

DRAFT - PLEASE QUOTE PUBLISHED VERSION

CHAPTER 7  
*Pithana and Probabilia*  
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Introduction

What accounts for the *pithanotês*, the persuasiveness, of the Carneadean *pithanon*, how do Carneadean and Stoic *pithanotês* relate to each other, and can the picture which emerges from the Greek evidence be sustained in the light of the Latin evidence from *probabilia* in Cicero's *Academica*?

While much has been published on the subject of the *pithanon*, the question of what accounts for the initial persuasiveness of impressions which Carneades termed *pithana* has rarely been addressed specifically (and however one answers this question then has implications for other issues). I will argue that an impression's initial persuasiveness, prior to any testing or scrutiny, is taken to be due to the fact that its propositional content is consistent with views antecedently held by the subject, and that an impression's phenomenal clarity is an enabling not a constitutive property of persuasiveness as conceived by Carneades. I will reject that the initial persuasiveness of a persuasive impression is a brute fact, not capable of explanation; that it is exclusively or primarily due to the phenomenal clarity of an impression; or that it is linked to probability, pre-theoretical or otherwise (where probability is defined in terms of statistical likelihood, evidence, or a combination of the two).<sup>1</sup>

1. The evidence from Sextus

The Carneadean *pithanon*, the subject of this section, was developed, as has long been recognised, with reference to the Stoic conception of the *pithanon*. I propose to discuss the latter in section 2. below, even though some of the evidence for it predates Carneades and my discussion in this section will inevitably refer to other

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<sup>1</sup> That initial persuasiveness might be a brute fact seems to be suggested by scholarly discussions which fail to confront the question where it comes from. The idea that the initial persuasiveness of the  $\pi\theta\alpha\nu\acute{o}\nu$  is due to the clarity of its phenomenal content is found, e.g., in Brittain 2001: 105: 'Carneades had isolated the subjective clarity of an impression as the principal assent-inducing (or 'persuasive') characteristic it could bear prior to assessment.' For an explanation of persuasiveness in terms of an early notion of probability see Obdrzalek 2006.

aspects of Stoic thought on occasion. The reasons for this are threefold. I think there is progress to be made by an immanent re-examination of the Sextan material, the pre-Carneadean Stoic evidence is disparate and more reliably put into context if the Carneadean evidence is considered first, and the most significant Stoic material arguably post-dates Carneades and reacts to him.

My main reference point in this section will be Sextus' discussion of the Carneadean *pithanon* in *M* 7.166-89, although the briefer account *PH* 1.227-30 will be considered, too.<sup>2</sup> The discussion in *M* 7 poses, as evidence, two types of broader problems which are well recognised. The first is that some of the examples given do not seem to fit very well with what they are supposed to illustrate; this has been explained as evidence of Carneadean ingenuity by some, and as the result of poorly executed editing by others.<sup>3</sup> The second is that those who employ the *pithanon* are said to 'assent' to persuasive impressions on a number of occasions where we would expect assent at least in the Stoic sense to be withheld; one explanation which has been offered for this is assumed Sextan bias (i.e. the desire to present Carneades as a dogmatist compared to the Pyrrhonist). Alternatively, one might at least consider the possibility that the section presents the use of the *pithanon* from the perspective of mitigated scepticism involving self-aware assent which was available in the Academy as an option, for the sake of the argument or as the actual stance adopted by some Academics (cf. Cic. *Luc.* 78, 148).<sup>4</sup> However, in either case one would still assume that Sextus' account has an undoubtedly Carneadean core which would be unaffected by secondary reinterpretations and modifications.

In *M* 7.166-89, Sextus reports that Carneades distinguished four types of *pithana*,<sup>5</sup>

- persuasive impressions ('top-level *pithana*'),
- persuasive impressions which meet the further criterion of being clear ('first-level *pithana*'),

and first-level *pithana* which have undergone two different types of test:<sup>6</sup>

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<sup>2</sup> I will not touch on the criticism offered by Sextus in *M* 7.435-8. The discussion of the *pithanon* from *M* 7.166 is preceded by a section (§§159-65) on Carneades' arguments in favour of the non-existence of the criterion; the *pithanon* itself is then introduced as Carneades' 'criterion for the conduct of life and for the attainment of happiness' (κριτήριον πρὸς τε τὴν τοῦ βίου διεξαγωγὴν καὶ πρὸς τὴν τῆς εὐδαιμονίας περὶκτησιν) and apparently functions as a rebuttal to the Stoic *apraxia* argument (on which see Vogt 2010).

<sup>3</sup> Görler (1994: 868-9) argues for Carneadean ingenuity; infelicitous adaptation of examples is assumed by Mutschmann 1911, Allen 1994: 94, and Brittain 2001: 101-2 n. 46. That misadaptation must have occurred is clear from the fact that some of the examples not just fail to illustrate with reasonable precision what they are supposed to illustrate, but also jar with their immediate introductions (e.g. *M* 7.180).

<sup>4</sup> I shall return to the different interpretations of the *pithanon* within the sceptical Academy in section 4.

<sup>5</sup> I use the term *pithanon* because it is conventional to speak of the Carneadean *pithanon*. The term features for the first time in *M* 7.174; before that apparent synonyms are used (see below). The hopefully not too misleading distinction between 'top-level' and 'first-level' *pithana* is intended to dovetail with the terminology employed by Allen 1994.

- ‘second-level *pithana*’ (which are found to be ἀπερίσπαστος, ‘unreversed’, after testing),
- ‘third-level *pithana*’ (which are found to be διεξ- or περιωδευμένος, ‘examined thoroughly’, in addition).<sup>7</sup>

Of these, the last three are said to serve as a ‘criterion’ (173, 176, 184).<sup>8</sup> The first of the two tests in question, relating to the content of the impression,<sup>9</sup> is a test for compatibility with a ‘syndrome’ of impressions of which the impression under investigation forms part, while the second test is intended to establish that the impression under examination and the impressions in the syndrome meet the criterion of clarity,<sup>10</sup> which is construed as a function of the circumstances under which the perceiver had the impression (e.g. distance to object, time constraints, mental state of the perceiver). Top-level *pithana* are easily, and have often been, construed as uncharacterised and undetermined with respect to content, impressions which appear true to us, i.e. are apt to persuade us of their truth, as a matter of fact. First-level *pithana* are often construed in the same way but are assumed to be very clear in the phenomenal sense in addition.

My main suggestion is that the two types of test one is to perform on first-level *pithana* test for properties which *account for* the persuasiveness of top-level and first-level *pithana*, respectively, in that these properties are deemed to be the *reasons* why top-level *pithana* appear true, and first-level *pithana* appear true to a higher degree.

In §§169-75 Sextus discusses the Academic division of impressions, as well as top-level *pithana* and first-level *pithana*. In §169 presentations are divided into those which appear true (*pithanotês, pithanê phantasia; emphasis; ‘top-level pithana’*) and those which do not appear true (*apeithês or apithanos phantasia; apemphasis*).<sup>11</sup> The *apithanos phantasia* is here the contradictory not the contrary of the *pithanê phantasia*;<sup>12</sup> such impressions either fail to be persuasive or are positively unpersuasive. The class of impressions which appear true is then divided further into impressions which intensely appear true (171; first-level *pithana*), which may serve as the criterion, and ones which are dim (ἀμυδρός,

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<sup>6</sup> From the discussion in *M 7*, one might draw the conclusion that these two types of test, which feature in reverse order in *PH 1.227-30*, are to be carried out sequentially. Quite possibly, however, they are to be carried out simultaneously; see Schofield 1999: 350.

<sup>7</sup> On the variation, which may not just be terminological, see Allen 1994: 91 and 97-9.

<sup>8</sup> That types of *pithanon* are called a ‘criterion’ raises the same kind of question as the assent which the Academic is said to give in Carneades’ discussion; cf. n. 000 below.

<sup>9</sup> I shall be distinguishing between an impression’s propositional and its phenomenal content (without specifying which is meant where the context makes it clear), along the lines of the distinction between propositional and representational content employed by Frede 1987: 152-7; cf. also Brittain 2014: 335 n. 9.

<sup>10</sup> I call impressions ‘clear’ instead of ‘evident’, since the former conveys better that ἐνάργεια is a property of impressions owing to which they represent their subject in a certain way. On Hellenistic conceptions of ἐνάργεια see Ierodiakonou 2012.

<sup>11</sup> The resumption of §169 ἐμφασίς in §173 ἐμφανινομένη, discussed below, confirms that ἐμφασίς and ἀπέμφασίς is indeed the top-level distinction.

<sup>12</sup> Noted by Burnyeat (unpublished).

ἔκλυτος, both opposites of ἐναργής, but that term is not repeated here from 161), but *pithana* nonetheless.

