

**RIFLESSIONI SULLA NATURA
NELLE OPERE FILOSOFICHE**

**REFLECTING ON NATURE
IN CICERO'S PHILOSOPHICAL WORKS**

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CICERO'S *DE LEGIBUS*:
ENVIRONMENT AND THE SYMBOLIC VALUE OF *LOCUS*

1. *Locus Amoenus and Cicero's "Authorial" Remarks in De legibus 1*

The location of the *De legibus* in the "countryside" is no doubt meant to evoke the Platonic model of the *locus amoenus*. In Plato's *Laws*, the conversation between the three interlocutors (the Athenian Stranger, the Cretan Clinias and the Spartan Megillus) takes place while they walk from Cnossus to Zeus' sacred cave and shrine on Mount Ida. The depiction of the environment¹ is intimately related to the project of the display of the legal system of Magnesia: tall trees along the route provide abundant «shady resting-places», which are especially welcome in the hot weather, ensuring that the journey (and the discussion) will reach their end². The Spartan Clinias adds a short description of the «sacred groves» (*alse*) they are going to pass on their way, with their «tremendously tall and graceful cypress trees» and meadows, which strongly evoke a "religious" atmosphere³. This fits with the importance assigned

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¹ Throughout the article I understand "environment" not as denoting merely "physical space" but as a culturally significant landscape to a viewer, cf. Malaspina 2011, 52.

² *Lg.* 625b, πάντως δ' ἢ γε ἐκ Κνωσοῦ ὁδὸς εἰς τὸ τοῦ Διὸς ἄντρον καὶ ἱερόν, ὡς ἀκούομεν, ἰκανή, καὶ ἀνάπαυλαι κατὰ τὴν ὁδόν, ὡς εἰκός, πνίγους ὄντος τὰ νῦν, ἐν τοῖς ὑψηλοῖς δένδροσιν εἰσι σκιαραὶ, καὶ ταῖς ἡλικίας πρέπον ἂν ἡμῶν εἴη τὸ διαναπαύεσθαι πυκνὰ ἐν αὐταῖς, λόγους τε ἀλλήλους παραμυθουμένους τὴν ὁδὸν ἅπασαν οὕτω μετὰ ῥαστώνης διαπερᾶναι («It's a fair step from Cnossos to the cave and shrine of Zeus, by all accounts. There are wayside resting-places, no doubt, in this heat, with the tall trees giving plenty of shade. There can be no objection, at our age, to our making frequent stops at them, using conversation as a means of raising one another's spirits, and in this way completing the whole journey in comfort», tr. Griffith-Schofield).

³ *Lg.* 625c, καὶ μὴν ἔστιν γε, ὃ ἔξενε, προϊόντι κυπαρίττων τε ἐν τοῖς ἄλσεσιν ὕψη καὶ κάλλη θαυμάσια, καὶ λεμιῶνες ἐν οἷσιν ἀναπαύομενοι διατρίβομεν ἂν («Yes, my friend, and after a bit, in the groves, there are wonderfully tall and beautiful cypresses, and meadows for us to stop and spend some time in», tr. Griffith-Schofield).



to religion and piety in the work and the most elaborate Platonic “theology” in the tenth book of the *Laws*, which recasts in philosophical terms Minos’ “pilgrimage” to his father Zeus. The motif of the “escape from the city” that Plato uses in the *Laws* also serves a more direct aim: to create “free” space outside the civic context in which the interlocutors (and in particular the Athenian stranger) may engage in an intellectual discussion which shall question established practices and revise the value system of the Cretan constitution⁴. The context thus serves the revisionary character of the discussion, as the Athenian Stranger attempts to reconsider the moral and metaphysical basis of the traditional system of laws of both Crete and Sparta.

Plato is reworking in the *Laws* a motif known from the *Phaedrus*. The place by the river Ilissus, outside the walls of the city, where Socrates is led by Phaedrus at the beginning of the homonymous dialogue has all the characteristics of a *locus amoenus* which addresses all the senses⁵: the tall and thick trees provide adequate shade, the chaste tree in full bloom fills the air with its fragrance; from under the plane tree runs a spring «with very cool water» (ῥεῖ μάλα ψυχροῦ ὕδατος). The religiosity of the place is underlined by the presence of statues and votive offerings in a shrine dedicated to the river god Achelous and the Nymphs. The pleasure felt by the freshness of the air resonates with the song of the cicadas, whereas the grassy slope provides a natural place of rest for the interlocutors⁶. However, the “idyllic” landscape is characterized at the beginning of the work by a tension underlined by the *atopia* of Socrates (230d), the quintessential city-dweller, who states that «landscapes and trees have nothing to teach me – only the people in the city can do

⁴ See *lg.* 635a, where the “private” character of the discussion of the elderly gentlemen reassures that no young people are around to take offence in the critique of the traditional Cretan laws. Cf. Annas 2013, 223: «Cicero is giving us laws which are already established, based on tradition which is already familiar. Plato, in contrast, is putting forward proposals which, though often based on Athenian law, are put forward as improvements for the future, for an envisaged rather than an existing community».

⁵ On the rhetorical features of the description of the surrounding environment in the *Phaedrus*, see Ferrari 1987, 16.

⁶ *Phdr.* 230b-c, νῆ τὴν Ἥραν, καλὴ γε ἡ καταγωγὴ. ἢ τε γὰρ πλάτανος αὐτὴ μάλ’ ἀμφιλαφὴς τε καὶ ὑψηλὴ, τοῦ τε ἄγνου τὸ ὕψος καὶ τὸ σύσκιον πάγκαλον, καὶ ὡς ἀκμὴν ἔχει τῆς ἀνθης, ὡς ἂν εὐωδέστατον παρέχοι τὸν τόπον· ἢ τε αὖ πηγὴ χαριεστάτη ὑπὸ τῆς πλατάνου ῥεῖ μάλα ψυχροῦ ὕδατος, ὥστε γε τῷ ποδὶ τεκμήρασθαι. Νυμφῶν τέ τινων καὶ Ἀχελώου ἱερὸν ἀπὸ τῶν κορῶν τε καὶ ἀγαλμάτων ἔοικεν εἶναι. εἰ δ’ αὖ βούλει, τὸ εὐπνον τοῦ τόπου ὡς ἀγαπητὸν καὶ σφόδρα ἡδύ· θερινὸν τε καὶ λιγυρὸν ὑπηχεῖ τῷ τῶν τεττίγων χορῷ. πάντων δὲ κομψότατον τὸ τῆς πόας, ὅτι ἐν ἡρέμα προσάντει ἰκανὴ πέφυκε κατακλινέντι τὴν κεφαλὴν παγκάλως ἔχειν. ὥστε ἄριστά σοι ἐξενάγηται, ὦ φίλε Φαῖδρε.

that», signaling the absence of the Socratic *elenchus* in the first part of the dialogue⁷. Socrates' statement appears to be revised in the course of the discussion⁸, as he abandons his customary role as interrogator of people in the city of Athens and assumes the role of a defender of “divinely inspired” love in his counter-account to Lysias' speech.

