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SCEPTICISM AT THE BIRTH OF SATIRE:
CARNEADES IN LUCILIUS' *CONCILIUM DEORUM*

The best-known fact about the interaction of the Republican Roman poet, Gaius Lucilius (c. 180 B.C.E. – 103/2 B.C.E.),¹ the inventor of the genre of Roman verse satire, with the doctrine of Scepticism is probably a statement of Cicero: that Clitomachus the Academician dedicated a treatise to the poet (Cic. *Luc.* 102).² Diogenes Laertius makes much of that writer, Clitomachus', industry (τὸ φιλόπονον, 4.67), with the comment: 'to such lengths did his diligence (ἐπιμελείας) go that he composed more than four hundred treatises'.³ This phraseology surely reminds those interested in Lucilius' influence on later Latin poetry of Horace's disparaging comment, *in hora saepe ducentos, / ut magnum, uersus dictabat* ('as a bravura display, he would often dictate two hundred verses in an hour', *Sat.* 1.4.9-10); moreover, Horace shortly afterwards calls his predecessor *garrulus atque piger scribendi*

¹ Fragments of Lucilius will be cited with the numberings of E.H. Warmington (ed.), *Remains of Old Latin, III: Lucilius, The Twelve Tables* (Cambridge, MA, 1938), and F. Marx, *C. Lucilii Carminum Reliquiae* (Leipzig, 1904-5); the text is that of Marx with deviations noted, and translations are largely adapted from those of Warmington.

² For this in conjunction with the idea that 'philosophy at Rome was in the air', see J.E.G. Zetzel, 'Philosophy is in the Streets', in G.D. Williams & K. Volk (edd.), *Roman Reflections: Studies in Latin Philosophy* (Oxford, 2015), 50-62, at 61. C. Cichorius, *Untersuchungen zu Lucilius* (Berlin, 1908), 47 goes too far in claiming that Lucilius was therefore an adherent of Academic philosophy.

³ Carneades could also be made into a prolific philosopher by a later generation. Varro's elaboration of the *Carneadea divisio* on natural ends reached the number 288: E. Rawson, *Intellectual Life in the Roman Republic* (London, 1985), 139.

ferre laborem ('talkative and too lazy to bear the work of writing', 1.4.12). Yet a sceptical view of Horace's critique might have to think of Lucilius as hard-working, like his putative friend the Academic philosopher, Clitomachus.⁴

However, the second-best known fact about Lucilius and Scepticism, which will occupy the remainder of this discussion, is a reference by the satirist in his Book One, the official start to Lucilius' poetry in hexameters, to Carneades, whom we might call the oral-argument-only Socrates to Clitomachus' Plato.⁵ All commentators agree that the reference occurs in the book's *Concilium deorum* ('Council of the Gods'). At this meeting of the gods, a man named Lupus, most likely the Roman politician and judge Lucius Cornelius Lentulus Lupus, *quondam* consul (156 B.C.E.), censor (147), and *princeps senatus* (131 onwards), was put on trial. That trial reflects an historical trial *de repetundis* which occurred between Lupus' consulship and censorship. As Valerius Maximus puts it (6.9.10):

⁴ Clitomachus is also associated with Lucius Censorinus in the same passage of Cicero's *Lucullus*, with the result that his 'practical credentials' are 'highlighted': R. Woolf, *Cicero: The Philosophy of a Roman Sceptic* (London, 2015), 28. Interestingly, Censorinus features in Valerius Maximus' anecdote about Lupus' political trajectory (6.9.10, discussed below).

⁵ Note, though, that Carneades' pronouncements were 'not in dialogical, question-and-answer form': L. Castagnoli, 'How Dialectical was Stoic Dialectic?', in A. Nightingale and D. Sedley (edd.), *Ancient Models of Mind: Studies in Human and Divine Rationality* (Cambridge, 2010), 153-79, at 156. A.M. Ioppolo, 'L'assenso nella filosofia di Clitomaco: un problema di linguaggio?' in A.M. Ioppolo and D. Sedley (edd.), *Pyrrhonists, Patricians, Platonizers: Hellenistic Philosophy in the Period 155-86 B.C.* (Rome, 2007), 225-67 challenges the usual identification of Clitomachus' role as that of an unquestioning scribe.

Let us now look at the variety of men's fortunes. L. Lentulus [Lupus], a Consular, after conviction on a charge of extortion under the Caecilian law (*lege Caecilia repetendarum*), was elected Censor with L. Censorinus. Fortune turned him this way and that between honours and disgraces, following Consulship with conviction, conviction with Censorship, suffering him neither to enjoy lasting good nor bewail unchanging bad.

The dating is problematic, because there is no record of a *lex Caecilia* concerning *repetundae*. It could be argued, as many have, that *lex Caecilia* is a confusion for the more famous *lex Calpurnia de repetundis* of 149 B.C.E.,⁶ which set up the first standing court to try such cases before a senatorial jury. However, on balance the *lex Caecilia* is likely to have been a tribune's special measure, with an *ad hoc* court as for (or even part of) the accusation of praetors *avaritiae nomine* in 153 B.C.E. (Liv. *Per.* 47).⁷ Carneades was in Rome in 155 B.C.E., as part of a famous embassy to Rome on behalf of Athens, who were appealing to the

⁶ 'Aus Versehen': T. Mommsen, *Römisches Strafrecht* (Leipzig, 1899), 708 n.3; see e.g. W.S. Ferguson, 'The *Lex Calpurnia* of 149 B.C.', *JRS* 11 (1921), 86-100, at 100.

⁷ K. Freudenburg, 'Seneca's *Apocolocyntosis*: Censors in the Afterworld', in S. Bartsch and A. Schiesaro (edd.), *The Cambridge Companion to Seneca* (Cambridge, 2015), 93-105, at 98-100 especially, follows R.A. Bauman, *Lawyers in Roman Republican Politics: A Study of the Roman Jurists in their Political Setting, 316-82 BC* (Munich, 1983), 205-6; cf. E.S. Gruen, *Roman Politics and the Criminal Courts* (Cambridge, MA, 1968), 11, who supports the earlier date based on Lentulus' inability to commit extortion in the 140s. See T.C. Brennan, *The Praetorship in the Roman Republic* (Oxford, 2000), 235, with the note at 349. It has been noted to me by Loren J. Samons that it was proconsuls who were tried *de repetundis*—hence P.T. Eden, *Seneca: Apocolocyntosis* (Cambridge, 1984), 16 calls Lupus one—but I find no evidence for him holding this office.

Romans to overrule the arbitration of the Sicyonians which had imposed a punitive fine, after an Athenian raid on Oropus (Pausanias 7.11.4-8).⁸ If the arraignment of Lupus and the appearance of Carneades in Rome were remembered as roughly contemporaneous events for Lucilius, then there may be grounds to posit a conflation of the two events in the imaginary *Concilium deorum*, even if it was written some time afterwards.

The motivation for this article is the fragment of the *Concilium* to which I have referred, preserved by Lactantius (*Inst.* 5.14.3),⁹ who cites it by indicating that Neptune spoke, presumably in a meeting of some kind, to say that a difficult matter was impossible to explain (*disserens Neptunus de re difficillima ostendit non posse id explicari, non Carneaden si ipsum Orcus remittat* ('not if the Underworld were to send back Carneades himself', 35 Warmington = 31 Marx).¹⁰ Since Neptune's statement implies that Carneades is dead, his

⁸ Some of the vast bibliography is cited by J.G.F. Powell, 'The Embassy of the Three Philosophers to Rome in 155 BC', in C. Kremmydas and K. Tempest (edd.), *Hellenistic Oratory: Continuity and Change* (Oxford, 2013), 219-47, at 231 n. 25, and *passim*. E.A. Schmidt, *Musen in Rom: Deutung von Welt und Geschichte in grossen Texten der römischen Literatur* (Tübingen, 2001), 33 is alone in treating, albeit briefly, the embassy as relevant to Lucilius' *Concilium*.