The term ‘*emphasis*’ occurs in Stoic texts, and I will discuss those occurrences below. By contrast, ‘*apemphasis*’ and the verb from which it derives, ‘ἀπεμφαίνω’, are not found in Stoic texts. Failure to appreciate what the term ‘*apemphasis*’ means, or so I shall argue, has prevented earlier scholars from recognising salient features of the Carneadean scheme.<sup>13</sup>

If we look beyond Stoic texts, both the verb and the noun are not without relevant history. I begin with an example of ‘ἀπεμφαίνω’. Polybius 6.47.7-10 compares the constitutions of various Greek city states, and dismisses the idea that Plato's *Rep.* might be considered in this context, on the grounds that in the competition for prizes artists or athletes who have not been registered and formally trained are not admitted either. Plato's constitution has, so Polybius, not been tested in practice, and considering it would be like running a beauty contest between a human being and a statue. Observers would regard this as ‘an entirely incongruous comparison’ (σύγκρισις τελείως ἀπεμφαίνουσα). Strabo attempts to explain the history and geographic location of a particular tribe, the Cauconians (8.3.17). Here as elsewhere, the geographer is faced with incompatible accounts and has to devise ways of either reconciling them through interpretation or excluding some so as to retain one or more, provided they are compatible. Thus agreement of pieces of information is a relevant consideration, as is the resolution of inconsistencies (cf. 8.3.17 = p. 345.19-20 Casaubon: καὶ δὴ τοῖς ὑφ’ Ὀμήρου λεγομένοις ὁμολογεῖ μᾶλλον ἢ ὑστάτη ἀπόφασις, τό τε ζητούμενον πρότερον λαμβάνει λύσιν ‘That last opinion fits better with what Homer says, and the problem raised previously thereby receives a solution, too’). The splitting of an ethnic group so that the two subgroups ended up in different locations would mean that accounts of Athene departing from a location into a different direction from the one where one might expect to find the Cauconians ‘would no longer be incongruous’ (p. 346.9 C. οὐκ ἂν ἔχοι τι ἀπεμφαίνον). In 10.2.12 both ‘ἔμφασις’ and ‘ἀπέμφασις’ occur in close proximity. A Homeric line is quoted (*Od.* 9.21), according to which Ithaca is at the same time ‘on the ground’ and ‘high up’, and we are told that Homer's narrative at times does contain this kind of ἀπέμφασις (p. 454.32 C., cf. p. 454.25 ὑπεναντιότης), but that it is usually not problematic because it can be explained by reinterpreting one of the supposedly inconsistent phrases. Shortly after it is said of such a reconciliation attempt (which is ultimately rejected in favour of another) that it ἔχει ἔμφασιν, which translators into English render as ‘has plausibility’. Sextus himself uses ‘ἀπέμφασις’ as a methodological term. In *M* 8.192-6 he argues that with regard to the indicative sign ‘we put ourselves into a position of greatest inconsistency’ (195 εἰς τὴν μεγίστην ἀπέμφασιν περιστησόμεθα) if we posit that each of the things such a sign can indicate exists, since it is not possible ‘for causes which are incompatible to such a degree and mutually refuting to co-exist’ (τὰς γὰρ οὕτω μαχομένας καὶ ἀνασκευαστικὰς ἀλλήλων αἰτίας οὐχ οἷόν τε συνυπάρχειν). In *M* 11.162-4 Sextus

<sup>13</sup> Cf., e.g., Bury 1935, who merely transliterates the term; Bett 2005, who renders it ‘non-reflection’; Long & Sedley 1987.i: 451: ‘non-manifestation’; Schofield 1999: 346 n. 60: ‘anti-appearance’.

defends the sceptic against two charges, that of inactivity (ἀνεργησία) and that of inconsistency (ἀπέμφασις). (In passing, we can observe that Sextus does not just cite ‘ἀπέμφασις’ as a consideration of his own against dogmatic positions, but gives the impression that opponents of the Pyrrhonist would use the term, too; this is borne out by occurrences in contemporary authors.)<sup>14</sup> A situation of inconsistency is said to arise when the sceptic finds himself in the power of a tyrant who forces him to commit an unspeakable act. In that case he will either refuse the order and die a terrible death, or he will avoid such a fate by following the order. In either case ‘he will no longer be unmoved by choice and avoidance’ (οὐκέτι ἀφυγῆς καὶ ἀναίρετος ἔσται), as he claims to be.<sup>15</sup>

I hope that the short survey above has shown that ‘incongruence’ or ‘inconsistency’ deserve to be considered as renderings of ‘*apemphasis*’, and that ‘non-reflection’, ‘non-manifestation’, and ‘anti-appearance’ are *ad hoc*, merely based on the morphological formation of the term. They are also without explanatory power regarding the passage in which they feature.

The section on the first kind of test to which first-level *pithana* are to be subjected, so as to yield second-level *pithana*, is §§175-181. It begins with a statement that, given its very general formulation, invites to be brought to bear on how top-level *pithana* are conceived of. No impression is ever μονοειδής, ‘simple in form’; rather, like a link in a chain it is always interconnected with others (§176). The example given is that of seeing a man whom we know, Socrates. Our perceptual belief that this is Socrates is the result (§178 πιστεύομεν ἐκ τοῦ πάντα αὐτῷ προσεῖναι τὰ εἰωθότα) of receiving a series of impressions on typical features of his as well as the setting in which Socrates is usually found. In §179 this is compared to a doctor who diagnoses a particular condition on the basis of a συνδρομή of symptoms and not just because of the presence of one symptom;<sup>16</sup> the notion of a ‘syndrome’ is then reused in the following section (§182), which suggests that it is not a one-off illustration but intended to capture a key aspect of the Carneadean conception of an impression. Now surely Carneades allows for the possibility of a top-level *pithanon* that this is Socrates, which, on the explanation offered here, means that already a substantial number of impressions are involved in generating this top-level impression. If Socrates was wearing a new coat, or conversing with Phaedrus outside of the city where we do not normally expect to find him, this would produce a top-level impression which one could call incongruous, i.e. an *apemphasis*, as well as an *apithanos phantasia*, one which fails to persuade us that this is Socrates, without necessarily persuading us that this is not Socrates (see above on the *apithanos phantasia* being the contradictory not the contrary of the *pithanê phantasia* in the Academic division). An impression which is not incongruous in this sense appears true even if it is not

<sup>14</sup> E.g. Clem. *Strom.* 1.17.82.6, 4.12.85.2; Origines, *Contra Celsum* 4.45.16, 4.68.9, 7.12.11.

<sup>15</sup> See, e.g., Spinelli 2008: 38 on the passage.

<sup>16</sup> Galen uses the notion of a condition defined by an ‘assemblage of symptoms’, i.e. an ἄροισμα τῶν συμπτωμάτων, frequently. The concept is already in use substantially earlier: in *De plenitudine* 8 (VII.554-5 K.) Erasistratus (c. 4-3 B.C.) is reported to have recorded the whole of the Empiricists’ ‘syndrome of symptoms’ (τὴν τῶν ἐμπειρικῶν συνδρομήν); see von Staden 1989: 383-4.

clear.<sup>17</sup>

The statement that we believe that this is Socrates ‘from’ (ἐκ) his properties should not be taken to mean that the individual impressions about Socrates' height, shape, and so on lead us to infer that this is Socrates; no inferences ought to be involved in perceiving a person within one's ken. This we would assume on independent grounds, but also because Sextus' formulation of the analogy between doctor and Academic perceiver suggests that on this point the analogy gives out. Consider *M* 1.179:

And just as some doctors do not assume on the basis of one symptom only (ἐξ ἑνὸς λαμβάνουσι συμπτώματος) that they are dealing with a genuine fever patient, such as an excessive pulse or a severe high temperature, but on the basis of a syndrome, such as a high temperature as well as pulse and soreness to the touch and flushing and thirst and similar things, so also the Academic makes his judgement as to the truth by a syndrome of appearances, and when none of the appearances in the syndrome turns him away as being false (μηδεμιᾶς τε τῶν ἐν τῇ συνδρομῇ φαντασιῶν περισπώσης αὐτὸν ὡς ψευδοῦς), he says the impression which strikes him (τὸ προσπίπτον) is true.

What a doctor does is form a hypothesis, a provisional diagnosis upon an initial appraisal of the patient's condition, which he then aims to verify by testing for each of the symptoms associated with the illness from which he suspects the patient to suffer. If all of the symptoms are found to be in evidence, then the provisional diagnosis is confirmed. How does the doctor formulate his initial diagnosis, i.e. how does he arrive at what is at the level of the illustrandum a top-level *pithanon*, which can then be tested? On rational grounds, one would assume, because his rational nature and his experience lead him, before any testing takes place, to the view that the subset of symptoms immediately in evidence is consistent with a certain condition. That this condition, which is itself not immediately observable, is indeed present in the patient is then grasped not from one symptom (ἐξ ἑνὸς λαμβάνουσι συμπτώματος) but from all symptoms whose concurrence defines the condition in question. By contrast, the mental operations performed by the Academic are not described in a way which suggests that an inference is being performed (μηδεμιᾶς τε τῶν ἐν τῇ συνδρομῇ φαντασιῶν περισπώσης αὐτὸν ὡς ψευδοῦς λέγει ἀληθὲς εἶναι τὸ προσπίπτον).

