for Scipio's actions at Numantia which had conferred a benefit on the Roman state.

A casuist, Panaetius advised Scipio on matters of conscience and unresolved moral conflict. Panaetius had diverged significantly from the early Stoa on the nature of the

[52] Astin (n. 2), 306, 331.

[53] App. *Hisp.* 84; Münzer (n. 1), 1454; Astin (n. 2), 136 n. 2.

[54] See Astin (n. 2), 4–5 n. 4; Strasburger (n. 2 [1965]), 41–2; Tweedie (n. 44), 171–2, 174. P. Rutilius Rufus was present with Scipio at Numantia and he wrote a *History* of the events (App. *Hisp.* 88).

[55] Astin (n. 2), 154; Strasburger (n. 2 [1965]), 41–2, 49; Tweedie (n. 44), 173–5.

[56] Strasburger (n. 2 [1966)], 67, 69), citing Cic. *Verr.* 2.4.98, who contrasted Scipio, *homo doctissimus atque humanissimus*, with Gaius Verres on the subject of the virtues, especially temperance.

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soul when he rejected their unitary rational soul in which the passions were faulty judgements, instead dividing the soul into rational and irrational elements, reason and impulse, in general in line with the psychology of Aristotle, although with further subdivision.[57] Posidonius, Panaetius' successor, refined this as a tripartite division, in line with the psychology of Plato.[58] This division of the soul constructed a psychological hierarchy which stripped Stoicism of the egalitarian principle of the parity of man and placed moral obligations on the exercise of power. There existed humans in name only, who did not have the intellect to regulate the natural drives in the soul. Strasburger and Astin and many scholars who accepted their findings did not sufficiently address this modification to the Stoic understanding of the soul by Panaetius and Posidonius. Panaetian psychology was consistent with the Stoicism of Laelius in Cic. *Rep.* 3.33–41.[59] This text may be summarized by the following: true law is right reason, harmonious with nature and eternal, it governs the universe, world and men, applying to all people at all times, and it must not be changed.[60] Its orders and prohibitions to good people are never in vain, but they are to bad men. God is the master and ruler, the author, arbitrator and mover of this law. Whoever disobeys God's rational law flees from himself and rejects his rational nature as a human being, and he will pay the greatest penalty. Further, wars must be just, undertaken in revenge or self-defence. For (*Rep.* 3.37; my translation):

> <Do we not observe that Nature herself grants mastery to the best (*optimus*) in the best interests of the weak (*infirmus*)?> For why is it that God rules over man, the mind over the body, and reason rules over lust < and anger > and the corrupt and weak elements within <this > mind? (*Rep.* 3.36) … But different kinds of ruling and serving must be distinguished (*sed et imperandi et seruiendi sunt dissimilitudines cognoscendae*). For the mind is said to rule over the body, it is also said to rule over desire; it rules over the body as a king rules over his subjects, a parent over his children, but it rules over desire as a master rules over his slaves by restraining it and breaking it. Similarly, kings, generals, magistrates, senators and popular assemblies govern citizens and allies as the mind governs the body, but masters subdue slaves in the same way the best part of the mind—that is, wisdom—subdues the corrupt and weak parts of the same mind, like desire, anger and the other disturbances. … There is a kind of slavery that is not just, when those who are capable of self-rule (*qui sui possunt esse*) are subject to another, but when those are slaves.

Capelle, building on Schmekel, argued that this understanding of Stoic Natural Law was derived from Panaetius, and that an ethical basis of power flowed from the conceptual division of humanity between 'those who are capable of self-rule' (that is, 'those who can be their own men', *qui sui possunt esse*) and 'those who cannot' (*qui non*

[57] Cic. *Off.* 1.101 and 1.132, 2.18 (= Pan. frr. 87–9). See Schmekel (n. 1), 198–205, 371–9; Pohlenz (n. 1), 64–5; Rist (n. 36), 182–3, 195–6; Erskine (n. 3), 195–6; Dyck (n. 8), 260–1; R. Sorabji, *Emotion and Peace of Mind. From Stoic Agitation to Christian Temptation* (Oxford, 2000), 103; Walsh (n. 22), 146.

[58] Posidonius frr. 160–9, 187 (in L. Edelstein and I.G. Kidd [edd.], *Posidonius I. The Fragments* [Cambridge, 1972], 143–62, 170–2); I.G. Kidd, 'Posidonius on emotions', in A.A. Long (ed.), *Problems in Stoicism* (London, 1971), 200–12; Long and Sedley (n. 32), 1.321 and 1.422–3; Sorabji (n. 57), 93–108.