⁹ For doubts about the accuracy of Lactantius, who ascribes a whole speech in Cic., *Rep.* 3, spoken by Philus, to Carneades, see J. Glucker, 'Carneades in Rome—Some Unsolved Problems', in J.G.F. Powell and J.A. North (edd.), *Cicero's Republic* (London, 2001), 57-82.

¹⁰ This fragment has been assigned to the first book since Dousa's edition. W. Krenkel, *Lucilius: Satiren* (Leiden, 1970), 1.64 places the fragment later in Book One than other commentators, because he connects it with the judgement of Lupus—i.e. that even Carneades would not know what to do with him.

death in 129/8 B.C.E. provides a *terminus post quem* for the satire.¹¹ The fragmentary statement is part of an *adynaton*, combined with an *a fortiori* argument: *x* would not happen even if something impossible happened, so how much less could it happen if that impossibility has not happened.¹² Lucilius' Neptune is not advocating that Carneades should return, or even that he might return; the statement's force, rather, is that there is a limit to the power of the gods, who cannot even obtain the services of Carneades as an explicator, and thus must remain fallible and perplexed rather than omniscient and omnipotent. Were Carneades to be available, he would still not be able to provide clarity.

Why mention Carneades? Is it because he is an arbitrary choice, a casually mentioned emblematic philosopher, replaceable by a Socrates, Aristotle, or Zeno? That is certainly possible, if reductive.¹³ This paper aims to serve as a thought-experiment, though, to see whether the implications of the *testimonia* concerning Carneades, especially in Cicero and Diogenes Laertius, can be reasonably, if tentatively, linked to Lucilius' *Concilium*. The key assumption is that mentioning Carneades, even to say he will not appear before the *Concilium*, makes a reader of Lucilian satire think of the embassy of the philosophers and

¹¹ J. Michelfeit, 'Zum Aufbau des ersten Buches des Lucilius', *Hermes* 93 (1965), 113-28, at 125. F. Muecke, 'Rome's First Satirists: Ennius and Lucilius', in K. Freudenburg (ed.), *The Cambridge Companion to Roman Satire* (Cambridge, 2005), 33-47, at 43-4 merely states without elaboration: 'His recent death was topical and suited the subject of the satire'.

¹² I owe this formulation to an anonymous reader, with thanks.

¹³ The possibility is concomitant with the status of the *adynaton* figure as a type of proverb, as concluded by G.O. Rowe, 'The *Adynaton* as a Stylistic Device', *AJPh* 86 (1965), 387-96.

wonder, what if he were to appear?¹⁴ Another important assumption is that Lucilius knew of facts surrounding the biography of Carneades and used them in his poetry. I also revivify the idea that Lucilius' mention of Carneades suggests that his *Concilium* owes a certain debt to the work of the hexametrical philosophizing poet Timon of Phlius.

This article utilises persona theory, which has dominated the criticism of Roman verse satire for several decades,¹⁵ most fundamentally holding that the narrator of satire is not responsible for the views in his satire, but also reaches beyond it to adopt a relatively historicist position. In this reading, Carneades' adoption of opposing viewpoints, interaction with Stoic thought, and putative resistance to divinity are all grist to the mill of Lucilius' satiric practice. In the first section, it is important that Carneades was seen, like Lucilius, to hold Stoic points of view for the sake of argument. While it is still assumed that anything Lucilius wrote in his poetry could be taken, and was taken in antiquity, as the authentic voice of Lucilius, regardless of its viewpoint, aesthetic, or internal narrator (in the case of the motivating fragment, Neptune), I will argue that it is important that the speaker of the line was Neptune. And in the third section I show that Carneades was a figure of fun about whom anecdotes could be told, in a way like Timon's vignettes of philosophers in the Underworld. We can thus tell a story, in an explication which has never been attempted at length before,¹⁶

¹⁴ Note the *re-* of *remittat*: one reason for it being 'second time around' would be that Carneades had already been before the Roman senate in 155 B.C.E. (no matter that he was alive, that time).

¹⁵ Influentially stated in W.S. Anderson, *Essays in Roman Satire* (Princeton, 1982), 3-10. Cf. R. Mayer, 'Persona(l) Problems: The Literary Persona in Antiquity Revisited', *MD* 50 (2003), 55-80, especially at 71-8.

¹⁶ For instance, K. Hass, *Lucilius und der Beginn der Persönlichkeitsdichtung in Rom* (Stuttgart, 2007), 76-89 on Lucilius' apparent philosophy has only one page (77) on the key

of how Lucilius may have drawn on philosophical attitudes and biographical details in inventing the genre of satire¹⁷—even within the limits imposed by the scanty nature of the fragments.

I. BOTH SIDES NOW

Carneades' putative role as powerful explicator is somewhat strange, as it is set up to fail. As part of the 155 B.C.E. embassy of philosophers, it was he who especially dazzled his listeners by arguing, in some extra-ambassadorial capacity, perhaps in public lectures on successive days, first in favour of and then against just that topic, pertinent to Lucilius' *Concilium*, of justice (Plut. *Cat. Mai.* 22; Cic. *Rep.* 3.6).¹⁸ Cato is recorded as expressing some displeasure at the imputed attack on conventional Roman morality (by the Elder Pliny, *HN* 7.112, as well as Plutarch). If this story is true, then at first glance Neptune is not entirely justified in

 fragment, and ends her overview with an accurate but uninspiring conclusion: 'Lucilius ist nicht Stoiker, Epikureer oder Akademiker—er ist Lucilius' (89).

¹⁷ Cf. D. Dutsch, 'The Beginnings: Philosophy in Roman Literature before 155 B.C.', in M. Garani and D. Konstan (edd.), *The Philosophizing Muse: The Influence of Greek Philosophy on Roman Poetry* (Newcastle, 2014), 1-25, at 21 on Lucilius' unsympathetic treatment of all schools in the surviving fragments: 'Significantly, all the philosophers come under criticism'. Krenkel (n. 10), 2.435 elliptically comments on Lucilius' mention of Polemon (and Xenocrates?), 'Lucilius kannte ... die Geschichte der Akademie'.

¹⁸ Powell (n. 8), esp. 237-45, is keen to scotch the existence of these extra-senatorial lectures as impossible to verify, and indeed as Cicero's invention. While that is certainly possible, it seems plausible that the tradition of Carneades' doings in Rome, and especially the for-and-against nature of his discourses there, must have sprung up soon after the visit.

invoking Carneades' ability to solve knotty problems. For if he is thinking of Carneades as an authority, the double-edged and contradictory answer he might, on the evidence of the philosophers' embassy, receive to any query might disappoint and confuse an already confused situation.