As to the relationship of the impression under consideration (the ‘target impression’; τὸ προσπίπτον in *M* 1.179) with the syndrome, Carneades evidently had two different ways of thinking about it. In one sense the target impression dissolves into the impressions which jointly make up the syndrome and which must appear true for the target impression to be a *pithanon*, so that the syndrome thus conceived no longer contains an impression whose content could be characterised as ‘this is Socrates’ or ‘Socrates is there’ (rather, that is what the

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<sup>17</sup> Contrast Brittain 2001: 100 n. 43, who takes the apparent truth of first-level *pithana* to ‘allow for cases of perceptual illusion etc., where the impression is *per se* clear, but also incredible’; contrast also Brittain 2001: 117 n. 69.

impressions in the syndrome jointly amount to, as also the medical analogy would suggest). In another sense, however, Carneades does, on the evidence of Sextus' report, speak of a target impression that this is Socrates, in such a way that minimally several of the impressions of the relevant syndrome are somehow contained in it; this fits with the conception of *emphasis* on which Sextus relies (discussed below), which independently suggests that the *pithanon* is assumed to 'contain' its syndrome in a sense to be clarified. As a result, one of the functions of the notion of the syndrome seems to be that it amounts to a competing coherentist conception for the Stoic foundationalist conception of the richness of impressions,<sup>18</sup> i.e. to a different way of accounting for such richness.

Sextus does not spell out what the doctor does when he finds one of the expected symptoms not to be in evidence, but he does say that the Academic would declare an impression as true if none of the impressions in the syndrome gives an appearance of its falsehood.<sup>19</sup> The appearance of falsehood, I take it, would consist in a lack of fit both with an expectation which the Academic has when he embarks on the testing procedure, and with the other impressions in the syndrome which were,<sup>20</sup> after all, sufficient to give rise to the equivalent of the doctor's hypothetical diagnosis - the impression that this is Socrates. So a new coat, *even if it was Socrates who was wearing one*, would give rise to an impression within the syndrome which appeared false, which in turn would remove the *pithanotês* of the target impression, just as the absence of an expected symptom would remove (or at least diminish), as it ought to, a doctor's confidence in his diagnosis. A target impression of Socrates in a new coat may be called incongruous, on the grounds that it is incongruous for someone to be Socrates and to wear a new coat, or it may be said to be incongruous when judged against our antecedently held belief that Socrates' coat is worn.

In §§181-3 Sextus discusses the second kind of test. All the coordinated impressions in the 'syndrome' are to be subjected to a test of the conditions under

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<sup>18</sup> Compare Frede 1987: 155 on Stoic richness: 'If one perceives an object, it tends, at least under normal conditions, to be represented in one's thought in such a way that just on the basis of this very representation one could go on to say lots of things about the object in addition to what one thinks about it, and these things that one could say about it may or may not be things one antecedently believed to be true of the object'; and Allen 2001: 250-1 on Carneades: 'The burden of Carneades' argument is that using the evidence of the senses is not a matter of grasping self-evident impressions, but rather of appreciating the complicated relations among impressions and between impressions and the conditions in which they are formed in virtue of which they add to or detract from each other's plausibility.' An assumption which seems to be common to Stoics and Academics is that the object an impression is about is a given, however its richness is construed; see Brennan 2005: 57. One might object that Stoic richness was about a lot more detail than even an extensive syndrome could account for; an Academic might reply that this is one reason why non-dogmatic acceptance of an impression is only ever provisional: testing *could* be continued for a very long time.

<sup>19</sup> This assertion of the truth of an impression after testing (§179 *fin.*) must be added to the list of features which make the Academics sound rather dogmatic in Sextus' account: the talk of assent, the notion that the *pithanon* was a criterion.

<sup>20</sup> Cf. *M* 7.177.: ὅταν οὖν μηδεμία τούτων τῶν φαντασιῶν περιέλκη ἡμᾶς τῷ φαίνεσθαι ψευδῆς, ἀλλὰ πᾶσαι **συμφώνως** φαίνονται ἀληθεῖς, μᾶλλον πιστευόμεν 'So when none of these impressions pulls us away in virtue of appearing false, but all appear true in unison, we have more faith.'

which they have arisen,<sup>21</sup> a process which is likened to a *dokimasia*. This procedure of vetting candidates for public office is associated with the Greek city state and was defunct by the time Sextus wrote; it was, however, still in use in Carneades' lifetime. It was not intended to establish the qualifications of the candidate, but was a standardised process aimed at establishing eligibility against set criteria. I suggest that what the examination envisaged tests for in the syndrome of impressions is the same qualities which Sextus cites earlier when he distinguishes dim persuasive and intensely persuasive impressions, identifying the latter as first-level *pithana*. Consider:

*M* 7.171-3:

'Of the apparently true kind of presentation, one kind is dim (ἀμυδρά) - like the kind received in a confused and not distinct way because of (i) the smallness of the object looked at or (ii) the distance to it or (iii) even the weakness of the perceiver's sense of vision -, while the other, in addition to appearing true, also has that appearance of truth to a high degree. Of these the dim and fuzzy (ἀμυδρά καὶ ἔκλυτος) presentation would not be the criterion; for because it indicates neither itself nor its cause it is not apt to persuade us and draw us towards assent.'

*M* 7.183:

'So, for example, as there are present at the seat of judgement the subject which judges and the object which is being judged and the medium through which the judgement is made, and distance and interval, place, time, mood, disposition, activity, we judge the nature of each of these - concerning the subject, (iii) whether its vision is not dulled (for vision of that kind is unsuitable for judging), (i) concerning the object judged, whether it is not too small, concerning the medium through which the subject is made, whether the atmosphere is not gloomy, (ii) concerning the distance, whether it is not too great, concerning the interval, whether it is not too short, concerning the place, whether it is not immense, (iv) concerning the time, whether it is not short, (v) concerning the disposition, whether it is not found to be mad, and (vi) concerning the activity, whether it is not unacceptable.'

What I have tried to indicate through number-coding is that some of the properties for which impressions are to be tested in §183 are also invoked to effect the distinction between dim persuasive impressions and first-level *pithana* in §§171-3, while §183 proceeds to add further criteria, on the time taken to consider an

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<sup>21</sup> There is no mention of the target impression here, only of tests to be performed on the impressions which make up the syndrome. This is consistent with the 'dissolution', for testing purposes, of a 'rich' target impression (see above, p. 000), in such a way that the syndrome contains no impression whose content is, by itself, the same as that of the target impression.

impression (iv), and on the perceiver's mental state (v).<sup>22</sup> The consideration of time comes up a little later (§§185-6), as one of the constraints under which a perceiver may go along with a first-level *pithanon* as opposed to running a full testing routine.

How to explain this partial overlap between the criteria in §§171-3 and §183, and how to conceptualise the relationship between first-level *pithana* and second- and third-level testing? An economical explanation would seem to be the following. The cognitive limitations of human beings, and contingent circumstances in a given situation (e.g. the need to make a quick appraisal, possibly our practical interests), mean that consistency and clarity account for the initial persuasiveness of impressions to a degree which is smaller than the reach of the testing routines. If I have only seconds to form an impression, then a smaller number of constituent impressions in the syndrome will account for the impression's persuasiveness or lack of it than if I have more time.<sup>23</sup> And while a first-level *pithanon*'s appearing intensely true is a function of factors like the size of the object or the distance between perceiver and object, reflecting on these properties for the syndrome of impressions would take longer, as indeed would assessing one's own mental state.<sup>24</sup>

The Academics do allow for a true impression, received under ideal conditions, which fails to be persuasive,<sup>25</sup> whereas the Stoics do not (as I shall argue in section 3.).<sup>26</sup> If I (veridically and clearly) see Socrates who is wearing a new coat, then the Academic would call my impression *apithanon*: the Academic view is that sometimes we do not trust our eyes or ears because what we perceive

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<sup>22</sup> We are uncertain as to what is meant by criterion (vi).

<sup>23</sup> In *PH* 1.228 Sextus also uses the example of Admetus, in ways which require explanation given my reading. The example is once more poorly integrated, which limits its evidential value. Still, we are told that Admetus receives an impression of Alcestis which is 'persuasive and tested' (i.e., in terms of the distinctions made in *M* 7, meeting the criteria for first- and third-level *pithana*), and that Admetus' mind recoils from assent because he 'knew that Alcestis was dead'. Here one might wonder if Alcestis should, on my construal, have given rise to a persuasive impression at all. In reply, I would observe that it is stated explicitly that the belief that Alcestis is dead is not brought to bear on the impression until well into the scrutiny process, after the impression has been identified as a first-level *pithanon* and after third-level testing has been carried out. This suggests that the offending impression in a syndrome may well not come into view immediately, but only in the course of testing and after reflection.