Cicero's construction of the setting of *De legibus* in the surviving books of the dialogue show a clear engagement with the Platonic model⁹ but also testify to «adjustments» to the *locus amoenus* motif which serve Cicero's purposes and his peculiar use of the genre of the philosophical dialogue¹⁰. As in Plato, the conversation among Cicero and the two interlocutors, his friend Atticus and his brother Quintus, takes place on a summer day outside the city and in particular in Cicero's native estate in Arpinum, as the speakers walk alongside the bank of the river Liris (1, 14). “Cicero”¹¹ mentions the «beauty» of the place; the tall poplar trees and green and shady river bank¹². As in the case of Plato, the natural environment has evocative power: in the *Phaedrus* it evokes the myth of Boreas and Orithya, whose mention gives rise to the Socratic claim that one should not devote one's time to the rationalization of myth but rather to the “care of oneself”, or self-knowledge (230a)¹³. The Ciceronian text explicitly picks up this scene from the *Phaedrus* (1, 3) and appropriates it in order to question the historicity of both Roman “myths” and poetic representations of the environment¹⁴.

This is introduced at the very beginning of the book (1, 1) as Atticus observes in a nearby grove (*lucus*) an oak tree which he takes to be the

⁷ *Phdr.* 230d, τὰ μὲν οὖν χωρία καὶ τὰ δένδρα οὐδὲν μ' ἐθέλει διδάσκειν, οἱ δ' ἐν τῷ ἄσπεϊ ἄνθρωποι.

⁸ *Phdr.* 275b-c, where Socrates states that «oaks» tell the truth through their «prophetic» function.

⁹ Plato's *Phaedrus* is Cicero's explicit model at *de orat.* 1, 28, *cur non imitamur, Crasse, Socratem illum, qui est in Phaedro Platonis?* («Crassus, why do we not imitate Socrates as he appears in the *Phaedrus* of Plato?»). For a discussion of the passage (and its relation to the *De legibus*), see Görler 1988. Cf. Spencer 2010, 65-66. On Cicero's engagement with Plato as a literary and philosophical “authority” more generally, see Bishop 2019, ch. 2.

¹⁰ Cf. Dyck 2004, 21.

¹¹ Henceforth a name in single quotation marks refers to the character in the dialogue.

¹² *Leg.* 1, 15, *sic nos inter has procerissimas populos in viridi opacaque ripa inambulant.* All Latin citations from *De legibus* follow Powell's text.

¹³ For a discussion of Socrates' approach towards myth here and his demarcation from “professional” modes of discourse, see Ferrari 1987, 9-12; 16-21.

¹⁴ Thus, the truth of the *quercus Mariana* is at *leg.* 1, 3 compared to the tradition related to the deification of Romulus (known also by Livy).

one mentioned in Cicero's (lost) poem *Marius*¹⁵. The question of the historicity of the tree prompts a discussion about Cicero's own activity as a writer and his engagement with different literary *genres*¹⁶, issues which in other Ciceronian dialogues are treated in non-dialogical prologues. In the case of *De legibus*, the self-referential remarks about Cicero's own authorial activity are integrated into the conversation between Cicero (the character) and his intimate companions¹⁷. Thus, the dissociation of the poetic representation of the oak tree (as a product of fiction)¹⁸ from any strict claims to truth prompts "Cicero's" remarks in *leg.* 1, 5 about the right way to read poetry (as not aiming at historicity but at "pleasure", *i.e. delectatio*)¹⁹. Subsequently Cicero explains why he avoids writing a historical work (a genre aiming by definition at truth)²⁰ despite his authority²¹, and Atticus' encouragement to do so²². Instead, he embarks on a philosophical discussion of "civil law" with his interlocutors (1, 13 – a topic more appropriate to his political engagement), which again does not aim at "customary" standards and at

¹⁵ For a similar "association", see *de orat.* 1, 28, where the plane tree in Crassus' estate brings to Scaevola's mind the (fictional) plane tree of the *Phaedrus* (*nam me haec tua platanus admonuit*).

¹⁶ On "genre discourse" in the prologue to *De legibus* 1, see Dolganov 2008.

¹⁷ Cf. Dyck 2004, 26.

¹⁸ *Leg.* 1, 1, *sata est enim ingenio*. Quintus subsequently (1, 2) likens it to the young palm tree beside Apollo's altar at Delos mentioned by Odysseus at *Od.* 6, 160-165.

¹⁹ *Leg.* 1, 4, *sed tamen nonnulli isti, Tite noster, faciunt imperite, qui in isto periculo non ut a poeta sed ut a teste veritatem exigant*. This is addressing unnamed people who, through the mouth of Atticus (*ibid.*), demand truth standards for Cicero's poem on Marius.

²⁰ Cicero subtly expresses his intention to write a historical work on his consulship, expressing also thereby his commitment to Pompey, but notes that he does not possess the necessary leisure and peace of mind for it (1, 8, *cura vacare et negotio*; cf. 1, 9). Krebs 2009, 98 takes the reference to absence of leisure on Cicero's part to be an allusion to Plato's *Phaedrus*.

²¹ This is underlined through the reference to Cicero's preoccupation with oratory and to the deficient style of contemporary Latin "historians" at *leg.* 1, 6-7. For similar views on historiography expressed in other dialogues, see *e.g. de orat.* 2, 62.