Carneades, as the leader of the Sceptical Academy, argued for a complex view of belief, in which it is possible to separate assent to the truth of an impression from approval of it (Cic. *Luc.* 104).¹⁹ Part of his method was to take on the opposing position to expose it to criticism, the tactic labelled *in utramque partem disputare*, with the aim being 'to convict the dogmatist of irrationality of various sorts: of inconsistency in his beliefs or in the grounds he offers for his beliefs'.²⁰ Thus Carneades, in responding to charges that the Sceptic suspends judgement and thus cannot act or indeed lead a good life, may have adapted the Stoic criterion of what was 'plausible' or 'persuasive', in order to argue nihilistically against it.²¹ Taking on the Stoic position for the sake of argument complicates the nature of the author's *propria persona* and casts doubt on whether the wise man can hold opinions.²² That formulation recalls *persona*

¹⁹ Cf. C. Perin, 'Scepticism and Belief', in R. Bett (ed.), *The Cambridge Companion to Ancient Scepticism* (Cambridge, 2010), 145-64, at 149-50.

²⁰ M. Schofield, 'Cicero for and against Divination', *JRS* 76 (1986), 47-65, at 55. Cf. Cic. *Luc.* 131: *non quo probaret sed ut opponeret Stoicis* ('not because he held it himself but in order to combat the Stoics with it').

²¹ K.M. Vogt, 'Scepticism and Action', in R. Bett (ed.), *The Cambridge Companion to Ancient Scepticism* (Cambridge, 2010), 165-80, at 170. Cf. Y. Baraz, *A Written Republic: Cicero's Philosophical Politics* (Princeton, 2012), 134 (with references) on how Cicero's *probabile* (translating Carneades' *πιθανόν*, 'believable') 'refers to rhetorical persuasion'.

²² As at Cic. *Luc.* 78, cf. A.M. Ioppolo, *Opinione e scienza: il dibattito tra Stoici e Accademici nel III e nel II secolo a. C.* (Naples, 1986), 195.

theory as it is applied to Roman satire: the idea that Carneades adopted Stoic positions to which he was opposed is analogous to the vision of Lucilius as a Stoic propagated by scholars, based in part on his similarity to long-winded Stoics in Horace's *Satires* 1.²³ Several fragments of Lucilius, not from the *Concilium*, have been interpreted as taking on Stoic positions.²⁴ But if Lucilius was taking Carneadean practice as a model, it is not difficult to reconcile such claims with Porphyrio's comment (*ad Hor. Sat.* 1.3.124)—in preserving 1189-90 Warmington = 1225-6 Marx, which adopts the Stoic paradox, 'only the wise man is

²³ Cf. the treatment of Lucilius as involved with Stoic anticompositional theories of grammatical arrangement in Horace's *Satires*: see K. Freudenburg, *The Walking Muse: Horace on the Theory of Satire* (Princeton, 1993), 109-19, 132-9, 145-62. I. Mariotti, *Studi Luciliani* (Florence, 1960), 40 claims that Panaetius via Scipio Aemilianus necessarily infused Lucilius with Stoic ideas, though note W.R. Raschke, 'Arma pro amico: Lucilian Satire at the Crisis of the Roman Republic', *Hermes* 115 (1987), 299-318, at 302-3.

²⁴ 749 Warmington = 738 Marx, *certa sunt sine detrimento quae inter sese commodent* ('There are established things which men may give and take on loan among themselves without disadvantage', cf. Cic. *Off.* 1.51); the infamous *uirtus* fragment (1196-208 Warmington = 1326-38 Marx), which W. Görler, 'Zum *uirtus*-Fragment des Lucilius (1326-1338 Marx) und zur Geschichte der stoischen Güterlehre', *Hermes* 112 (1984), 445-68 sees as Stoic, partly accepted by Dutsch (n. 18), 22-3, though E.S. Gruen, *Culture and National Identity in Republican Rome* (Ithaca, NY, 1992), 310 thinks it is straight parody; W.R. Raschke, 'The Virtue of Lucilius', *Latomus* 49 (1990), 352-69, at 364-5 claims it to be practical Roman moralising, rejecting Greek influence.

handsome’—that Lucilius ‘spoke in mockery of the Stoics’.²⁵ Lucilius may have advocated arguments he opposed in order to tear them down.

The possibility that the Sceptic need not take a position on assent or adherence has implications for Carneades’ abilities as an explicator,²⁶ and indeed for Lupus as a judge who has to come down in favour of one side (excessive cruelty in which role is a factor in Lucilius’ critique of him in a fragment from Lucilius Book 28, 805-11 Warmington = 784-90 Marx).²⁷ That is why it is a surprise to find Carneades serving as a judge, in the telling of Cicero: ‘Carneades was accustomed to judge the controversy [of Peripatetics versus Stoics] as if a respected arbitrator’ (*quorum controversiam solebat tamquam honorarius arbiter iudicare Carneades, Tusc. 5.120*).²⁸ Yet Cicero, inspired by Carneades, is usually at pains to

²⁵ See A. Chahoud, ‘*Romani ueteres atque urbani sales: A Note on Cicero De Oratore 2.262 and Lucilius 173M*’, in C.S. Kraus, J. Marincola, & C. Pelling (edd.), *Ancient Historiography and its Contexts: Studies in Honour of A. J. Woodman* (Oxford, 2010), 87-96, at 94.

²⁶ See e.g. M. Frede, ‘The Sceptic’s Two Kinds of Assent and the Question of the Possibility of Knowledge’, in R. Rorty, J. Scheewind, and Q. Skinner (edd.), *Philosophy in History* (Cambridge, 1984), 225-54, at 267-71, on the controversial interpretation of Carneades on opinions proposed by Catulus (and held by his father) at Cic. *Luc.* 148.

²⁷ I have work on this fragment under review elsewhere, and so do not treat it here; F. Ahl, *Metaformations: Soundplay and Wordplay in Ovid and Other Classical Poets* (Ithaca, NY, 1985), 95-7 is one of many to note that Lupus’ overly harsh judgements are the basis for Lucilius’ critique of him.

²⁸ Cf. Cic. *Tusc.* 4.7 on arbitration: ‘but let everyone defend his views, for judgment is free’. I. Gildenhard, *Paideia Romana: Cicero’s Tusculan Disputations* (Cambridge, 2007), 201-3 analyses Cicero’s statements at *Tusc.* 4.5-7 in terms of writing under Caesar’s *dominatus*.

exercise free judgment (*liberum iudicium*),²⁹ which at least superficially resembles how Lucilius is supposed to have branded wrongdoers *multa cum libertate* ('with great freedom', Hor. *Sat.* 1.4.5). While this latter 'freedom of speech' (*parrhesia*) is not exactly a philosophical concept attached to Sceptics such as freedom from care (*ataraxia*), being rather a Cynic trait, it is easy to see how a cod-philosophical interpretation might have developed whereby the two could be conflated.

Another area where Carneadean method may come into play in the satiric *Concilium* is connected to a fragment deemed by all editors to have come from it. It deals with a change in terminological usage, regarding the names to use for mundane furnishings which would be visible in a sympotic setting (15-16 Warmington = 15-16 Marx):³⁰

porro 'clinopodas' 'lychnos' que ut diximus semnos
ante 'pedes lecti' atque 'lucernas'

what's more, those 'clinipods' and 'lanterns', as we said before/instead of with gravitas
'bed-feet' and 'lamps'

²⁹ Characterized by Atticus as 'freedom of argumentation' (*libertas disserendi*, *Leg.* 1.36); in that context, Cicero's argument is said to lack such Carneadean freedom, owing to his dependence on sources, but he counters the charge as necessary to deal with so important a matter as the Republic, and, in any case, he *has* exercised free judgment by choosing one source: J.W. Atkins, *Cicero on Politics and the Limits of Reason: The Republic and Laws* (Cambridge, 2013), 179-84.