<sup>24</sup> The wording of §§175-81 suggests that it is one and the same impression which is initially received, then tested and used etc., as opposed to the tested impression being a new impression with the same content (on the issue see Allen 1994: 96 n. 18). Perhaps we can think of this as farther-reaching conceptualisation of the same impression. Presumably Carneades would have regarded it as undesirable to incur further doctrinal commitments, if only for the sake of the argument, in this area.

<sup>25</sup> One might object here that the Carneadean division of *pithana* does not subdivide *apithana* into clear and dim ones. But since persuasiveness is only secondarily for Carneades a function of the conditions under which an impression has been received (and the resulting phenomenal properties of the impression), this omission seems to be due to Carneades' focus being elsewhere in the present discussion. The examples of Admetus seeing Alcestis and of Menelaus seeing Helen (*PH* 1.228-9; *M* 7.180) would seem to allow, possibly even to require, for clear unpersuasive impressions because no reference is made, e.g., to a need to take a closer or more careful look.

<sup>26</sup> Cf. Allen 1994: 107-13.

is incongruous. If, however, the segment of the syndrome on which the initial appraisal of a *pithanon* is based does not feature an impression which is incompatible with his antecedent beliefs, as is apparently envisaged in *PH* 1.228 (n. 000), then an Academic may regard an impression as persuasive which on closer examination proves not to be persuasive. This means that the Carneadean model is not *predictive*: Socrates in a new coat may strike Carneades as *pithanon* as long as he has not brought the belief that Socrates' coat is worn to bear on his perceptual experience, although it is entirely possible that another perceiver will do so from the start and thus find the top-level impression of Socrates in a new coat to be *apithanon*.<sup>27</sup> The Carneadean model *explains* why top-level and first-level *pithana* are persuasive for the perceiving subject.

### **Emphasis before Carneades**

That the Carneadean division of *pithana* represents a response to and an adaptation of a Stoic division of *pithana* was first shown in detail by Couissin 1983, first published in 1929, and I will consider this issue in section 2. below. How the distinction of *emphasis* and *apemphasis* relates to Stoic thought, and how it relates to the division of *pithana*, has received less attention. As I already mentioned, the term *apemphasis* does not occur in Stoic texts,<sup>28</sup> while the term *emphasis* occurs in two quite different places, once in connection with impressions and once in connection with a type of conditional. The term has a different meaning in both cases.

It occurs in Diocles of Magnesia's account of the Stoic concept of *phantasia* (D.L. 7.49-51 = SVF ii.52, 55, 61 = LS39A = fr. 255 Hülser). In the text leading up to the instance of *emphasis* impressions are assigned a place within the wider framework, the distinction between *phantasia* and *phantasma* is introduced, the question of whether impressions are imprints on or alterations of the *hêgemonikon* and the distinction between sensory and non-sensory impressions are covered. The text continues:

Of the perceptual impressions, some arise from what is the case and involve yielding and assent; but among the impressions are also *emphaseis*. They arise as if from what is the case.<sup>29</sup>

<sup>27</sup> Individuals will differ with regard to factual knowledge of course, but the general epistemological optimism inherent in the Carneadean model, which is inherited from the model it opposes (that built around the cataleptic impression), points to an assumption of substantial overlap between the antecedently held beliefs of perceivers.

<sup>28</sup> Adler's index to SVF lists one of the Sextus passages I have discussed above, though.

<sup>29</sup> Τῶν δὲ αἰσθητικῶν <αἱ μὲν> ἀπὸ ὑπαρχόντων μετὰ εἴξεως καὶ συγκαταθέσεως γίνονται· εἰσὶ δὲ τῶν φαντασιῶν καὶ ἐμφάσεις, αἱ ὡσανεὶ ἀπὸ ὑπαρχόντων γινόμεναι. Long & Sedley 1987.ii: 239 comment: '*emphaseis*: the Stoic use of this term (contrast the Academic, e.g. 69D2) is exemplified in SVF 2.673 by the face of the man in the moon.' On 69D2 they write (p. 446): 'emphasis: This use of the term, with the coinage of *apemphasis* as its opposite, is an Academic initiative. By itself *emphasis* simply means "appearance", and can be used as a synonym for *phantasia*; cf. S.E. *M*

Some perceptual impressions come about from what is the case and attract assent; other impressions are *emphaseis* and come about ‘as if from what is the case’. The extract is clear, and the wider context where *phantasmata* were dealt with earlier does not suggest otherwise: *emphaseis* are impressions (i.e. an external object was involved in their coming into being), not figments of the mind.<sup>30</sup> However, they cannot be said to derive, as a matter of fact, from what is the case, i.e. to be true impressions, but appear to be such. These would seem to be persuasive impressions by a different description. The passage itself does not provide further clues as to whether impressions which are persuasive and false are meant here (cf. Hülser's ‘Illusionen’, a meaning which ‘*emphasis*’ does not normally have), but given that Sextus can use ‘*emphasis*’ as a synonym for ‘*phantasia*’ (e.g., *M* 10.300), it seems preferable to regard *emphaseis* here as persuasive impressions which could be either true or false.

The second context in which ‘*emphasis*’ occurs is in connection with conditionals. In *PH* 2.110-2 Sextus discusses truth-criteria for conditionals. Four types are distinguished. The first two are truth-functional and associated with Philo of Megara and Diodorus Cronus respectively. The third one is not assigned by name but is likely to be Chrysippus'. It is not truth-functional and assumes a ‘connection’ (*sunartêsis*) between antecedent and consequent, which means that a conditional of the type at issue is true if the antecedent and the contradictory of the consequent are incompatible.<sup>31</sup> The fourth type, which is otherwise unattested, is described in the following terms (*PH* 2.112-3):

And those who judge by *emphasis* say that a conditional is true when its consequent is contained implicitly in its antecedent (ἐν τῷ ἡγουμένῳ περιέχεται δυνάμει). According to them, ‘if it is day, it is day’, and every duplicated conditional statement, will no doubt be false; for it is impossible for anything to be contained in itself (ἀτὸ γὰρ τι ἐν ἑαυτῷ περιέχεσθαι ἀμήχανον).

As Frede notes (1974: 92), Plutarch's collocation of *sunartêsis* and *emphasis* in a Stoicising context (*De E apud Del.* 387A) suggests that the fourth type of conditional is Stoic. He interprets it as an attempt to clarify the kind of connection between antecedent and consequent which the third type posits, which turns on the semantic content of the simple propositions involved.

In order to elucidate the use of ‘*emphasis*’, Frede 1974: 90-3 cites

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10.300. In Stoicism (cf. 39A18) it even stands for *phantasiai* which are “mere appearances” and have no corresponding object.’

<sup>30</sup> The verb ‘*phainein*’ is causative in meaning: ‘to make something appear’; ‘*emphainein*’ means ‘to make something appear in something (a medium)’. An *emphasis* is the act of making something appear in something, and then the appearance of something in something. (Such a shift in meaning is not unusual in *nomina actionis*: *dosis* ‘the act of giving’ > ‘the gift’.) To call an impression, a mental item, an *emphasis* is readily intelligible, because it is the appearance of something in the mind. Similarly, ‘*emphasis*’ can mean ‘reflection’ qua appearance of something in a reflective surface (LSJ s.v. no. I.1).

<sup>31</sup> See, e.g., Bobzien 1996: 185-7.

Eustathius' explanation of the term (*Il.* 5.576):<sup>32</sup> ἔμφασίς ἐστὶ λέξις δι' ὑπονοίας αὐξουσα τὸ ζητούμενον, ὥστε τὸ τοιοῦτον περὶ μίαν μόνην λέξιν θεωρεῖται 'An *emphasis* is an expression which enhances the topic by means of a subtext, such that it is plain through one word [or: expression] only'. This is very similar to the explanation given in a treatise *De tropis* transmitted under the name of the late Hellenistic grammarian Tryphon.<sup>33</sup>

As a figure of style, an *emphasis* is an expression which is suggestive, which implies (or presupposes) something that is not explicitly stated.<sup>34</sup> That there is some connection between the application of the term within syllogistic and its occurrence in stylistic theory is supported by the treatment of the figure in *Rhet. Her.* 4.67, who, having defined the figure (*significatio est res, quae plus in suspicione relinquit, quam positum est in oratione* 'a *significatio* is something which leaves more to the imagination than is actually set down in words'), identifies *consequentia* as one of its subtypes.<sup>35</sup>

Now given that for Carneades an impression is always associated with a syndrome of impressions, that he seemed to account for an impression's lack of persuasiveness in the first instance by referring to a lack of coherence amongst the impressions within that syndrome, and that the Stoics seemed to use the term of 'emphasis' to designate persuasive impressions, it is tempting to think that Carneades was happy to adopt the Stoic notion of *emphasis* as a starting point but reinterpreted it by invoking the stylistic notion of *emphasis* which either some Stoics or indeed others used in connection with conditionals: *emphaseis* are persuasive impressions because they are suggestive of the content of impressions in the syndrome.<sup>36</sup> These exhibit the compatibility with one another whose absence accounts, in Carneades' initial distinction, for the lack of persuasiveness

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<sup>32</sup> ἔμφασίς ἐστὶ λέξις δι' ὑπονοίας αὐξουσα τὸ ζητούμενον, ὥστε τὸ τοιοῦτον περὶ μίαν μόνην λέξιν θεωρεῖται.