[59] Erskine (n. 3), 195–200; cf. Schmekel (n. 1), 55–63, 228–9, 324–5; Capelle (n. 1), 93–5; F.W. Walbank, 'Political morality and the friends of Scipio', *JRS* 55 (1965), 1–16; E. Gabba, 'Storiografia greca e imperialismo romano (III–I sec. a.C.)', *RSI* 86 (1974), 625–42, at 639–40.

[60] The definition of Natural Law at *Rep.* 3.33 is Stoic: see *SVF* 3.325; Long and Sedley (n. 32), 67S. See also Cic. *Off.* 3.23 and 3.69; *Leg.* 1.29, 1.33.

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possunt).[61] It was morally right to use force to master those who were subject to unreasoning impulses, since violence and war occurred among them if they were left alone. Servitude was of advantage to them because they were deprived of the licence to injure. Nature therefore determined that the man who can be his own master had dominance over the man who cannot be his own master. Since not all men had the beastly level of moral slaves, a second category of ruling and serving existed. This was where the mind ruled the body as a king his citizens, as the parent his children, as 'kings, generals, magistrates, senators, and popular assemblies govern citizens and allies' in a spirit of firm but fair paternal benevolence. This was where the inferior chose to subjugate themselves to the superior. In Posidonius, 'it is natural for the worse to submit to the better'.[62] For example, he described the Bithynian tribe of the Mariandyni in his *Histories* as incapable of care for themselves because of their weakness of intellect, but they possessed sufficient intellect to subjugate themselves to the more intelligent who cared for them.[63] Of the two types of ruling and serving, the former denied 'moral slaves' the capacity for choice, and the latter allowed sufficient rationality in the ruled that they would want to place themselves under the protection of their moral and intellectual betters. Capelle thus detected a defence of imperialism in the replacement of anarchy, disorder, wrong choice and instincts with law, order, right choice and rationality: that is, the imposition of the rule of the better in harmony with Natural Law. The *imperium Romanum* rested on the principle of justice, not force (*Rep.* 3.41); it was a protectorate for those who cannot protect themselves in accord with Natural Law (Cic. *Rep.* 3.33; *Off.* 2.27).

The imperial doctrine of Panaetian Stoicism was congruent with the conclusion of the Celtiberian War and the destruction of Numantia, as described in Appian's Book 6 (especially *Hisp.* 76–98). Appian relates that the Celtiberians were warlike and ferocious, generous and treacherous, perfidious and inconsistent. Scipio entered Spain and, through his prudence and careful planning, undertook moral reform of the listless and enervated Romans, as a doctor treated his patients. He besieged Numantia and trapped its inhabitants. An embassy of six men led by Avarus appealed to the virtue of Scipio and requested mild and humane terms, reminding him of the bravery of their men, their innocence and their freedom. Scipio ordered their surrender. Already savage in temper, on account of their 'absolute freedom', and 'unaccustomed to obey commands', they grew wilder and killed their own ambassadors, who they feared had betrayed them (App. *Hisp.* 95). Food supplies ran out and in their desperation they resorted to cannibalism, first of the dead, then of the living, becoming wild in the soul. They surrendered to Scipio and again failed to follow his instructions. Such was their freedom and bravery, says Appian. But Scipio was fitted for command, and had known not to engage wild animals in battle.

We can see from the above summary that Appian's account did not romanticize the Numantines and their last stand against overwhelming force. Their freedom was described as an 'absolute freedom', and absolute freedom in Greek philosophy was a

[61] Capelle (n. 1), 91–6, 110; Erskine (n. 3), 192–204. See also Arist. *Pol.* 1253b15–1255a3, and the discordant, uncivilized, hot-tempered and savage 'λόγος-hater' in Pl. *Resp.* 411a–e.

[62] Sen. *Ep.* 90.4–13 (90.5–13, 90.20–5, 90.30–2 = Posid. fr. 284, in Edelstein and Kidd [n. 58], 248–52).

[63] Ath. *Deipn.* 6.263c–d = Posid. fr. 60; Capelle (n. 1), 99–100.