³⁰ Mariotti (n. 23), 53-4 notes the sympotic context.

The transmission of the fragment by Macrobius (6.18), though he does at least ascribe it to Book One, has made much about this fragment unclear, especially what the speaker, possibly Romulus the newest god,³¹ means by *ut diximus semnos / ante*. Interpretation rests on uncertainties: whether *ut diximus semnos ante* goes together with the Greek words before or the Latin ones after it; whether *semnos* is joined to *ante* or there is an opposition between *porro* ('from now on') and *ante* ('in the past'); whether *ut diximus* is joined to *semnos / ante*; whether *semnos* is a positive value ('authoritatively') or is negative ('pretentiously');³² and whether *ante* actually means 'beforehand' or just transliterates ἀντί, 'instead'. I would argue that the commonly held interpretation, that Lucilius is here commenting on the moral dysfunction in the replacement of prosaic but apposite Latin terms by highfaluting yet elegant Greek ones,³³ is too severe. In this fragment, the *-que* ending tacked onto the Greek word, the use of the description σεμνῶς and the possibility that *ante* means 'instead' all indicate the speaker's Greek fluency. Therefore, if the speaker is condemning the replacement of Latin words with fashionable Greek ones, then the argument is undermined by the further Greek in

³¹ See Cichorius (n. 2), 228; C.J. Classen, 'Grundlagen und Absicht der Kritik des Lucilius', in C. Klodt (ed.), *Satura lanx: Festschrift für Werner A. Krenkel zum 70. Geburtstag* (Hildesheim, 1996), 11-28, at 17 is more cautious.

³² σεμνῶς has a literary-critical role, as Aristotle uses it to describe the use of unfamiliar words at *Poet.* 1458a21. See J.N. Adams, *Bilingualism and the Latin Language* (Cambridge, 2003), 327 and now C. Whitton, *Pliny the Younger: Epistles Book II* (Cambridge, 2013), 176. Arist. *Rhet.* 1406b3-7 characterizes τὸ σεμνόν as epic, then tragic, cf. M. Puelma Piwonka, *Lucilius und Kallimachos: Zur Geschichte einer Gattung der Hellenistisch-Römischen Poesie* (Frankfurt, 1949), 14.

³³ As argued by T. Baier, 'Lucilius und die griechischen Wörter', in G. Manuwald, *Der Satiriker Lucilius und seine Zeit* (Munich, 2001), 37-50, at 41.

σεμνῶς and (possibly) ἀντί.³⁴ By giving alternatives, the satirist (via his divine characters) could simply be refusing to decide: a move counter to the spirit of a *concilium* where a judgement has to be made, but one which would be familiar to a Sceptic like Carneades who insists on the philosopher's 'suspension of judgement' (ἐποχή).³⁵ It is after all unclear in what language Carneades would have chosen to speak, had he appeared before the *Concilium*:³⁶ in 155 the ambassadors' case was presented in a Latin translation by the senator C. Acilius.³⁷

For his part, Carneades' amanuensis Clitomachus was from Carthage, with the original name Hasdrubal.³⁸ Whether or not he was present at the embassy of 155, it is noteworthy that he was not Carneades' only transcriber. Carneades is said to have griped ungratefully that Clitomachus repeated the substance of his teaching, but Charmadas reproduced the style as well (*eodem etiam modo*, Cic. *Orat.* 51). The issue seems to be one of the survival of ephemeral Carneadean discourse after the event, and it raises the question of how well Lucilius might have reproduced the mannerisms of the participants in the original meetings of

³⁴ H. Petersmann, 'The Language of Early Roman Satire: Its Function and Characteristics', in J.N. Adams and R.G. Mayer (edd.), *Aspects of the Language of Latin Poetry* (Oxford, 1999), 289-310, at 298 thinks Ennius' use of Greek is Lucilius' target.

³⁵ Cicero uses a fragment of Lucilius (1249 Warmington = 1305 Marx) to illustrate ἐποχή (*Att.* 13.21.3).

³⁶ For the question, see Schmidt (n. 8), 33. Cf. Sen. *Apocol.* 5.2 on Claudius.

³⁷ Gell. 6.14.9, Plut. *Cat.* 22.4; see E.S. Gruen, *Studies in Greek Culture and Roman Policy* (Leiden, 1990), 176.

³⁸ Cicero comments, perhaps somewhat acidly (implying 'Punic faith'), that 'he was a clever man, as you'd expect from a Carthaginian' (*Luc.* 98).

the 150s in his *Concilium* of several decades later. Relevant, therefore, are Cicero's observations on one of Clitomachus' sets of Carneadean notes (Cic. *Tusc.* 3.54):

I have read the book which Clitomachus sent by way of comfort to his captive fellow-citizens after the destruction of Carthage; it contains in its pages a lecture of Carneades which Clitomachus says he had entered in his notebook: the question that had been proposed for discussion was that the wise man, it seemed, would feel distress at the fall of his country, and the arguments used by Carneades in opposing this proposition are given at length. The remedy therefore effectively applied to a recent disaster by the philosopher is one which no one even feels the want of in a disaster of long standing.

One wonders whether Lucilius' *Concilium*, written by Clitomachus' dedicatee, and coming as it does so long after the fact of the contemporary embassy and extortion trial, replies to the last sentence of the extract. Note that the arguments supposedly marshalled by Carneades in this case are negative ones only—Clitomachus, with his vested interest, may well have provided his own positive ones. We cannot retrieve what Carneades actually believed: it is not for nothing that, in a different context (the defence of Calliphon's arguments), 'Clitomachus used to declare that he had never been able to understand what Carneades did accept' (*Luc.* 139).

II. GOD'S OWN COUNCIL

The fragment about Greek and Latin word choices bears further examination in relation to Lucilius' and Carneades' attitudes to divinity.³⁹ Granted that *diximus* is not the same as *dicebamus*, and the reference is perhaps to a previous speech made in this self-same *concilium*,⁴⁰ if *ante* does mean 'beforehand' the fragment could be a dig at Neptune, who uttered 35 Warmington = 31 Marx.⁴¹ So, too, all former councils are recalled, including the previous trial of Lupus *de repetundis*, after which he nevertheless made a political comeback, and the embassy of the philosophers. It has been thought that 19 Warmington = 26 Marx, '*Vellem cumprimis, fieri si forte potisset,*' ('especially could I wish, if by chance it had been possible to happen ...'), and 20-2 Warmington = 27-9 Marx, *uel<lem> concilio uestrum, quod dicitis olim | caelicolae <hic habitum, uellem> adfuissemus priore | concilio* ('I could wish that at that parliament of yourselves, which you say, O heaven-dwellers, was once held here—that we had been present at that former parliament') are both also spoken by Neptune.⁴² These fragments may recall the context of *Odyssey* 5.280-90, when he laments his

³⁹ On the language issue, there are newer Roman gods such as Liber, Janus, and Quirinus in attendance (24-7 Warmington = 21-2 Marx), not to mention Lupus. A. Chahoud, 'The Roman Satirist Speaks Greek', *Classics Ireland* 11 (2004), 1-46, at 29 raises the possibility that 'the gods were imagined to speak an idiom of their own'.

⁴⁰ Puelma Piwonka (n. 32), 30-1.

⁴¹ For Lucilius on further mortal imitation of divine banquets, see also 469 Warmington = 444 Marx, *idem epulo cibus atque epulae Iouis omnipotentis* ('the same food and festive dishes in a feast of all-powerful Jupiter'), with e.g. Marx (n. 1), 2.165.