<sup>33</sup> Cf. Tryphon (*Rhet. Gr.* III p. 199.15-20 Spengel), who gives the expressions 'we descended into the horse' (Hom. *Od.* 11.523) and 'being poured out of the horse' (Hom. *Od.* 8.515) as instances of *emphasis*: the former is suggestive of the size of the horse, the latter of the large number of people contained in it; Quint. 8.3.83-4 apparently draws on Tryphon and replaces the examples with Vergilian ones.

<sup>34</sup> See also Thomas 2000 for the Roman c. 1 BC context and Ahl 1984 for the first century AD; Croissant 1984 discusses some of the literary material, too, but without firm conclusions for the fourth type of implication. The evidence from Tryphon takes us sufficiently far into the Hellenistic period to make it possible for Stoics (or others) to have adopted the term from contemporary stylistic theory. Janko's claim (1984: 203) that the term already occurred in the sense at issue in Aristotle has been shown to be false by Nesselrath (1990: 122-5). I had mentioned the sense 'appearance' (of *emphasis*) above (n. 000). From this there developed expressions like 'the appearance of youth' (e.g., Plut. *Comm. Not.* 1073B: ἔμφασις κάλλους), where the property observed is not itself directly in evidence but is conveyed by other physical properties. The stylistic sense can naturally be explained as derived from expressions like 'the appearance of youth'.

<sup>35</sup> Another subtype of *significatio* is *ambiguum*; ambiguity is of course another area of cross-fertilisation between Stoic philosophy and rhetorical theory. Cf. Atherton 1993: 175-214 on a Stoic classification of ambiguity in Theon's *Progymnasmata*, Riesenweber 2009 on a Stoic definition of *πράοτης* in Cic. *Inv.*

<sup>36</sup> Cf. the adoption of the Stoic conception of *doxa* by the Academics, on which see, e.g., Burnyeat 1997: 305.

of *apithana*. By the same token, *apithana* ‘contain’ (cf. περιέχεται in *PH* 2.112 above) their syndrome, too, but in their case there is an inconsistency within it, in that they do not appear true συμφώνως (*M* 1.177).

### **Back to Sextus, *M* 7**

One might argue that something like this conception of ἔμφασις is already present in Sextus' account simply in virtue of the juxtaposition of the term with ἀπέμφασις, but I think one can do better. Having established the distinction between ἐμφάσεις and ἀπεμφάσεις in *M* 7.169-70, Sextus goes on to make a distinction within the class of ἐμφάσεις, in the course of which the participle of ‘ἐμφαίνεσθαι’ occurs. It arguably throws light on the initial distinction. Consider *M* 7.171-3, part of which was already quoted above:

Of the apparently true kind of presentation, one kind is obscure - like the kind received in a confused and not distinct way because of the smallness of the object looked at or the distance to it or even the weakness of the perceiver's sense of vision -, while the other, in addition to appearing true, also has that appearance of truth to a high degree. Of these the obscure and fuzzy presentation would not be the criterion; for because it indicates neither itself nor its cause it is not apt to persuade us and draw us towards assent. But the impression which appears true and **makes itself sufficiently apparent** (ἡ δὲ φαινομένη ἀληθῆς καὶ ἰκανῶς ἐμφαινομένη) is the criterion of truth according to those around Carneades. And being the criterion, it has a large extension, and when extended one impression has a more persuasive and striking appearance than another (καὶ ἐπιτεινομένης αὐτῆς ἄλλη ἄλλης ἐν εἴδει πιθανωτέραν τε καὶ πληκτικωτέραν ἴσχει φαντασίαν).

‘*Emphainesthai*’ is a verb not requiring completion. It neither requires nor normally allows for a complement. So Bury's translation ‘but that which appears true, and appears so vividly, is the criterion of truth’ is wrong.

The adverb ἰκανῶς can mean ‘sufficiently’ or ‘fully’.<sup>37</sup> On either reading impressions which are *pithanai* and clear have the property designated by ‘*emphainesthai*’ to a higher degree than top-level *pithana* (= *emphaseis*), which as a class include, after all, clear and dim *pithana*. That being so, ‘*emphainesthai*’ cannot mean ‘to be clear’ in the phenomenal sense. For otherwise dim *pithana* would be taken to be clear to a lower degree than clear *pithana*, as opposed to not having the property of clarity. The text, however, uses contraries of ‘clear’ to refer to dim *pithana* (*amudros, eklutos*). ‘*Emphainesthai*’ must refer to a property which is gradable across the clear/dim boundary (in the phenomenal sense).

Bett translates ‘but the one that is apparently true and makes itself

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<sup>37</sup> ‘Sufficiently’ is recommended by the fact that Sextus assumes a class of *pithana* to have a *platos*, an extension; see below 000.

sufficiently apparent', capturing the medio-passive of ἐμφαινόμενη. This seems to me to be correct, provided it is understood that the conventional property (of an impression) of 'presenting itself',<sup>38</sup> referenced in the previous sentence in §172, cannot be meant, for it does not seem gradable in the required sense: a dim *pithanon* would seem to be no less an appearance than one which is not dim. Minimally, a dim *pithanon* would have to be an appearance of something to be a top-level *pithanon*.

Rather, the suggestive sense of *emphasis* for which I have argued above carries over into ἰκανῶς ἐμφαινομένη ('... and makes itself sufficiently apparent' sc. as an appearance of a certain kind). On this reading one can see how a dim impression of Socrates would have the same property as one which is not dim, but would have it to a lesser degree. If I see Socrates from a long distance (at his usual place somewhere on the agora), my impression that this is Socrates will be based on a smaller syndrome of impressions, i.e. one with fewer component impressions, than when I can see him from up close. But if the syndrome in question includes no impression which appears false, my target impression will still be a *pithanon*.

Another detail of Sextus' discussion is that according to the Carneadean view the class of *pithana* is said to have an extension (*platos*), such that the elements in it can be placed on a spectrum of *pithanotês* (see *M* 7.173 quoted above).<sup>39</sup> This notion of an extension occurs again later, in *M* 7.181, in the last sentence on second-level testing for coherence. It is stated there that of impressions which are *aperispastoi*, i.e. have passed second-level tests, some are more *aperispastoi* than others. The adjective is sometimes translated as 'irreversible', which does not allow for degrees and which, as Allen (1994: 93) has shown, would also be hard to reconcile with Carneades' conception of impressions, according to which impressions are only ever provisionally accepted, liable to possible further review, and in that sense never 'irreversible'. For this second reason *aperispastos* is better translated as 'not reversed' sc. for the time being.<sup>40</sup> The comparative remains difficult to explain, though, especially if we consider that on the first occurrence of the notion of an extension (*platos*) different positions on the spectrum amounted to different degrees of *pithanotês*. So it would not do to say, for instance, that experience suggests that some impressions get reversed eventually while others prove irreversible in the long run, and that degrees of not being reversed are to be distinguished in this way, because at a given point in time impressions which will be reversed eventually are not, one would think, less persuasive than those which will remain unreversed. (It would be helpful if they were.) Sextus (and Carneades) may mean no more than

<sup>38</sup> Cf. Aetius IV.12 = SVF II.54 = LS 39B: φαντασία μὲν οὖν ἐστὶ πάθος ἐν τῇ ψυχῇ γιγνόμενον, ἐνδεικνύμενον ἐν αὐτῷ καὶ τὸ πεποιηκός ... 'An impression is thus an affection occurring in the soul, revealing in itself also that which effected it ...'

<sup>39</sup> The textual difficulty at the end of the §173, that an impression is said to have an impression (πιθανωτέραν τε καὶ πλεκτητικωτέραν ἴσχει φαντασίαν), does not seem to affect the problem in hand.