²² *Leg.* 1, 5, *postulatur a te iam diu vel flagitatur potius historia*. This demand is linked further (*ibid.*) to the "glorification" of the state through the account of historical deeds, the antagonism with the Greek intellectual tradition but also the association of history writing with leading Roman public figures like Cato. For the interpretation of the preamble as an *apologia* on the part of Cicero (written in his "late" years), see Ruch 1958, 251. For the political «subtext» of Cicero's decision to avoid writing history, see Dolganov 2008. For the idea that Cicero presents his writing of philosophical dialogues as an alternative to orthodox historiography see Gildenhard 2013.

merely providing practical advice on concrete legal problems²³ but at offering an account of the very foundation (*fons*) of law and justice²⁴. This philosophical treatment of law is taken to have as a concrete model the Platonic *Laws*, which are explicitly mentioned as an object of emulation at *leg.* 1, 15²⁵.

The genre of the Ciceronian philosophical dialogue approaches truth (or the *probabilis*) through the dialectical juxtaposition of diverse views²⁶. Cicero's commitment to "Academic" methodology is linked to another "adjustment" to the Platonic model of the *Laws*: in *De legibus* "Cicero" alludes to the features of the idyllic environment, which forms the setting of the discussion, in order to signify the absence of a dialectical opposition to the idea that a divine, rational principle governs the cosmos—an idea which is presented in *leg.* 1, 21 as the starting point of the discussion on "natural law" which follows. Thus, the (Epicurean) Atticus is taken to concede rather easily to the premise of divine providence, justifying his stance through the isolation and "protection" afforded by the external environment:

ATTICVS: Do sane, si postulas; etenim propter hunc concentum avium strepitumque fluminum non vereor condisciplorum ne quis exaudiat.

MARCVS: Atqui cavendum est; solent enim, id quod viro-
rum bonorum est, admodum irasci, nec vero ferent si audierint te primum caput viri optimi prodidisse, in quo scripsit nihil curare deum nec sui nec alieni.

ATTICVS: Perge, quaeso; nam id quod tibi concessi quorsus pertineat exspecto (*leg.* 1, 21-22).

²³ Practical subjects, such as providing *formulae* for legal disputes, are deemed at *leg.* 1, 14 «more humble» (*humiliora*) and below the expectations set to Cicero as a writer. For the "customary" identification of the law with written law, see *ibid.* 1, 19. For Cicero's attempt to distinguish jurisprudence from "legal" philosophy in order to «create an authoritative position for himself»; see Dolganov 2008, 31.

²⁴ *Leg.* 1, 16, *fons legum et iuris*.

²⁵ Cicero states (1, 15) that he is going to use in his work a «richer» style than the one employed in the practice of the courts, *quaeramus isdem de rebus aliquid uberius quam forensis usus desiderat?* This may suggest that Cicero takes the philosophical dialogue to be an appropriate medium for an exposition with "rhetorical" merits.

²⁶ Cicero's "(New) Academic" identity is expressed in many passages in the dialogues, where the terms *probabile* («persuasive») or *veri simile* («what resembles the truth») are mentioned as the aim of the discussion, see e.g. *Tusc.* 1, 8; *Luc.* 7; 60; *nat. deor.* 1, 11; *off.* 2, 7-8.

Atticus: Of course I will grant it (sc. that all nature is ruled by the power of the immortal gods), if you wish; the singing of the birds and the noise of the river give me reason not to fear that any of my fellow students will hear me.

Marcus: But you need be careful; they can become very angry, as good men do, and they will not take it lightly if they hear that you have betrayed the opening sentence of the best of men, in which he wrote that god is not troubled by his own affairs or those of others.

Atticus: Go on, please. I am waiting to hear the relevance of what I have conceded to you (Trans. Zetzel).

Thus, by virtue of the «singing of the birds» (*concentum avium*) around him and the «noise of the streams» (*strepitumque fluminum*) Atticus is not afraid that he is going to be heard by any of his fellow Epicureans²⁷. “Cicero” himself makes clear to Atticus (by allusion to the actual words of Epicurus) that his starting point opposes the masters’ views concerning the non-interference of the divine in human affairs, views which are intimately linked to Epicurean assumptions about the happy life²⁸. Atticus does not engage in a defense of such views but merely urges Cicero to continue expounding his ideas of natural law, while making clear that he does not assent to such views but merely «concedes them» (*quod tibi concessi*) for the sake of examining the consequences of his starting point²⁹. This may be taken to be a signal of the temporary “suspension” of Cicero’s commitment to Academic skepticism (and the related *in utramque partem* dialogical form) in this work³⁰, for the sake of an uninterrupted presentation of Stoic (or more broadly “Academic”) views on natural law and jus-

²⁷ The allusion to the fear (*vereor*) experienced by an Epicurean seems to be a hint of the fear of punishment as the main motivation for moral behavior in Epicurean theory, an idea which Cicero is going to attack vehemently in the course of the first book of *De legibus* (see e.g. 1, 40-41).

²⁸ Note that the view that the gods exist but do not care for humans is one of the impious views that is refuted in *Lg.* 899d-905c. For a discussion of Plato’s “theology” in Book 10, see Mayhew 2010.

²⁹ The same verb (*concesserimus*) is used later on (1, 35) when Atticus comments on the truth value of the Ciceronian premises; Atticus’ subsequent comment (1, 36) that Cicero has abandoned his *libertas disserendi* suggests that Atticus concedes the Ciceronian ideas while retaining an epistemic distance.

³⁰ Cicero’s “suspension” of Academic scepticism is linked to a «plea for silence» (*exoremus ut sileat*) at 1, 39 towards the Academy of Arcesilaus and Carneades and its «disturbing» effect (*perturbatricem*). However, Cicero’s plea intends only to «appease» (*placare*) and not to «clear away» (*summovere*) the (radical) Academy. On the continuity of Ciceronian scepticism in the *De legibus*, see Görler 1995 and Atkins 2013,176-85.

tice³¹, which are judged to be appropriate for the foundation of an optimal society³².

Thus, references to the surrounding environment in the prologue to *De legibus* 1, while alluding to the Platonic example, go beyond it: they serve both metaliterary functions, *i.e.* to justify Cicero's own preoccupation with philosophy (and its "generic" features) to his audience, while at the same time they are employed within the dramatic context of the dialogue in order to signal the peculiar "monological" nature of "Cicero"'s account in the *De legibus*.