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servitude, the indulgent self-satisfaction of the master passion without moral and intellectual restraint.[64] The entrapment of the Numantines within their walls was a psychological as well as strategic tactic, because it denied them expression of this passion and provoked in them a wild response, exposing them as incapable of voluntary obedience to the higher power. Their incapacity to negotiate was demonstrated when they twice failed to 'see reason' and follow Scipio's instructions. On the first occasion, in distrust and desperation, they killed their ambassadors, including their lead negotiator Avarus. The untamed passions that existed in all men, accentuated by the harsh landscape, confinement and famine, caused them to commit the worst crime against human society and religious scruple, anthropophagy, the slaughter and cannibalization of each other (see also Val. Max. 7.6. ext.2–3).

By the time of his Numantine campaign in 134 B.C., Scipio had been long-schooled in Panaetian ideas about morality and power, the obligation to bring the benefits of civilization to enemy capable of receiving it, and the identification of the advantageous (συμφέρον) with the morally good (καλόν). Panaetius conceived of a hierarchy of proficients making different degrees of progress in directing their impulses towards virtue. At the apex were wise men, advanced were gifted statesmen advised by wise men. At the bottom were people subject to the unrefined impulses, or worse, men in name only who could not be their own men because they could not make choices. Those at the top lived in harmony with the Providential Order, universal law and true justice, those at the bottom disturbed it. Nature granted mastery to the moral and intellectual best in the interests of the morally worse. Those whose psychological savagery was intrinsic were the cause of their own destruction; while those whose savagery was not intrinsic could place themselves under Roman protection and be schooled in gentleness and sociability, which was the moral imperative of Scipio.

What of the appeal made to Scipio to show philanthropy? It should be noted that this concept ultimately was a condescension used to describe the beneficent acts the powerful deigned to undertake on behalf of the powerless.[65] Philanthropy cannot be requested by a wild and unrestrained people of their betters. Scipio believed that he possessed philanthropy (he had shown it at Carthage) and he withheld it from the Numantines in accord with Panaetian doctrine. His philanthropy was high-culture philosophical rationalism. It was a question neither of accepting moral responsibility nor of expressing sympathy for the suffering. Man cannot be responsible for what was preordained, his responsibility extended only to the choice to live in agreement or not with the divine intellect. Man cannot be sympathetic to suffering, because sympathy and pity were emotions of the sensible world and a faulty judgement of the intellect. Earthly power and Providential order were synthesized in Stoic philosophy; but we cannot treat the Stoics as a united School. There were different moral and political traditions within Stoicism, traditions which diverged on imperialism as well as on domestic politics and private property. A negative view about Scipio and the absence of philanthropy at Numantia had entered the source tradition which ran counter to the Panaetian imperial narrative and its application by Scipio Aemilianus.

[64] Pl. *Resp.* 562c–563e, 564a, 572e–573b; Pl. *Grg.* 492c; cf. Cic. *Rep.* 1.66–7.
[65] See J. Ferguson, *Moral Values in the Ancient World* (London, 1958), 105–6, 114.

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ETHICAL INTENTION

The tradition of the philosophical character of Scipio Aemilianus was established in his lifetime and, although it was possible that exaggeration of his character occurred after his death by Polybius and Panaetius as they competed for his legacy, Scipio claimed he lived the ethical life and he was presented as such in the sources. A higher morality was present in him than the constraints of the Roman *mos maiorum*. Polybius was unambiguous: Scipio's early life and career were irregular for a Roman aristocrat, because they lay outside traditional customs and *mores*, and because Scipio had, from an early age, set his life on a course different from the expectations of public life in an aristocratic house. We meet in Scipio a change in value systems which I believe placed him at the centre of a change in the intellectual history of the Roman Republic. Native Roman ethics were competitive and consequential. They were the values of public life and of the forum; they were results-based; and they stressed the consequences of actions. But, in Panaetius, the emphasis was reversed, being placed on deliberation before acting in order to ascertain whether the action was right (Cic. *Off.* 1.8–9, 1.81), which required forethought about the consequence of the action. Likewise, in Polybius' character sketch of the young Scipio (31.25.2–10), the emphasis was placed on a natural disposition to choose what was right, on Scipio's intention to make his life coherent and harmonious and to live a life of temperance and virtue. This intention marked an entry point of Greek philosophy into the Latin consciousness, for it was Greek philosophy which had revolutionized ancient ethics from competition to harmony[66] and the Greek philosopher Panaetius who had insisted on personality and the capacity of the individual to choose temperance in the course of human life.[67]

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[66] A.D. Adkins, *Merit and Responsibility. A Study in Greek Values* (Oxford, 1960).
[67] Cic. *Off.* 1.117–18; Long and Sedley (n. 32), 1.427–8.

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