⁴² These fragments stem from different sources, hence the split: the former is preserved by pseudo-Asconius, the latter in Rufinianus' *de Figuris Sententiarum*.

absence from the council expressly held without him (*Od.* 1.22-6), on his way from a visit to the ‘blameless Ethiopians’ where he had enjoyed a feast (δαίτι, 1.26).⁴³ Quite aside from a divine predilection for banqueting, Neptune’s judgement and sense of timing may be being called into question.⁴⁴

It is additionally trenchant that Neptune, of all gods, is made to mention Carneades’ name. Carneades was famous for performing a *reductio ad risibile* of Stoic arguments via the so-called ‘theological *sorites*’, or ‘heap’:⁴⁵ Stoics were ‘true pantheists’, who believed, absurdly in Carneades’ view, in the ‘presence of the divine rational element in all of nature’.⁴⁶ Neptune is explicitly part of that Carneadean *sorites* (Sextus Empiricus *M* 9.182-3): ‘If Zeus is a god, Poseidon too is a god But if Poseidon is a god, Achelous too will be a

⁴³ G.C. Fiske, *Lucilius and Horace: A Study in the Classical Tradition of Imitation* (Madison, 1920), 153, who quotes *Il.* 1.423 (the epithet is not Odyssean).

⁴⁴ Intriguingly, the book of Clitomachus dedicated to Lucilius covered the same subjects as an earlier work of the same author dedicated to somebody else (*Cic. Luc.* 102): such a do-over is much like the holding of a new council.

⁴⁵ Cf. *Cic. N.D.* 3.44, where Carneades is named; P.A. Meijer, *Stoic Theology: Proofs for the Existence of the Cosmic God and of the Traditional Gods* (Delft, 2007), 180-206. For the *sorites*, see e.g. M.F. Burnyeat, ‘Gods and Heaps’, in M. Schofield and M. Nussbaum (edd.), *Language and Logos: Studies in Ancient Greek Philosophy* (Cambridge, 1982), 315-38, at 326-8.

⁴⁶ D. Frede, ‘Theodicy and Providential Care in Stoicism’, in D. Frede and A. Laks (edd.), *Traditions of Theology: Studies in Hellenistic Theology, its Background and Aftermath* (Leiden, 2002), 85-117, at 112.

god'.⁴⁷ The result of the *sorites* is to prove that gods cannot be omnipresent or omnipotent. Neptune serves as part of Carneades' own critique of divine power and ubiquity—which makes his citation of the philosopher naive at best.⁴⁸

Neptune may be diminished purely by daring to mention, in divine council, the name Carneades which carries such associations. Another fragment of Lucilius mentions Lupus, the accused at the *Concilium*, in the same breath as a *Neptuni filius* (Cic. *N.D.* 1.63):

quid de sacrilegis, quid de impiis periurisque dicemus?

‘Tubulus si Lucius umquam

si Lupus aut Carbo [aut *del. Scaliger*] Neptuni filius’

(1138-9 Warmington = 1312-13 Marx)

—ut ait Lucilius – putasset esse deos, tam periurus, aut tam impurus fuisset?

⁴⁷ For Carneades as a positive atheist, or at least an agnostic via ‘suspension of judgement’ (cf. Sextus Empiricus *M* 9.191), see D. Sedley, ‘From the Pre-Socratics to the Hellenistic Age’, in S. Bullivant and M. Ruse (edd.), *The Oxford Handbook of Atheism* (Oxford, 2013), 139-51, at 147-50; T. Whitmarsh, *Battling the Gods: Atheism in the Ancient World* (London, 2016), 161-5.

⁴⁸ Cf. A. A. Long, ‘Scepticism about Gods in Hellenistic Philosophy’, in M. Griffith and D.J. Mastrorarde [edd.], *Cabinet of the Muses: Essays on Classical and Comparative Literature in Honor of Thomas G. Rosenmeyer* (Atlanta, 1990), 279-91, at 287: ‘nor is it difficult to imagine Carneades anticipating Plutarch in ridiculing the very notion of perishable gods’. See e.g. H. Thorsrud, *Ancient Scepticism* (Berkeley & Los Angeles, 2009), 60-5 on the nuances of Carneades’ arguments (as represented at Cic. *N.D.* 3.29-34).

What are we to say about the men guilty of sacrilege or impiety or perjury? ‘Suppose that ever Lucius Tubulus, or Lupus or Carbo, [or] the son of Neptune’, as Lucilius says, had ever believed in the gods, would he have been such a perjurer or a scoundrel?

Although this fragment’s book number, and indeed substance, are unclear, the ‘son of Neptune’ referred to here is surely not the Cyclops Polyphemus, despite the claim of all editors of Lucilius, but instead a historical figure of the same order as the other three personages mentioned—or a description of Carbo.⁴⁹ If the reference is not literal, it gains force because, as with Carneades, Neptune did not have to be mentioned but is linked to the wrongdoers, one of whom he may be presiding over in judgement in the lost surrounding context.⁵⁰ While, of course, the sins of the son are not to be visited on the father, Neptune is not entirely free from blame if his own (supposed) son refuses to believe in his (Neptune’s) divinity; his title as ‘father’ is highlighted in the *Concilium* proceedings (*Neptunus pater*, 26 Warmington = 20 Marx, also preserved by Lactantius, *Inst.* 4.3.12).⁵¹

⁴⁹ *Contra* e.g. the bald statement of Krenkel (n. 10), 2.705. I do not follow the justification of Marx (n. 1), 2.419 that this is the ‘wit of a most elegant poet who has mixed in his satire the human with the divine, immortal with mortal, living and dead’. See the important discussion of A. S. Pease, ‘The Son of Neptune’, *HSCP* 54 (1943), 69-82.

⁵⁰ The early Lucilian editor Dousa assigned the fragment to Book 1, though Cichorius (n. 2), 347 guesses that its place is somewhere in Books 2 to 10, on complex dating grounds (between 119 and 112 B.C.E., he claims).

⁵¹ Cf. the scenario sketched by J.H. Waszink, ‘Zur ersten Satire des Lucilius’, in D. Korzeniewski (ed.), *Die römische Satire* (Darmstadt, 1970), 267-74, at 270, where Neptune speaks against Rome and in Lupus’ defence; see also S. Romano Martin, *El tópico grecolatino del concilio de los dioses* (Hildesheim, 2009), 171 on the ‘humanization’ of

Cicero has reproduced the *Neptuni filius* fragment in the context of a discussion of the existence of gods, a topic relevant to both the Carneadean *sortes* and Lucilius' *Concilium*. We may remember that Carneades probably denied the existence of everlasting gods.⁵² Now, if we see Seneca's *Apocolocyntosis* as belonging to a Lucilian tradition, then the Neronian author's dead Claudius, candidate for deification, who is presented as 'a new kind of beast', so strange-looking that even Hercules has trouble identifying him (5.2-3), could contain elements of the earlier portrayal of the resurrected Lupus.⁵³ Lupus' (supposed) moral lassitude manifests itself in physical form, at fragment 52 Warmington = 53 Marx, *serpere uti gangraena malum* [Müller for Marx's *malo*] *atque herpestica posset* ('so that the snake-like gangrene could come creeping horribly'). The movement here is, at face value, indicative of disease and death.⁵⁴ Lupus also looks 'like death': *uultus item ut facies mors, icterus* [for Neptune in the Carneades fragment and attack on Apollo's divination, the latter not treated here.