2. Rural Environment and Roman Values in *De legibus* 2

The second prologue to the dialogue testifies to a new beginning in the discussion which is manifested also as a spatial transposition: the speakers now move to an island in the Fibrenus, a smaller side river of the Liris, where they remain throughout the conversation of the second and third books of *De legibus* (2, 1). Here, the discussion of the surrounding environment *itself*, and its effect on the interlocutors, is put center stage from the beginning. In opposition to the porticoes and parks of villas which form the leisurely background of most of his other philosophical dialogues³³, "Cicero"'s description of the small island on the Fibrenus does not show any signs of artificial intervention³⁴ but forms a "natural" space for seclusion and reflection³⁵.

³¹ For the Stoic views on natural law, see *e.g.* D.L. 7, 88. The idea of a natural law, in the form of a divine law, appears already in Plat. *Lg.* 716a-716e, and it is possible that Cicero (perhaps under the influence of Antiochus of Ascalon) perceived the Stoic views as in agreement with the views expressed in the *Laws*, which is his literary model for the *De legibus*. See Dyck 2004, 50-51, who detects in *leg.* 1 a combination of theses from the Stoic tradition and the "old Academic" teaching of Antiochus.

³² For the lack of "dialectical" methodology in *De legibus* see Atkins 2013, 185-187, who refers to «the limitations that the act of legislating places on philosophical enquiry». A similar absence of a "dialectical" form may be found in *De officiis*, where Cicero sides with Stoic views on "appropriate actions" (while retaining his Academic identity).

³³ For a list of the places where the rest of Cicero's philosophical dialogues take place, see Marconi 1994, 285.

³⁴ This may be contrasted to *de orat.* 1, 29, where the interlocutors of the dialogue are provided with «cushions and benches» which are placed under the plane tree of the setting: *tum Crassum: «Immo vero commodius etiam»; pulvinosque poposcisse, et omnes in eis sedibus, quae erant sub platano, consedissee dicebat* («Nay, answered Crassus, but we will make things more comfortable still», whereupon, according to Cotta, he called for cushions, and they all sat down together on the benches that were under the plane-tree», tr.

The *amoenitas* of the place creates «unsatiable pleasure» (*satiari non queo*) to Atticus, the close friend of Cicero, and a semi-permanent resident of Athens, as he discovers at *leg.* 2, 2 that the landscape, contrary to Cicero's descriptions in his speeches and poems, does not merely consist of «rocks and mountains» (*nihil enim his in locis nisi saxa et montes cogitabam*)³⁶. The “natural” beauty of the island in the Fibrenus and its delightful effect is such that it prompts Atticus's scorn (*contemno*) for luxurious villas and their lavish decorations, and also for their gardens and their artificial canals which, in the light of the experience of the natural environment of Arpinum, appear to adopt ridiculously “pompous” names, like that of Nile or Euripus³⁷.

Atticus's comment is followed by a passage in which Cicero highlights a personal connection to the surrounding *locus*; it is a place that provokes more than aesthetic pleasure, due to its deep effect on his mind and «feelings» (*inest nescioquid et latet in animo ac sensu meo*)³⁸ and by virtue of acknowledging it as his «real fatherland» (*germana patria*)³⁹:

Hinc enim orti stirpe antiquissima sumus, hic sacra, hic genus, hic maiorum multa vestigia. Quid plura? Hanc vides villam ut nunc quidem est, lautius aedificatam patris nostri studio, qui cum esset infirma valetudine, hic fere aetatem egit in litteris; sed hoc ipso in loco, cum avos viveret et antiquo more parva esset villa,

Sutton), see Görler 1988, 220. On the way this “Platonic” remark is embedded into the topic of the *De oratore*, see Zetzel 2003.

³⁵ *Leg.* 2, 1, *nam illo loco libentissime soleo uti, sive quid mecum ipse cogito, sive aliquid scribo aut lego*. This seems to anticipate Cicero's “retreat” to nature in the turbulent years of 45-44 BCE, see e.g. *Att.* 13, 16, 1, *nos cum flumina et solitudines sequeremur quo facilius sustentare nos possemus* («Seeking streams and solitudes to make life more endurable»). For the association of the countryside with “freedom” from civic affairs, see also *de orat.* 2, 22, on Scipio and Laelius' *incredibiliter repuerascere* once they moved from city to countryside (*cum rus ex urbe tamquam ex vinclis evolavissent*).

³⁶ This signals Atticus' first visit to Arpinum (a visit which is mentioned in the letters as planned but never accomplished), see Dyck 2004, 24 n. 86.

³⁷ *Leg.* 2, 2, *equidem, qui nunc potissimum huc venerim, satiari non queo, magnificasque villas et pavimenta marmorea et laqueata tecta contemno. Ductus vero aquarum quos isti Nilos et Euripos vocant, quis non cum haec videat inriserit?* For a possible allusion to Lucullus's Neapolitan villa see Dyck 2004, 249. On artificial canals in Roman villas and their Greek names, see Hartswick 2017, 80. For a discussion of the way Atticus' comments relate to the nature-culture distinction, see Farrell 2001, 21-22.

³⁸ Calcò 2018 takes *nescioquid* in *leg.* 2, 3 to be referring to the peculiar «atmosphere» of a place, related to its «affective resonance».

³⁹ For a discussion of the expression *germana patria*, see Gamberale 2020, 303-304, who takes it to refer to a place of origin, rather than to *real* fatherland («luogo d'origine (della stirpe), piuttosto che “patria autentica”»).

ut illa Curiana in Sabinis, me scito esse natum. Quare inest nescioquid et latet in animo ac sensu meo, quo me plus hic locus fortasse delectet (*leg.* 2, 3).

Cicero: Here is the most ancient origin of our stock; here are our family rituals and our roots; here there are many traces of our ancestors. Do you see this house? It was made larger and fancier by our father, who spent most of his life here in study, because of his poor health; but on this very spot, while my grandfather was still alive and it was a small house of the old style, like the house of Curius in the Sabine country, I was born. And so something abides deep in my mind and feelings which makes me take all the more pleasure in this place (Trans. Zetzel).