<sup>40</sup> This is, of course, an entirely conventional sense for a verbal adjective of this formation; see Schwyzer 1953: 501.

that, as a matter of fact and for reasons unknown, some *pithana*, tested or not, turn out to be more plausible than others, but one wonders if the presuppositional sense of *emphasis* might not suggest a different explanation: that the syndromes of impressions associated with particular impressions under consideration may vary in extent even under ideal conditions and after testing due to the content of the target impression, in such a way that some of impressions are associated with numerous other impressions, while others are grounded in a much smaller syndrome. The latter might then be less persuasive.<sup>41</sup>

In this connection, a comparison with medical texts gives rise to further questions. One is whether apart from the extent of the syndrome considerations of domain or subject matter ought to be significant, too. If a medical condition is defined with reference to a definite number of specific symptoms, then all of them obtaining ought to make for a high degree of evidential force, even if they are few in number. Similarly, some objects of perception are naturally likely to give rise to less extensive syndromes than others. Another is to ask if there ought to be allowance for differences in salience between component impressions within the syndrome. Galen is capable of criticising other doctors for leaving out ‘the crucial ones’ (*ta kuriôtata*) in a list of symptoms (*De loc. aff.* VIII.187-8 K.). Similarly, one wonders if an impression of Socrates in a new coat should be assessed differently from one of Socrates with an inconspicuous and elegant nose. A third is whether the stipulation that all impressions within a syndrome must appear true for an impression to survive second-level testing is not so extreme as to lead to a loss of epistemic opportunities. After all, Socrates may for once be wearing a new coat, and it ought to be possible to have a persuasive impression of him. (This, needless to say, is a problem not just for my account of the *pithanon*.) However, the evidence suggests that, at least where diagnosis with reference to an ‘assemblage of symptoms’ in medical contexts was concerned, only the presence of all expected symptoms was deemed to sufficient to warrant the treatment prescribed for the condition in question.<sup>42</sup>

Two further terms (one of them phrasal) which feature in Sextus’ discussion need to be considered, in order to show how the properties which they ascribe to *pithana* relate to the latter’s persuasiveness. *Pithana* are said to be true ‘for the most part’ (*hôs epi to polu*); and they are called *pista*, ‘deserving of credence’, which is significant because attaching this property to them might be taken to signal the step from ‘is’ to ‘ought’. Both notions have played a significant role in the discussion of the question if Carneades can be regarded as a probabilist (see the conclusion to this section). For about a generation that question has been

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<sup>41</sup> The notion of an extension, however related to the concept of the syndrome, also suggests that the remarks about the persuasive impression being a criterion, which are found in several places in the section (§§173, 176, 184), are to be taken in one of two ways: since a criterion, on the Stoic view, does not admit of degrees (as noted, e.g., by Ioppolo 2007: 248), we have to assume either a Sextan attempt to make the Academic material he is reporting sound more dogmatic, or an implicit Academic assertion that a criterion can never allow for yes/no decisions.

<sup>42</sup> Cf. e.g. *De plen.* VII.560: τῶν συμπτωμάτων ἄθροισμα τῶν ἐμπροσθεν εἰρημένων ὀνομάζεται πληθωρική συνδρομή, οὐδένα χρὴ φλεβοτομεῖν πρὶν ἅπαντα ἔχειν αὐτά ‘The assemblage of the previously named symptoms is called the plethoric syndrome; one must not open a vein before all of them are in evidence’.

answered negatively by most, but the probabilist interpretation has recently enjoyed a revival. We can note that, while Carneades assumed the *pithana* within the same class (first-, second-, or third-level) to vary in *pithanotês* (§173), there is no suggestion of a correlation between relative persuasiveness and statistical likelihood of being true. Rather, *pithana* generally are said to be true for the most part (in §175, at the end of the section on first-level *pithana*). Second- and third-level *pithana* are not distinguished from first-level *pithana* in terms of relative persuasiveness - what is said is that second- and third-level *pithana* are more *pista* than first-level *pithana* (see below). That they are held to be more frequently true than first-level *pithana* would seem compatible with the account as a whole, but it is nowhere stated.

The notion of *eikos* has recently been drawn into the debate about the Carneadean *pithanon* in the following way. It has been suggested that Cicero's use of *ueri simile* as a synonym for *probabile* ought to lead us to assume that the *eikos* was part of the Greek record on the Carneadean scheme and that the state of our sources is to blame for its absence from it. Obdrzalek (2006: 269-71), who argues for an interpretation of the Carneadean *pithanon* according to which it is a pre-theoretical anticipation of the modern conception of probability in terms of statistical likelihood and evidence, accepts Glucker's view (1995: 126-7) that the *eikos* must have been part of the picture, i.e. was either a synonym of *pithanon* or used for the *pithanon* conceived in a certain way. She cites, in support of her overall thesis, passages which link the *eikos* to being true for the most part. Now it can be shown that the *eikos* was originally conceived as a special type of rationally persuasive or plausible item, too, and that frequency considerations come in only secondarily. Consider Ar. *An. Pr.* B27, 70a2-6, cited by Obdrzalek (2006: 270):

<An enthymeme is a syllogism from likelihoods and signs.> A likelihood and a sign are not the same thing, but the likelihood is a reputable premiss (πρότασις ἔνδοξος); for what people know happens for the most part or not, or is the case or not, that is a likelihood, e.g., 'the envious feel hatred' or 'those who show affection feel love'.<sup>43</sup>

The proof from the *eikos* is the oldest element of Greek rhetorical theory that we know of.<sup>44</sup> It arose in a forensic context and was there typically used to mount a particular kind of argument, designed to establish motive: whether it was 'likely' or not that an attribute attached to a particular individual or group of people given a known characteristic which they have. The etymology of '*eikos*' played a role in this, in that the question was quite literally whether, as we might say, it was 'like' x that x committed y. Killing a rival in a jealous rage is something that is *eikos* for a young man, because young men are deemed to be impulsive. Aristotle would, in

<sup>43</sup> <Ενθύμημα δὲ ἐστὶ συλλογισμὸς ἐξ εἰκότων ἢ σημείων,> εἰκὸς δὲ καὶ σημεῖον οὐ ταὐτόν ἐστιν, ἀλλὰ τὸ μὲν εἰκὸς ἐστὶ πρότασις ἔνδοξος· ὁ γὰρ ὡς ἐπὶ τὸ πολὺ ἴσασιν οὕτω γινόμενον ἢ μὴ γινόμενον ἢ ὄν ἢ μὴ ὄν, τοῦτ' ἐστὶν εἰκὸς, οἷον τὸ μισεῖν τοὺς φθονοῦντας ἢ τὸ φιλεῖν τοὺς ἐρωμένους.

<sup>44</sup> Evidence is collected in Radermacher 1951: BII (Corax et Tisias), fr. 15-20.

*Rhet.* B23, 1397b12-27 and *Top.* B10, 115a6-24, turn this into what he calls the *τόποι ἐκ τοῦ μᾶλλον καὶ τοῦ ἥττον* and *ἐκ τοῦ ὁμοίως*, and there are some passages where he makes it plain that in an *eikos* argument a predicate is ascribed to subject because of a specific quality which the subject has and which is itself unstated in the propositions involved (*Rhet.* B23, 1397b18-20 and 24-25).<sup>45</sup> In the *Rhetorica ad Alexandrum*, which is pre-Aristotelian in substance, we find a different explanation, one which also plays on the etymology of ‘*eikos*’ and which has left a reflection in Plato’s *Phaedrus* 273d-274a: an *eikos* is something of which the audience has *paradeigmata* (instances, models) in their minds (i.e. something which is ‘like’ those *paradeigmata*; 1428a25-6), which looks like a weaker version of the Aristotelian dialectical premiss which is true for many instances without there being a counterexample (*Top.* Θ2, 157b32-3); see Reinhardt 2015: 229. Here again rational grounds - coherence with antecedent beliefs - account for the *eikos*. It seems economical to assume that in *An. Pr.* Aristotle does not have something like the modern conception of probability in mind, but that ‘being true for the most part’ is for him a property which attaches to the *eikos* because that is how we can secondarily rationalise things appearing plausible to us, just as this property attaches to *pithana* secondarily in Sextus’ account of the Carneadean scheme. The *eikos* is a *πρότασις ἔνδοξος* inasmuch as it can be seen as a species of the *endoxon*.<sup>46</sup> So even in the unlikely event that the Academics used the term *eikos* alongside *pithanon*, there are no good reasons for assuming that the former gave rise to an interpretation of the latter in terms of statistical likelihood.

The differences between between first-, second, and third-level *pithana* are, however, characterised in terms of degrees of being *piston*.<sup>47</sup> The adjective ‘πιστόν’ refers to an attitude which either the perceiver or a third party (like the narrator) adopts towards a *pithanon*: that it is deserving of credence. As an adjective ‘*piston*’ attaches to impressions of course, but focalisation by the perceiver is possible (i.e. that a narrator calls an impression deserving of credence from the viewpoint of the perceiver he describes, as opposed to his own viewpoint, or both).<sup>48</sup> Indeed, in the context of a wholly dialectical argument, even focalisation by the narrator would not mean that an objective statement that

<sup>45</sup> Smith (1989: 226) comments on 70a5-6: ‘Note that the examples here concern conduct typical of people who have certain emotional attitudes towards others and provide a basis for inferring those attitudes: we infer X loves Y because X shows affection for Y, we infer that X is envious of Y because X hates (expresses hatred for) Y.’ Later Greek rhetorical manuals classify the *eikos* as a species of the *pithanon*, which applies to a person, i.e. they retain a sense of the original conception (cf., e.g., Anonymus Seguerianus pp. 28.15-29.3 Graeven). See also Primavesi 1996: 252-66 on *Top.* B10, 115a6-24.