⁵² Cf. S. Knuuttila & J. Sihvola, 'Ancient Scepticism and Philosophy of Religion', in J. Sihvola (ed.), *Ancient Scepticism and the Sceptical Tradition* (Helsinki, 2000), 125-44, at 131-2.

⁵³ See e.g. E. Fantham, 'Mime: The Missing Link in Roman Literary History', *CW* 82 (1989), 153-63, at 161 n. 47 for Lucilius as the possible start of a tradition of divine councils. I do not share the opinion supported by O. Skutsch, *Studia Enniana* (London, 1968), 109-12 that the hexameter-ending *feruentia rapa uorare* (*Apocol.* 9.5) was originally from Lucilius.

⁵⁴ There is no link, *contra* R. degl' Innocenti Pierini, 'Il concilio degli dèi tra Lucilio e Ovidio', *A&R* 32 (1987), 137-47, with *Ov. Met.* 1.190-1. However, a better comparison involving Carneades might be *Cic. Fin.* 2.59: 'as Carneades says, imagine you know that a viper is lurking somewhere, and that someone whose death would benefit you is about to sit down on it unawares'.

Marx's *cetera] morbus, uenenum* ('his countenance is like his face—death, jaundice, poison', 37 Warmington = 44 Marx).⁵⁵

Such inability was not Carneades' style:⁵⁶ in Philostratus' later *Lives of the Sophists*, he is characterized as memorable 'in virtue of the force and vigour of his orations' (1.4), and his voice was famously booming (D.L. 4.63).⁵⁷ His speech indicates not immobility but health and strength. And indeed, Clitomachus' copying out of Carneades' thoughts (*disputatio*) on suffering the fall of one's country was 'a treatment so effective that soon their wounds were only scars' (Cic. *Tusc.* 3.54):⁵⁸ Carneadean philosophy has healing powers. Thus, it should come as no surprise that Diogenes' description of Carneades' death reports that on that occasion 'there was, they say, a lunar eclipse' (φασιν ἔκλειψιν γενέσθαι σελήνης, 4.64). The

⁵⁵ Ascribed to Book One by Nonius, here with Scaliger's rendering *icterus* for transmitted *citer*, not 'Lachmann's' as claimed at I. Goh, 'Trebonius' Allusion to Lucilius (Cic. *Fam.* 12.16.3)', *SO* 87 (2013), 79-89, at 87, where *teter* is adopted. I do not see the 'consternation' that Muecke (n. 11), 46 identifies. Krenkel (n. 10), 1.121 claims that 'Ein Gott beschreibt den Lupus mit kräftigen Worten'.

⁵⁶ That said, Diogenes claims that Carneades grew his hair and nails owing to his devotion to philosophy (4.62), which suggests an uncivilized and bestial aspect to his lifestyle.

⁵⁷ See S. Goldhill, 'The Anecdote: Exploring the Boundaries between Oral and Literate Performance in the Second Sophistic', in W.A. Johnson and H.N. Parker (edd.), *Ancient Literacies: The Culture of Reading in Greece and Rome* (Oxford, 2009), 96-112, at 106 for this passage in the context of the Second Sophistic *chreia* tradition.

⁵⁸ S.A. White, 'Cicero and the Therapists', in J.G.F. Powell (ed.), *Cicero the Philosopher* (Oxford, 1995), 219-46, at 242; the Latin seems to indicate that this remedy is as effective as the passage of time, with the same kind of 'even if' as in 35 Warmington = 31 Marx. Cf. Carneades on freedom from pain (Cic. *Fin.* 2.38).

eclipse is the kind of astral phenomenon which accompanies apotheosis:⁵⁹ so while Diogenes merely diagnoses the moon's sympathy (συμπάθεια), it might not be too far-fetched to say that Carneades is located on the cusp of godhead himself. The upshot is that Lucilius' *Concilium* uses Carneades to toy with the prospect of unexpected divinity for Lupus. Of course, Carneades is not coming, but no wonder: in a sense, he's already there among the gods.

III. PHILOSOPHERS AT PLAY

Several aspects of Carneadean biography seem to be jocular attempts to humanize the philosopher, in line with his own penchant for vivid storytelling.⁶⁰ For instance, Cicero tells a

⁵⁹ See e.g. S. Cole, *Cicero and the Rise of Deification at Rome* (Cambridge, 2013), 90 (on Cic., *Rep.* 1.25), 94 (on *Rep.* 2.17), 100 (on *Rep.* 6.24)—all concerning Romulus, though cf. Plut. *Aem.* 17.7. H.-A. Gärtner, 'Politische Deutungen von Sonnenfinsternissen in der Antike', in H. Köhler, H. Görgemanns, and M. Baumbach (edd.), "*Sturm auf finsternem Pfad ...*": *Ein Symposium zur Sonnenfinsternis in der Antike* (Heidelberg, 2000), 35-48, at 44, discusses this eclipse at Carneades' death, recorded in the *Suda* as a solar eclipse, as intended to oppose Carneades, the moon, to Plato, the sun. Thanks to Lynette Mitchell and Karen Ní Mheallaigh for assistance on this point.

⁶⁰ Cf. J. Annas, 'Cicero on Stoic Moral Philosophy and Private Property', in M. Griffin & J. Barnes (edd.), *Philosophia Togata: Essays on Philosophy and Roman Society* (Oxford, 1989), 151-73, at 157: 'Carneades' speech [against justice] was clearly a source of good examples'.

story, which depicts his interaction with a learned and interested Roman, dating from the time of the embassy of the philosophers (*Luc.* 137):⁶¹

‘I have read in Clitomachus a bon-mot by Aulus Albinus (the Albinus who was consul with your grandfather, Lucullus, and a rather learned man, as the history he wrote in Greek shows). The story goes that in the year of his praetorship, under the consuls Publius Scipio and Marcus Marcellus, when Carneades and Diogenes the Stoic were waiting on the senate in the Capitolium, he quipped: ‘So it’s your impression, Carneades, that I am not a praetor, this is not a city, and there are no citizens in it?’ But Carneades replied: ‘No, that’s his, the Stoic, view!’

It is intriguing that the philosophers are made to wait, at the mercy of the senate, in a reminiscence of the focus on time in the Lucilian *Concilium*, as in Neptune’s arguable reference to having missed the earlier *concilium*. But what of Carneades’ destructive criticism (and its prompting to disbelieve our senses) now that it is the butt of a joke? Carneadean argument allows, it seems, for him to weasel out of a challenge by claiming that the argument is owed to an opposing view. The evident flexibility of his views allows for the suspension of disbelief.