The *locus amoenus* trope is here enriched with the effect of personal memory and the observation of «ancestral traces» (*maiorum multa vestigia*) in the surrounding environment. The latter include the graves (*sacra*) of Cicero's forefathers (also places where the rituals associated with the dead took place); this chimes with the importance that Cicero assigns in the remaining of *leg.* 2 to laws related to the erection of grave monuments, as also to religious rites associated with the dead, as a most important category of laws to be observed in an optimal state⁴⁰. A further "trace" is visualized in the form of the ancestral *villa*, which is found in the vicinity⁴¹. Cicero invites his interlocutors to picture mentally the "genealogy" of the place and see beyond its current extensive size (brought about by Cicero's father who spent an extensive period there due to his poor health) to the time when Cicero was born, when it was a «small house of the old style» (*antiquo more parva esset villa*).

The moral signification of the place, which extends beyond personal memory, is introduced as "Cicero" compares the (rustic) *villa* of his grandfather to that of Manius Curius Dentatus, Roman general and statesman who contributed greatly to a number of significant Roman victories in the 3rd century BCE, such as against the Samnites and the Sabines. Dentatus's "exemplary" function is shown in *Cato* 55 to be closely tied up with ethical values such as his moderation and frugality⁴²;

⁴⁰ See e.g. *leg.* 2, 55-62. The importance of laws regulating burial arrangements reflects the discussion in *Plat. Ig.* 958c-960d.

⁴¹ The proximity is reinforced by the *anaphora* used in the passage (*hic ... hic ... hic*).

⁴² Cf. *Val. Max.* 4, 3, 5, and the reference to Dentatus as «the most perfect model of frugality and fortitude» (*frugalitatis idemque fortitudinis perfectissimum specimen*), in line

the (character) Cato points there, in a similar way to Cicero in *leg.*, to Dentatus's villa in the Sabine country as an indication of his moral stance and spirit⁴³. The small house (or farm) functions thus as indicative of moral *exempla* and as a metonymy for a "moderate" way of life, which adds to the delight felt by Cicero at its view.

In associating a life in the countryside with the ancestral Roman values, Cicero seems to be following the example of Cato (the Elder), whose surviving writings testify to the strong connection between a farmer's life and the traditional *ethos* of the Roman republic⁴⁴. This tradition is also reflected in the words put into the mouth of (the character) Cato in Cicero's *De senectute*: thus, in Cato's speech, the way the earth gives abundant fruits to those who cultivate it stands for the virtue of beneficence and is, accordingly, given as an example by Cicero in his discussion of justice in *off.* 1, 48 of the "Hesiodic" injunction that one should give back more than one has received⁴⁵. Agriculture teaches one the value of abundantly offering to others (following the example of the earth herself) and thus expresses a commitment to common utility. The following passage is suggestive⁴⁶:

Venio nunc ad voluptates agrorum, quibus ego incredibiliter delector, quae nec ulla impediuntur senectute et mihi ad sapientis vitam proxime videntur accedere. Habent enim rationem cum terra, quae numquam recusat imperium nec umquam sine usura

with his «peasant» lifestyle signified through the use of simple furniture (*agresti se in scamno adsidentem*).

⁴³ (Cato speaking) *cuius quidem ego villam contemplans (abest enim non longe a me) admirari satis non possum vel hominis ipsius continentiam vel temporum disciplinam*. The connection between the two passages could justify Ruch's 1958, 141 suggestion that the initial scenes of the *De legibus* could have been conceived as late as 44 BCE. By contrast, Dyck 2004, 7, following Schmidt, suggests that «*Leg.* seems likely to have been written mostly in tandem with *Rep.*», i.e. in 53/52 BCE. For the idea that the work remained incomplete until the end of Cicero's life see Zetzel 2023, 49-50.

⁴⁴ See, for example, the prologue to Cato's *De agri cultura* 4, *at ex agricolis et viri fortissimi et milites strenuissimi gignuntur* («it is from the farming class that the bravest men and the sturdiest soldiers come»). This attitude is also pursued in the prologue to Varro *rust.* 2, *pr.* 3, where there is an allusion to the *maiores* and their prioritization of the agricultural life (as opposed to the "urban" way of life associated with "Hellenized" villas in Varro's own time). For Cato's idealization of agriculture see Jaeger 2015, 85 (reporting Habinek). For the way agriculture was intimately tied, at least initially, to the concept of a *villa*, see Hartswick 2017, 73.

⁴⁵ *An imitari agros fertiles, qui multo plus efferunt, quam acceperunt?*

⁴⁶ That agriculture is linked to traditional Roman values is already evident in Cicero's speech *Pro Roscio Amerino* 75, where it is meant to be a teacher of «economy, industry and justice» (*parsimonia, diligentia, iustitia*).

reddit quod accepit, sed alias minore, plerumque maiore cum faenore; quamquam me quidem non fructus modo, sed etiam ipsius terrae vis ac natura delectat (*Cato* 51).

I come now to the pleasures of agriculture in which I find incredible delight; they are not one whit checked by old age, and are, it seems to me, in the highest degree suited to the life of the wise man. For these pleasures have an account in the bank of Mother Earth who never protests a draft, but always returns the principal with interest added, at a rate sometimes low, but usually at a high per cent. And yet what I enjoy is not the fruit alone, but I also enjoy the soil itself, its nature and its power (Trans. Falconer).

Cato's account in *De senectute* exemplifies well both the practical and the aesthetic interest that Romans took in agriculture⁴⁷, as mentions are made both to the production of necessary means of subsistence, as also to the beauty of agricultural environment⁴⁸. Furthermore, "Cato"'s praise of agriculture has ethical ramifications as well, as he invokes in it illustrious *exempla* of Rome's more remote past, such as Dentatus and Cincinnatus, who led simple lives as farmers before they were asked to serve Rome⁴⁹. Cicero thus invokes the paradigm of people who led an agricultural life both before and after taking up political office in order to promote a communitarian ethos, over and against the personal ambition characteristic of late Republican politics.