<sup>46</sup> Cf. Smith 1989: 226: ‘As with Aristotle’s other definitions, this is not intended to explain the term for those (like us) who are ignorant of its meaning, but to accommodate it in the deductive theory of the figures.’

<sup>47</sup> Cf. *M* 7.181-2: Τῆς δὲ ἀπερισπάστου φαντασίας **πιστοτέρα** μᾶλλον ἐστὶ καὶ τελειοτάτη ἢ ποιοῦσα τὴν κρίσιν, ἢ σὺν τῷ ἀπερίσπαστος εἶναι ἔτι καὶ διεξωδευμένη καθέστηκεν ‘Even more deserving of credence than the impression which is not turned away and most complete is the one which brings about judgement, which together with not being turned away is also carefully scrutinised’; 188-9.

<sup>48</sup> Thus Burnyeat (unpublished: 48).

*pithana* are *pista* was forthcoming.<sup>49</sup> Being *pithanon* and being *piston* go hand in hand in Sextus' report on Carneades,<sup>50</sup> whereas there is at least one instance of them coming apart in a relevant Stoic context.<sup>51</sup> This is in line with the Stoic and the Academic positions on *pithana* representing fundamental but incompatible intuitions about visual perception, a view for which I will argue in section 2. So much for *pithana* 'being true for the most part' and 'deserving of credence'.

As is widely agreed, the Carneadean *pithanon* is applicable to action-guiding impressions, to non-perceptual impressions, and to factual perceptual ones. It is easy to see why the first and the second category will minimally require a conception of the *pithanon* which takes it to be the plausible in some sense. However, even if one wants the *pithanon* to be something an agent can engage with and use in a conscious rational way, it is not a given that factual perceptual impressions would be made *pithanon* by features other than phenomenal ones, in particular clarity.<sup>52</sup> Specifically, even a perceptual experience which is eventually dismissed as inconsistent with the subject's beliefs could be *pithanon* in that sense. That is not the Carneadean view, which, on the interpretation offered above, makes consistency with antecedently held beliefs and concurrent impressions a necessary condition for an impression's being *pithanon* in the first place (i.e. on the top level). This conception of the *pithanon* is more readily applicable across all three categories. Moreover, it clearly allows for more than rationally blind action, i.e. a scenario where the perceiver or agent is led by his *pithana* in an unconscious way or can only rationalise his behaviour after the event.<sup>53</sup> One might think that the one proposed here is too thin a conception of *pithanotês* to preclude, e.g., perceptual judgements and courses of action which are plausible only from the perspective of an utterly corrupt human being, but it would appear that, in the contexts in which the scheme is put forward and used, Carneades helps himself to the epistemological optimism which characterises the Stoic position with regard to the sage, implicitly urging that one will be able to devise an entirely sensible

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<sup>49</sup> Similarly, remarks which Sextus makes in his own voice about Stoics and Academics are open to various interpretations, depending on whether one assumes Sextan bias, a particular Academic interpretation of Carneades etc.; cf. *M* 7.401.: Λείπεται ἄρα τὰς μὲν πιστὰς τὰς δὲ ἀπίστους ἀξιούν, ὅπερ οἱ ἀπὸ τῆς Στοᾶς καὶ οἱ ἀπὸ τῆς Ἀκαδημίας ἔλεγον, οἱ μὲν ἀπὸ τῆς Στοᾶς τὰς καταληπτικὰς φαντασίας ἀποδεχόμενοι, οἱ δὲ ἀπὸ τῆς Ἀκαδημίας τὰς πιθανὰς εἶναι δοκούσας 'It remains therefore to require that some (impressions) are deserving of credence and others are not, as the Stoics and the representatives of the Academy have said, the former approving cataleptic impressions, the latter those which appear persuasive.'

<sup>50</sup> This has led some to the erroneous view that the latter is simply used as a synonym of the former; see e.g. Svavarsson 2014: 356 n. 2, and earlier Görler 1994: 861, who consequently finds it hard to understand why some can regard the *pithanon* as that which is merely persuasive.

<sup>51</sup> S.E. *M* 7.253-5, to be discussed in section 2.

<sup>52</sup> Third-level testing is difficult to interpret as turning on features other than phenomenal ones. The continued appeal of the notion that the *pithanon* might be the probable in some sense is in part due to the fact that perceptual impressions are uncharacterised with respect to their content if they are only seen as persuasive, whereas they appear sufficiently substantial to do the philosophical work they are supposed to do if they are probable (in a pre-theoretical sense which nonetheless turns on statistical frequency and evidence); see Obdrzalek 2006: 257 and *passim*. Between these two positions I would locate the plausible in the specific sense defended above.

<sup>53</sup> I have borrowed the expression 'rationally blind' from Vogt 2010: 171.

account of human behaviour if one excises from the Stoic one specifically the notion of a cataleptic impression and replaces it with the *pithanon*.<sup>54</sup> Another objection which seems to be forestalled by Carneades' background assumptions is that we cannot be sure if our experience and behaviour is not entirely divorced from a reality and a - coherent - figment of our imagination: ancient sceptics were on the available evidence not sceptics about the external world itself,<sup>55</sup> so this possibility was not envisaged. I shall turn to the subject of different Academic interpretations of the scheme in the overall conclusion to this article.

I have deliberately avoided talk of objective and subjective conceptions of the *pithanon*, since both notions are very hard to pin down. One might think that only a *pithanon* grounded in statistical likelihood alone (sc. which did not exist) would merit being called 'objective', since already the modern conception of 'evidence' cuts across the subjective/objective distinction, at least where the evaluation of evidence from the senses is concerned. (If a dermatologist calls a suspicious-looking mole 'probably cancerous', meaning that it looks like many other cancerous moles she has seen before, in person and in the classificatory literature, then her appraisal will be based on evidence without thereby being unequivocally objective.) What matters for now is that Carneades, or rather his conception of the *pithanon*, assumes that there are discernible reasons why impressions have *pithanotês*, reasons which can be stated, and while there is allowance for the notion that different things are persuasive to different people, there is at the same time an assumption that the same things tend to be persuasive to rational and sensible individuals. In that sense there is an objective side, one that obtains in an intersubjective way, to the Carneadean *pithanon*.

## 2. Stoic *pithana*

The Academic use and conception of the *pithanon* takes Stoic thinking on the *pithanon* as its starting point, as was first shown by Coussin 1983: 44-51 (first published in 1929) and is now widely accepted. In this section I want to look again at the *pithanon* in Stoic thought, at definitions given, and at the uses to which *pithana* are put, with a view to describing Stoic-Academic interaction in this area.<sup>56</sup>

The Stoics recognise persuasive impressions as well as, unsurprisingly, persuasive propositions (simple as well as complex ones). Various characterisations or 'definitions' are in evidence.<sup>57</sup> According to one, the *pithanon* is 'a proposition which leads in the direction of assent' (D.L. 7.75), and the example given is the conditional 'if someone gave birth to something (*eteken*), she

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<sup>54</sup> For analogous reasons Carneades' account is in no way applicable to animal behaviour, a feature which it shares with the Stoic view on the uses of *pithana*, as I shall argue in section 2.

<sup>55</sup> See Burnyeat 1982: 19, Frede 1988: 70; contrast Fine 2003.

<sup>56</sup> Relevant studies include Burnyeat (unpublished), Sedley 1982, Barnes 1985, Bett 1989: 78-88, Tieleman 1996: 264-87.

<sup>57</sup> I use inverted commas because the status of a given characterisation is rarely stated or deducible from the context with certainty.

is its mother’, which is taken to be plausible but false, given that a hen is not the mother of an egg it has laid. No further explanation is given. It is presumably a moot point whether *eteken* is ambiguous here, given that ‘to lay an egg’ could reasonably be classed as a metaphorical use of *tiktein*, for ambiguity is recognised as a source of *pithanotês* by the Stoics.<sup>58</sup> It is tempting to think that the example given was deemed *pithanon* because most people could think of many true instances without being able to think of a counterexample, and to assume consequently that non-perceptual *pithanotês* was construed by Stoics in much the same way as it was by the Academics or Aristotle in his *Rhet.*,<sup>59</sup> as consistency with propositions in the relevant domain, but the ‘definition’ actually given does no more than translate ‘persuasiveness’ into the categories of Stoic philosophy of mind, while restricting the domain of the *pithanon* to human beings (who alone possess the faculty of assent). A characterisation of the *pithanê phantasia* is that it ‘causes a smooth motion in the soul’ (S.E. *M* 7.242 αἱ λείων κίνημα περὶ ψυχὴν ἐργαζόμεναι = SVF ii.25), and the examples given are perceptual (but possibly provided by Sextus himself rather than part of his source: ‘it is now day’, ‘I am conversing’). One would think that, for an impression to have this effect, its propositional content (whether aided by phenomenal features of the impression or not) must be involved, given Stoic metaphysical assumptions,<sup>60</sup> although the effect caused seems to be of a different order compared to that caused by a falsehood, which is said to give rise to ‘upheaval’ in the mind (D.L. 7.110 ἐκ δὲ τῶν ψευδῶν ἐπιγίνεσθαι τὴν διαστροφὴν ἐπὶ τὴν διάνοιαν ... = SVF iii.99). The immediately following class of unpersuasive impressions is illustrated with non-perceptual examples (i.e. obviously false conditionals), as in general no Stoic texts give an instance of a perceptual *apithanon*.<sup>61</sup> Is it possible that coherence-related considerations might account for the persuasiveness of a Stoic *perceptual pithanon* just as they do in the case of their Academic counterpart, i.e. that propositional content could account for perceptual persuasiveness *in that way*?