Carneades’ ghostly presence, as I have constructed it on the simple fact of his being name-checked in 35 Warmington = 31 Marx, is also relevant as a *comparandum* for the putative critique, in Lucilius’ *Concilium deorum*, of Lupus’ luxurious lifestyle. A line thought by commentators to be part of the *Concilium* seems to depend on a joke whereby Lupus is a sea-bass, aptly enough because that is one meaning of his *cognomen* Lupus, smothered by

⁶¹ Cf. Cic. *Luc.* 98: ‘Carneades used to joke (*ludere*): “if my conclusion is valid, I stick to it; but if it’s invalid, Diogenes should pay me back my *mina*”’.

other, cheaper fishes.⁶² It is preserved by Varro, *De Lingua Latina* 7.47: *occidunt, Lupe, saperdae te et iura siluri* ('O Lupus/sea-bass, the sauces/laws of the shabar-fish and perch are the death of you', 46 Warmington = 54 Marx). I wonder whether the smothering, here envisaged happening to Lupus as fish course,⁶³ evokes the famously overwhelming force of Carneadean rhetoric.⁶⁴ This would be a fine irony, because Carneades supposedly told off Epicurus for keeping a food diary (Plut. *Mor.* 1089c). Diogenes Laertius observed that Carneades, in similar killjoy vein, 'declined invitations to dine out' (4.63), because he was so critical and controversial. Carneades' praise of Empedocles and Pythagoras, as reported by Cicero ('not mediocre men, but very great and learned', *Rep.* 3.18), was on the grounds, in

⁶² C. Connors, 'Epic Allusion in Roman Satire', in K. Freudenburg (ed.), *The Cambridge Companion to Roman Satire* (Cambridge, 2005), 123-45, at 127-9. Waszink (n. 51), 270 notes that Neptune, as god of the sea, may well have spoken this line, and observes the Greek diction at 272.

⁶³ There is here a possible onomastic pun, of the type identified by M. Gale, 'Etymological Wordplay and Poetic Succession in Lucretius', *CPh* 96 (2001), 168-72: Carneades' name begins with *carn-*, the root of the Latin word for 'flesh' (*caro, carnis, f.*). Cf. the second Homeric quotation in D.L. 4.63, which incorporates Mentor and thus juxtaposes Homer's Mentor with the interlocutor Mentor who was cuckolding Carneades: M.D. Usher, 'Carneades' Quip: Orality, Philosophy, Wit, and the Poetics of Impromptu Quotation', *Oral Tradition* 21 (2006), 190-209, at 195.

⁶⁴ Cf. e.g. Numenius fr. 27 = Eusebius, *Preparation* 14.738d: 'And if there were ever a need of marvellous statements, he would rise up as violent as a river in flood, overflowing with rapid stream everything on this side and that, and would fall on his hearers and drag them along with him in a tumult.'

part, of their refusal to eat meat and therefore to apply the same justice to men as animals.⁶⁵ Still, we have at least three instances of Carneadean consumption. He is supposed to have purged himself with hellebore, a poison if taken in the wrong dosage, before debating with Chrysippus.⁶⁶ Likewise, when he hears about the Stoic Antipater of Sidon's suicide by taking poison, he calls for some too, and says it will be οἰνόμελι ('honeyed wine', D.L. 4.64). And as part of the argumentation against Stoic teleology, Carneades adopts—using the same methods we saw before—a Stoic position, apparently to ridicule it: 'but the pig has been born for the natural purpose of being slaughtered and eaten'.⁶⁷

So how serious was Carneades for Lucilius? The mention of fish, in the last fragment from the *Concilium* discussed, could form part of the legacy of the philosopher-poet Timon of Phlius (325-235 B.C.E.), disciple of the older Sceptic Pyrrho. His three-book *Silloi*, in hexameters (the same meter as Lucilius' *Concilium*), featured mockery of philosophers in both dialogue and monologue form (D.L. 9.111-12). It is likely that Timon's work featured jokes which compared philosophers to fish.⁶⁸ Moreover, Timon is well known for Homeric

⁶⁵ See e.g. R. Sorabji, *Animal Minds and Human Morals: The Origins of the Western Debate* (Ithaca, NY, 1993), 127-8. Cf. Cic. *N.D.* 3.29, where Carneades is claimed to have argued that every living thing is mortal because corporeal and changeable.

⁶⁶ Val. Max. 8.7 ext. 5; in Plin. *N.H.* 25.51, Gell. 17.15 it is Carneades before debating Zeno; at Petron. 88.4 it is Chrysippus himself who takes the hellebore; see S. Bartsch, *Persius: A Study in Food, Philosophy, and the Figural* (Chicago, 2015), 88.

⁶⁷ Porph. *Abst.* 3.20.3, with D. Sedley, *Creationism and its Critics in Antiquity* (Berkeley and Los Angeles, 2007), 236-8.

⁶⁸ I support the cautious conclusions of D.L. Clayman, *Timon of Phlius: Pyrrhonism into Poetry* (Berlin & New York, 2010), 107-12, who is loath to believe in Diel's influential attribution of a full-blown fishing scene to Timon (based on Lucian's *Piscator*).

parody, and if his lines 805 SH = 31 D and 806 SH = 32 D, both preserved in Diogenes Laertius, are (as is likely) parodies of scenes from *Odyssey* 5, then we should remember that Neptune's regret over having missed a former divine conference also came from that book.⁶⁹ I therefore think the opinion of Fiske, who claimed (showing no working) that Lucilius Book 1 was indebted to Timon's *Silloi*, should be resurrected.⁷⁰ Timon's *Silloi* Book 1 (and probably 2) may have incorporated a *nekuia* where the shades of dead philosophers were seen, which would have to claim some descent from the *Odyssey*.⁷¹

With that in mind, we can return to the Carneades fragment which occasioned this discussion. The mention of Orcus as having agency in 35 Warmington = 31 Marx serves notice that Lucilius' *Concilium* is, in effect, a reverse *nekuia*, both a summoning of the recently deceased Lupus and a rejected (though at least mentioned) sending of Carneades from the Underworld to the gods, rather than a descent to the Underworld. I wonder whether Lucilius' citation could dovetail with the claim of Diogenes Laertius that Carneades 'seems to have shown some want of courage in the face of death' (4.64—repeated with slight variation at 4.65). That attitude could be the inspiration for a reading of Lucilius' line as a witticism about the remote prospect of Carneades' being recalled from the dead.

Considering Timon's catalogue of philosophers, though, raises an important question: how does one tell the massed shades apart? The issue of absence and presence which has

⁶⁹ For these fragments see now M. Lurie, 'Der schiffbrüchige Odysseus oder: Wie Arkesilaos zum Skeptiker wurde. Zu Timon von Phleius Fr. 806 SH (32 D)', *Philologus* 58 (2014), 183-6, with Clayman (n. 68), 108-9.

⁷⁰ Fiske (n. 43), 152-3, endorsed by e.g. A. Richlin, *The Garden of Priapus: Sexuality and Aggression in Roman Humor* (New York, 1992), 172.

⁷¹ Clayman (n. 68), 81-3, with W. Ax, 'Timons Gang in die Unterwelt: Ein Betrag zur Geschichte der antiken Literaturparodie', *Hermes* 119 (1991), 177-93.

been a constant in the argument since Neptune uttered ‘if only Carneades were here ... it wouldn’t solve anything!’ is crystallized in Cicero’s vivid recollections of Carneades’ influence on the topography of his old stamping-ground (*Fin.* 5.4):⁷²

Not long ago it was Carneades’ stage. I think I see him now (his likeness is well known), and I think that the very seat where he sat misses his voice and mourns the loss of a towering intellect.

Cicero’s throwaway comment, ‘his likeness is well known’, is germane to our purposes.⁷³ Can Lucilius bring Carneades and Lupus back to life just by invoking them in the sacred space of his *Concilium* senate, and how would we know it is them?⁷⁴ Once again, let it be stressed that the force of Neptune’s lament is that Carneades, mooted and instantly dismissed, absolutely cannot return. Yet Carneadean philosophy, in the discussion of how trust is encouraged by a cluster of features rather than just one, does—like Lucilius—use as an example (as Sextus Empiricus reports) the figure of a famous philosopher: ‘For we trust that

⁷² Cicero thus participates in a ‘symbolic heroizing of Carneades’: C. Lévy, ‘The Sceptical Academy: Decline and Afterlife’, in R. Bett (ed.), *The Cambridge Companion to Ancient Scepticism* (Cambridge, 2010), 81-104, at 83.