The account gives thereby expression to the Ciceronian idea that the *res publica* will be preserved only by reorienting itself towards its origins and the *mos maiorum*. This is in line with the "conservative" and austere spirit

⁴⁷ For the discussion of these two aspects (*utilitas* and *voluptas* or *delectatio*), see e.g. Varro *rust.* 1, 4. The unification of aesthetic preoccupations related to beauty with the practical aspects related to the fertility of the land is also highlighted in Bertoni 2023, 449.

⁴⁸ For the "practical" benefits of agriculture, see *Cato* 56. "Aesthetic" aspects of the agricultural fields are mentioned in both Cato's speech at *Cato* 57. "Cato"'s speech seems to be influenced in this respect by the praise of agriculture in Xenophon's *Oeconomicus* (4, 20 – 5, 17), a text to which Cicero directly points with the citation of the Cyrus' episode (59).

⁴⁹ *Cato* 56, *sed venio ad agricolas, ne a me ipso recedam. In agris erant tum senatores, id est senes – si quidem aranti L. Quinctio Cincinnato nuntiatum est eum dictatorem esse factum, cuius dictatoris iussu magister equitum C. Servilius Ahala Sp. Maelium regnum appetentem occupatum interemit*, «But, lest I wander from my subject, I return to the farmers. In those days senators (that is, *senes* or "elders") lived on farms—if the story is true that Lucius Quinctius Cincinnatus was at the plough when he was notified of his election to that dictatorship in which, by his order, his master of the horse, Gaius Servilius Ahala, seized Spurius Maelius and put him to death for attempting to secure regal power» (Trans. Falconer). A link between Cincinnatus and Cato is also found in Livy, see Jaeger 2015.

of the laws that are put forward in the *leg.* 2. At the same time Cicero in *De legibus* is keen to notice the way “paradigmatic” figures with humble and “provincial” origins (like Cincinnatus, Dentatus or Cato) led to the glory of the *res publica*, highlighting implicitly his own contribution as an *homo novus* to the rescue of the republic in the turbulent year of 63 BCE⁵⁰.

Due to its association with “moral” values and illustrious *exempla*, the delight and affection linked to the rural environment stands in no opposition to the political and legal commitment to the *res publica*; “Cicero” asserts (2, 5) the superiority of the latter (and an ensuing obligation to die for the Republic if needed)⁵¹ by invoking the example of Cato the Elder who, while hailing from Tusculum, assumed Roman citizenship and became an (unquestionable) example of commitment to Rome. Again, the idea that the *res publica* encompasses all “smaller” affiliations towards places which form part of its (sovereign) territory finds an illustrative expression in the description of the surrounding environment; thus, Atticus employs a metaphor to describe the way the Fibrenus flows around the small island where the conversation takes place, and into the larger river Liris, in the same way as one enters a “patrician” family and loses thereby one’s previous, insignificant name⁵². The effect of this “integration” is beneficial (for both parties) as indicated by the fact that the smaller river makes the bigger one “colder” (*gelidiorem*) and, thus (implicitly) more salutary than it was before, whereas the bigger one renders the smaller more glorious⁵³. The words of Atticus may express not only a carefully disguised distrust for Rome’s (indigenous) political elite but also a self-eulogy for Cicero himself, who managed to “flow into” the senatorial rank, despite his equestrian origin⁵⁴.

⁵⁰ This is stated explicitly at *leg.* 2, 6 with the reference to Pompey’s praise for Cicero.

⁵¹ *Leg.* 2, 5, *sed necesse est caritate eam praestare <e> qua rei publicae nomen universae civitatis est.* For the priority of the *res publica* in relation to other “affiliations”, see also *off.* 1, 57.

⁵² *Leg.* 2, 6, *statim praecipitat in Lirem, et quasi in familiam patriciam venerit, amittit nomen obscurius Liremque multo gelidiorem facit.*

⁵³ The excessive coolness of the river is accompanied at *leg.* 2, 6 by an explicit reference to the *Phaedrus* (230b), as Atticus states that he could hardly bear to try its temperature with his foot, as Socrates did in the Platonic work (*vix pede temptare id possim, quod in Phaedro Platonis facit Socrates*). For the association between a “cooling” and a “salutary” effect, see *Cato* 58, *ubi enim potest illa aetas aut calescere vel apricatione melius vel igni aut vicissim umbris aquisve refrigerari salubrius?* Cf. Dyck 2004, 262.

⁵⁴ Cf. also Spencer 2010, 69. See also the paper of E. McKnight in this volume which also discusses the opening sections of Book 2 and their wider significance to the main argument of *De legibus*.

3. *The Symbolic Value of the Environment between Greece and Rome: The Example of De finibus 5*

The revelation of the peculiar moral significance of the environment of Arpinum, beyond its merely aesthetic qualities, discussed in the previous chapter is embedded in the prologue to the *De legibus 2* into a larger debate on Roman values and their comparison with the Greek tradition, which also relates to the customary tension between *otium* and *negotium*.

This tension is expressed through the characters of Cicero and Atticus in the dialogue. Thus, while demonstrating his love for Cicero (and by extension to the *locus* of his birthplace)⁵⁵, Atticus picks up on Cicero's comments on the "exemplary" function of the rural landscape around him and its relation to ancestral value. In turn, Atticus engages in his own appraisal of another "symbolic" landscape, that of the city of Athens. Thus, after commenting on the peculiar way in which places, where persons whom we have loved or admired lived, can «move» us (*movemur [...] locis ipsis*), Atticus appropriately comments on his «beloved» Athens. What delights him in the city, he states, is not so much linked to the «grand buildings and the exquisite arts of the ancients», as to the «remembrance of great men» (*recordatio summorum virorum*) and the places in the city which bear their «traces» (*vestigia*), such as the places where they lived, taught or their very graves⁵⁶.

Movemur enim nescioquo pacto locis ipsis in quibus eorum quos diligimus aut admiramur adsunt vestigia. Me quidem ipsae illae nostrae Athenae non tam operibus magnificis exquisitisque antiquorum artibus delectant, quam recordatione summorum virorum, ubi quisque habitare, ubi sedere, ubi disputare sit solitus; studioseque eorum etiam sepulcra contemplor (*leg. 2, 4*)

Atticus: *We are somehow moved by the places in which the signs of those we love or admire are present. My beloved Athens pleases me not so much because of the grand buildings and refined arts of the ancients as because of the recollection of great men—where each one lived, where he sat, where he used to teach—and I make a point of visiting their tombs as well* (Trans. Zetzel).

⁵⁵ 2, 4, *quare istum, ubi tu es natus, plus amabo posthac locum*.

⁵⁶ Similarly, in *fin. 5*, (the character) Cicero remembers his travel to Metapontum where he visited Pythagoras' grave (5, 4), whereas the younger Lucius recounts his visit to Pericles' tomb in Athens (5, 5); cf. *Tusc. 5, 64*.

Atticus's comments in *leg.* 2, 4 seem to allude to the prologue of *De finibus* 5 with regard to their appreciation of the symbolic value of *locus*⁵⁷. There, (a young) Cicero appears alongside his cousin Lucius, his friend Marcus Piso, Atticus and Quintus (his main interlocutors in the *De legibus* as well) taking an afternoon stroll from the Dipylon gate in the Agora to the premises of Plato's Academy. In this account, Athens is dissociated from its (bleak) present and appreciated solely through the remembrance of illustrious exemplary figures of the Athenian intellectual tradition, who have left their «traces» (*indicia*) in the city⁵⁸. It thus survives more as a place of cultural *memory*, than as a place of contemporary action⁵⁹.

In the prologue to *fin.* 5 Piso undertakes to discuss the associative power of diverse Athenian places. Playing on the double meaning of *locus* as a rhetorical *topos* and as physical space, he suggests that places and their environments function in a similar way to “signs” in mnemotechnic exercises, being able to trigger associations to persons and their deeds⁶⁰. Piso underlines the emotional effect that places, where admirable figures of the past acted, have on a person (conveyed, as in *De legibus*, through the use of the verb *moveor*), an effect far superior to merely reading about them⁶¹. He goes on to show how particular places

⁵⁷ The connection between the two passages is also discussed in Calcò 2018, who focuses on the “atmospheric” quality of places and their “affective resonance”.

⁵⁸ See *fin.* 5, 4, *multa in omni parte Athenarum sunt in ipsis locis indicia summorum virorum* («every part of Athens is filled with many traces of the most illustrious men (found) in the very places themselves»). For the association of environment with “commemoration” cf. also the words of Quintus at *leg.* 1, 2, *multaque alia multis locis diutius commemoratione manent quam natura stare potuerunt*.

⁵⁹ On Athens's investment with “authority” in *De finibus* 5 but also in other Ciceronian dialogues, see Tsouni 2024.

⁶⁰ *Cic. fin.* 5, 2, *tanta vis admonitionis inest in locis; ut non sine causa ex iis memoriae ducta sit disciplina* («Such is the evocative power that places possess. No wonder the training of memory is based on them»). Cicero describes the process of the creation of memories through (rhetorical) “places” in *De orat.* 2, 351-360. Note, however, that the “associative” power of *locus* in Atticus' statements is much more explicitly tied to the *presence* and actions of exceptional individuals (like Plato), who are regarded as symbols of “theoretical” virtue. Cf. Farrell 2001, 19, who notes that Atticus appears in *leg.* to love Athens because, like Arpinum, «it was loved by men he loves».

⁶¹ See *fin.* 5, 2, *naturane nobis hoc, inquit, datum dicam an errore quodam, ut, cum ea loca videamus, in quibus memoria dignos viros acceperimus multum esse versatos, magis moveamur, quam si quando eorum ipsorum aut facta audiamus aut scriptum aliquod legamus? velut ego nunc moveor* («I cannot say whether it is a natural instinct or a kind of illusion, but when we see the places where we are told that the notables of the past spent their time, it is far more moving than when we hear about their achievements or read their writings. This is how I am affected right now», trans. Annas-Woolf 2001).

in Athens evoke particular authorities, which in their own right stand for major intellectual disciplines. Thus, the view of the Gardens of the Academy (*hortuli*) brings to mind the “presence” of Plato himself⁶², whereas for the more literary-minded brother of Cicero, Quintus, the view of Colonus recalls not only Sophocles but also his fictional character Oedipus and the scene of his arrival at Colonus⁶³.

Piso’s account in *De finibus* 5 is full of admiration for the educational *exempla* that the Athenian landscape alludes to but also contains hints of a comparison (or even antagonism) with the Roman tradition⁶⁴. Thus, Piso compares the sight of Athenian intellectual “landmarks” to the sight of the “original” Senate-house (*curia*) in Rome (the one ascribed to Tullus Hostilius before its rebuilding by Sulla)⁶⁵ as bringing to mind the memories of illustrious politicians and generals of the Roman past, like Scipio, Cato, Laelius and that of Piso’s grandfather Lucius Calpurnius Piso Frugi⁶⁶. The comparison between philosophical and literary *exempla* on the one hand, and those related to the military and political sphere on the other, help to assert Rome’s superiority on the political and military levels, and implicitly prioritize the practical life, and its constitutional and

⁶² *Fin.* 5, 2, *cuius* [sc. *Platonis*] *etiam illi hortuli propinqui non memoriam solum mihi afferunt, sed ipsum videntur in conspectu meo ponere* («Those little gardens just nearby not only bring Plato to mind, but actually seem to make him appear before my eyes», trans. Annas-Woolf 2001).

⁶³ *Fin.* 5, 3, *nam me ipsum huc modo venientem convertebat ad sese Coloneus ille locus, cuius incola Sophocles ob oculos versabatur, quem scis quam admirer quamque eo delecter. me quidem ad altiorem memoriam Oedipodis huc venientis et illo mollissimo carmine quaenam essent ipsa haec loca requirentis species quaedam commovit, inaniter scilicet, sed commovit tamen* («While on my way here just now, I could not help noticing the famous site of Colonus, and it brought Sophocles, who lived there, before my eyes. As you know, I feel great admiration and love for him. In fact a still more ancient vision moved me, bringing to mind Oedipus arriving there and asking in those wonderfully tender verses, “What place is this?” – an idle vision, no doubt, but still it moved me», trans. Annas-Woolf 2001).