⁷³ Yet the statue of Carneades in Athens which inspired Cicero’s recollection is more conciliatory than might be expected from the anger he showed towards the Stoics (‘against whose teaching his temper had grown hot’, Cic. *Tusc.* 5.83): P. Zanker, *The Mask of Socrates: The Image of the Intellectual in Antiquity*, tr. A. Shapiro (Berkeley & Los Angeles, 1995), 180-3.

⁷⁴ Cf. Cic. *Fat.* 19 with its example regarding causation that ‘Carneades is going down to the Academy’, and the explanation (with piquant ‘boredom’) at Woolf (n. 4), 90.

this is Socrates from the fact that he has all his usual features too: colour, size, shape, opinion, ragged cloak, and his being in a place where there is no one indistinguishable from him' (*Log.* 1.178). This visualization reminds us of my original caveat that Carneades could serve as a placeholder for any old philosopher. Lucilius is, in effect, daring us to recognize Carneades before the Roman Senate in 155 B.C.E. from the mere mention of his name in a negative context in the *Concilium*—a situation of which Carneades would have disapproved, in view of its having too few features to identify him.

Carneades' biography and philosophy, then, make him a figure of fun, and this is the tenor of the oddly literary anecdote which Diogenes retails about his love life. Carneades is said to have quoted Homer and Sophocles in assailing his pupil and love-rival Mentor, when trying to ban him from a lecture (D.L. 4.64). First two lines from the *Odyssey* (4.384, 2.268), then a slightly adapted line of Sophocles' *Antigone* (203), were quoted, whereupon Mentor cited the *Iliad* in reply: οἱ μὲν ἐκήρυσσον, τοὶ δ' ἠγείροντο μάλ' ὤκα ('those made the proclamation, and these quickly assembled', *Il.* 2.52).⁷⁵ Mentor's comeback, taken from the aftermath of Agamemnon's dream which induces him to bring his troops together and offer them, near-disastrously, immediate exit from the Trojan War, is a clever riposte which insinuates that Carneades is the credulous victim of a false dream.⁷⁶ It also suggests that an assembly would have turned out badly for Carneades, as Agamemnon's nearly went seriously awry. If Carneades were to suffer from participation in *concilia*, Lucilius, by having Neptune bring up the philosopher's name, may be alluding to the likelihood that the philosopher, had he been sent for, would fail to show himself. Indeed, we may consider whether Carneades could be considered a wrongdoer himself, and Lucilius' mention of his name prompts his

⁷⁵ Usher (n. 63) has the details, in the context of oral composition in spontaneous philosophy.

⁷⁶ Usher (n. 63), 204.

audience to consider the prospect of a (multiply) hypothetical trial, held to condemn not Lupus but Carneades,⁷⁷ which could result in exile.⁷⁸

IV. CONCLUSION

Carneades' biography and philosophy are useful to Lucilius' *Concilium deorum*. The one admittedly exiguous and flawed clue is the mention of Carneades by name in 35 Warmington = 31 Marx. It has been argued here that Lucilius incorporates into his poetry the historical coincidence of date for Carneades' visit to Rome in the embassy of 155 BCE and Lupus' consulship followed by his putative trial for extortion. The fragment with Carneades' name prompts the Lucilian audience to think about the (im)possibility of the philosopher appearing before the Senate, either alongside or in place of Lupus, the target of the *Concilium*. Three

⁷⁷ Cf. the comparison at Numenius, fr. 27 (= Eusebius, *Preparation* 14.738d) of Carneades to a robber; P. van Nuffelen, *Rethinking the Gods: Philosophical Readings of Religion in the Post-Hellenistic Period* (Cambridge, 2012), 76 is too quick to dismiss this.

⁷⁸ Note that Cicero says that Carneades and Clitomachus were 'in exile', from Cyrene and Carthage respectively, as they lived permanently abroad in Athens (*exsilium ... quantum tandem a perpetua peregrinatione differt*, *Tusc.* 5.107): the phrasing is suggestive for the similarity of Carneades and Lupus here posited, given that, although *repetundae* was not a capital charge (cf. A.N. Sherwin-White, 'The Extortion Procedure Again', *JRS* 42 [1952], 43-55), those convicted routinely fled Rome to avoid paying large sums of money in damages: see e.g. M.C. Alexander, 'How Many Roman Senators were ever Prosecuted? The Evidence from the Late Republic', *Phoenix* 47 (1993), 238-55, at 243-4. The *Tusc.* 5 passage is linked to the *Luc.* 137 joke (reproduced above) by A.M. Ioppolo, 'Carneade e il terzo libro delle *Tusculanae*', *Elenchos* 1 (1980), 76-91, at 89-90.

further reasons for mentioning Carneades are: that he was known for arguing both sides of a question, especially with regard to the Stoics, whose arguments he would adopt for the sake of argument—rather like Lucilius, who is sometimes labelled a Stoic; for his questioning of the gods, one of whom (known from Homer for missing *concilia*) utters the line mentioning Carneades; and for being a subject of anecdote, despite an abstemious lifestyle. The citation of Carneades fits Lucilius' *Concilium* into the parodic mode of Timon of Phlius, if we accept the poet's challenge, relevant to Carneades' own thoughts about believing one's judgement, to see the philosopher in the *Concilium* in the first place. That challenge, essentially the putting of philosophy and philosopher into satiric verse, is one of which it is to be suspected that the philosopher Carneades would have tolerated, if not approved: Carneades does not criticize the deployment of poetry in philosophical argument *tout court*. When he objects (in the record of Cicero citing Antiochus, *Tusc.* 3.59-60) to the quoting of Euripides (in this case specifically *Hypsipyle*, fr. 757.921-5 Kannicht), it is purely because to discuss how humans are subject to cruel necessity is no consolation at all.⁷⁹ While it is too much to claim that Lucilius' use of Carneades prefigures Juvenal's *exempla* of Democritus and (to a lesser extent) Heraclitus at 10.28-35 and 10.47-53,⁸⁰ or indeed that it holds the key to Lucilius'

⁷⁹ Despite what Sextus Empiricus says about 'the myth-making of poets ... full of every impiety' (*M* 9.192), and *contra* D. Wardle, *Cicero on Divination: De divinatione, Book 1* (Oxford, 2006), 132 on Cic. *Div.* 1.13. R.R. Caston, 'Pacuvius hoc melius quam Sophocles: Cicero's use of drama in the treatment of the emotions', in D. Cairns & L. Fulkerson (edd.), *Emotions between Greece and Rome* (London, 2015), 129-48, at 147 claims that Carneades here 'shows an unwillingness to confront pain in a realistic way'.

⁸⁰ See now C. Keane, *Juvenal and the Satiric Genre* (Oxford, 2015), 117-48, with Lucilius' *uirtus* fragment referred to at 149.

wider religious outlook,⁸¹ the arguments here have aimed to provide an historical contextualisation of the *Concilium* in line with Carneades' biography, in ways which avert scepticism about what the fragments of a satiric treatment of the Sceptic philosopher might tell us.⁸²

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⁸¹ See, for another example beyond the *Concilium*, e.g. D. Feeney, *Literature and Religion at Rome* (Cambridge, 1998), 93-4.

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