⁶⁴ For a similar stance, see *off.* 1, 1 where Cicero admonishes his young son Marcus to follow the Athenian intellectual *exempla* and his Greek teacher Cratippus, but also points to the need to cultivate the Roman tradition as well (alluding specifically to the domain of oratory). Cicero goes on to pride himself on creating a philosophical discourse that unites, in his view, in an unparalleled way two *doctrinae*, rhetoric and philosophy and, thus, public speaking with the investigation of theoretical subjects.

⁶⁵ On Cicero’s deprecating tone at this point, see Annas-Woolf 2001, 118 n. 5.

⁶⁶ *Fin.* 5, 2, *equidem etiam curiam nostram – Hostiliam dico, non hanc novam, quae minor mihi esse videtur, posteaquam est maior – solebam intuens Scipionem, Catonem, Laelium, nostrum vero in primis avum cogitare* («Even when I look at our own Senate-house (I mean the original old Hostilia; its enlargement seems to me to have diminished it), I often think of Scipio, Cato, Laelius and above all my grandfather», trans. Annas-Woolf 2001).

legal basis, over “theoretical” achievements. This stance is particularly evident in the other two (early) Ciceronian dialogues which closely engage with Plato, namely the *De oratore* and the *De re publica*⁶⁷.

Considering this implicit debate over the respective prioritization of Greek and Roman *exempla*, Atticus’s comments on the (newly discovered) *amoenitas* of the natural environment of Arpinum acquires in the context of *De legibus* a new significance. In Cicero’s correspondence, Atticus appears to be (due to his “Greek” education) Cicero’s main interlocutor on literary matters but also an expert in the supply of Greek books for Cicero’s library. Parallel to this, his advice is sought for Greek objects of art, as well as for the decoration and design of open spaces in villas owned by Cicero himself, or his brother Quintus⁶⁸. Indeed, in some cases Cicero appears to seek Atticus’ advice for the creation of an Amaltheum, *i.e.* a sanctuary dedicated to the Nymphs who nurtured Zeus, in one of his own estates⁶⁹. While Cicero and Quintus in *leg. 2, 7* assert the beauty of Atticus’s Amaltheum⁷⁰ (and of the river Thyamis which flows in it) in his estate in Epirus⁷¹, the supreme valorization of Atticus’s “hellenized” gardens is in *De legibus* undermined, as (reversely) Atticus comes to appreciate the “natural” beauty of Arpinum’s environment, as no less inferior to that of his own villa⁷². This chimes with the attempt in

⁶⁷ For a discussion of the superiority of the “practical/political” life over the “theoretical” life, see *rep. 1, 3; 1, 36* and *de orat. 1, 15; 1, 105* (where the superiority of *usus* over *doctrina* in the domain of rhetoric is asserted). For the opposition between (Roman ancestral) *virtus* and *doctrina*, see also *de orat. 3, 137*. The superiority of Roman law, in particular, is vehemently defended by (the character) Crassus in *de orat. 1, 195* (with regard to the merits of the Twelve Tables) and *1, 197* (through a comparison with the “inferior” laws of Solon, Lycurgus and Draco). For a recent discussion of the similarities between the three “Platonic” dialogues with regard to their attitude towards Greek culture, see Zetzel 2023.

⁶⁸ For frequent discussions between Cicero and Atticus surrounding the exchange of objects of art, see *e.g. Cic. Att. 1, 4, 3; 1, 5, 7; 1, 6, 2; 1, 7; 1, 10, 3-4*.

⁶⁹ See *Att. 2, 1, 11* (61 BCE), *Amalthea mea te exspectat et indiget tui* and *2, 7, 5, de Amalthea quod me admones non neglegemus*.

⁷⁰ *Leg. 2, 7, (Cicero) sed tamen huic amoenitati, quem ex Quinto saepe audio, Thyamis Epirotes tuus ille nihil, opinor, concesserit.* (Quintus) *Cave enim putes Attici nostri Amaltheo platanisque illis quicquam esse praeclarius* («Marcus: But to judge from what Quintus has often said, your own Thyamis in Epirus is the equal of this in charm. Quintus: Quite true. You shouldn’t think that anything surpasses the Amaltheum and the plane trees of our friend Atticus», trans. Zetzel).

⁷¹ On Atticus’s *Amaltheum*, see Hartswick 2017, 80.

⁷² Atticus also compares (2, 6) the flowing river with the quintessential literary *locus amoenus*, that featuring in the Platonic *Phaedrus*. In an allusive way Atticus comments on the unique coldness (*nec [...] ullum hoc frigidius flumen attigi*) of the water, which would make putting one’s foot in (as Socrates did in the *Phaedrus*) almost impossible. Dyck

De legibus to establish optimal laws and customs on the basis of the “indigenous” Roman legal tradition⁷³.

Conclusions

It has been suggested that the symbolic value assigned to the *locus* in the prologue to the first two books of *De legibus* is indicative of Cicero’s attempt to appropriate Plato. On the one hand, in the prologue to the first book Cicero uses the *locus amoenus* trope in order to introduce authorial remarks regarding the character of various literary genres and the “monological” argument of *De legibus*. Furthermore, in the second book of *De legibus* Cicero effects a connection between the rural *locus* where the discussion takes place and ancestral values, as a guarantor of the political future of Rome. By referring to the effect of Greek and (especially) Athenian landscape on Atticus, Cicero gives expression to tensions which relate to the cultural appropriation of Greek heritage by the Romans and to the value of leisure as against that of political action. Such tensions, which are present in other Ciceronian philosophical dialogues as well, have in *De legibus* a particular significance, as Cicero turns to the Roman legal and constitutional tradition in order to recast the Platonic project of the *Laws* into a new form⁷⁴.

2004, 263 interprets this as sign of an «upper-class» Roman attitude (in line with *de orat.* 1, 29) and not as a sign of the superior “power” of Arpinum’s environment. It could also be, however, a witty allusion to Atticus’s epicureanism. See Dyck 2004, 250 for the influence of Epicureanism on Atticus’s appreciation of nature.

⁷³ See e.g. *leg.* 2, 62. where the laws of the Twelve Tables are taken to be «in agreement with Nature, which is the standard of law» (*haec habemus in duodecim sane secundum naturam, quae norma legis est*).

⁷⁴ As Annas 2013, 224 succinctly puts it, Cicero «looks to the better past rather than, as Plato does, to the better future».

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