I do not think so. To see this, we need to turn to the Stoic division of impressions reported in Sextus, *M* 7.241-51 (already used above),<sup>62</sup> and to a reply to Carneades ascribed to Younger Stoics (7.253-7). The Stoics divide impressions into four classes (*pithanon*, *apithanon*, both *pithanon* and *apithanon*, neither *pithanon* nor *apithanon*), whereby the *apithanon* is, unlike in the Academic division, the contrary not the contradictory of the *pithanon*, while impressions which leave the subject indifferent, in the Academic division included alongside those which deter assent (= Stoic *apithana*) in the category ‘*apithanon*’, appear as ‘neither *pithanon* nor *apithanon*’. Impressions which are *pithanon* are then divided further according to whether they are true, false, both true and false, or neither true or false. Cataleptic impressions are a species of impressions which are *pithanon* and true. The *apithanon* is not divided further so that we do not have explicit confirmation, but it seems reasonable to assume that the Stoics did not

<sup>58</sup> See Atherton 1993: 56; Burnyeat 2012: 110 n. 51.

<sup>59</sup> See Rapp 2002: 104; Allen 2014.

<sup>60</sup> Cf. Brittain 2001: 97 n. 35.

<sup>61</sup> Cf. Allen 1994: 96 n. 18.

<sup>62</sup> My remarks on the division are much indebted to Burnyeat (unpublished).

recognise an *apithanon* which is true. At the same time, we are told in §247 that not every true impression gains assent. This would suggest that such impressions are deemed to be *pithanon* but fail to win assent nonetheless, for reasons which are unconnected to their *pithanotês*, a reading which the evidence from later Stoics will lend support to. Another question one could pose is where in this division a requirement for coherence with antecedent beliefs or concurrent impressions could be placed upon the *pithanon*: cataleptic impressions themselves are not defined in a way which invokes this kind of coherence, nor is the truth of propositions or impressions defined by the Stoics with reference to it (so that a coherence requirement cannot be introduced at the next level up). That means that, if cataleptic impressions were to meet a coherence requirement as the Academics envisage it, this would have to be part of the conception of the *pithanon* two levels up. Conversely, if cataleptic impressions are possible which do not meet the coherence requirement, this will show that no such requirement was placed upon *pithana* to begin with. It thus seems safe to conclude that the Stoics explain the persuasiveness of perceptual impressions with reference to their phenomenal properties, as their foundationalist convictions would lead one to expect.

In *M* 7.253 Sextus refers to ‘Younger Stoics’, who add to Zeno’s definition of the cataleptic impression a constraint on such impressions winning assent: ‘... and which has no obstacle (ἔνσθημα)’. The addition is likely to have been made in response to Carneades’ point that an impression can only be persuasive if it is consistent with one’s beliefs.<sup>63</sup> Consider *M* 7.253-5 (part of LS40K), mentioned earlier as a Stoic passage where being *pithanon* and being *piston* come apart:

The older Stoics say that the cataleptic impression thus defined is the criterion of truth, but the younger ones add ‘and which does not have an obstacle’ (καὶ τὸ μηδὲν ἔχουσιν ἔνσθημα). For it is possible that a cataleptic impression occurs, but is found to be undeserving of credence because of external circumstances (ἄπιστος δὲ διὰ τὴν ἔξωθεν περίστασιν), as when Heracles stood with Admetus having lead Alcestis up from the underworld, Admetus received a cataleptic impression from Alcestis, but did not trust it (τότε ὁ Ἄδμητος ἔσπασε μὲν καταληπτικὴν φαντασίαν ἀπὸ τῆς Ἀλκίσιτιδος, ἠπίσται δ’ αὐτῇ).

The younger Stoics regard Admetus’ impression of Alcestis as a cataleptic one; as such, it must also be a *pithanon*, on the grounds that cataleptic impressions are a species of persuasive impressions. At the same time, the impression in question is undeserving of credence (*apistos*). That this is said from the perceiver’s perspective is suggested by the phrase ‘διὰ τὴν ἔξωθεν περίστασιν’, since the obstacle envisaged in the addition is, one would assume, an antecedently held belief (that Alcestis is dead), not external circumstances. What the obstacle seems

<sup>63</sup> See Allen 1994: 107-9 on *M* 7.253-7, to whose discussion my account is much indebted. We differ in that I take coherence to be a necessary condition already for Carneadean top-level *pithanotês*, and in the evaluation of the Younger Stoics’ stance: I take their view to be a restatement of the position inherent in the division of impressions in *M* 7.241-51.

to do is derail or block the belief forming mechanism through which cataleptic impressions, when assented to, normally lead to apprehensions: assent is not forthcoming.<sup>64</sup> I take this to be confirmation of my contention that, for the Stoics, *pithanotês* in the field of perceptual impressions does not already have consistency with antecedently held views as a necessary condition. The Stoics take the view that every veridical perceptual experience had under ideal conditions can be deemed persuasive, while the Academic view is that if what is perceived is incongruous it will not be persuasive however clearly perceived. The two positions reflect two fundamental but incompatible intuitions about perceptual experience.<sup>65</sup>

Another point of contact between the Stoics and the Academics is the term Carneades uses to refer to an impression which had survived the first kind of test (*aperispastos*). This term is formed from ‘*perispân*’, ‘to draw away from’, a verb which Chrysippus used in a context where he comments on the uses and effects of dialectical argument *in utramque partem* (Plut. *Sto. Rep.* 1036D-E = SVF iii.271).<sup>66</sup> Specifically, he warns against the persuasive power of *pithana* which are employed in support of the other side of a given view, and which are capable of ‘brushing listeners away’ from their apprehensions because they are insufficiently fastened (as they would be in anyone who is not a sage). Did Carneades coin the term ‘*aperispastos*’ with polemical intent, as if to say that what the Stoics call cognitions, i.e. mental items which are the result of cataleptic impressions which have been assented to, are at best *pithana* which are undiverted (for now)? Yet regarding the nature of the *pithana* employed in the context envisaged by Chrysippus, what persuasiveness they have would be due to their coherence with other *pithana* in the relevant domain, including those cited in the arguments mounted in support of them.<sup>67</sup>

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<sup>64</sup> On this point I am in agreement with Brittain (2014: 352-3); Allen (1994: 108-13) argues that in situations like those envisaged in the Admetus example assent is given but immediately revoked. The text in *M* 7.253-5 speaks of ‘giving credence’, which creates an opening for different interpretations.

<sup>65</sup> The point at which coherence with the subject's other beliefs becomes crucial is when a *prokoptôn* becomes a sage, which means that all his *katalêpseis* become *epistêmai* because they are secure due to their consistency with all other beliefs the individual in question holds; see Brouwer 2002 and 2007. Nonetheless, I take it that, on the Stoic view, many impressions of sages and non-sages alike are dismissed, often unconsciously, at the stage where beliefs are formed, precisely because they conflict with the subject's antecedently held beliefs, but that has nothing to do with the persuasiveness an impression has to begin with.

<sup>66</sup> On the passage see Bett 1989: 79, Tieleman 1996: 264-8 and Bénatouïl 2007: 79-89.

<sup>67</sup> I do not have the space here to engage with Tieleman 1996: 264-87, who argues that the Carneadean *pithanon*, despite acknowledged differences in metaphilosophical status relative to the Stoic view, is essentially taken over from Chrysippus, notably the requirement for coherence with associated impressions (Tieleman 1996: 287 n. 90), but I would note that this impression can arise if Stoic attitudes to non-perceptual and perceptual *pithana* are not adequately distinguished, and if the question of what accounts for initial persuasiveness prior to any scrutiny is not posed. On the Stoic use of ‘*pithana*’ for argumentative purposes see also Sedley 1982: 252, who refrains from ‘suggesting that Chrysippus had a separate and systematic theory of extra-logical discourse’, and Brunschwig 1991: 95, who suggests that the Stoics engaged in ethical argument *more Aristotelico*, i.e. from commonly held views, alongside their argument ‘from a particular view of the place of human beings in divine cosmic nature.’

### 3. The evidence from Cicero

I had argued above that, according to Sextus' account of the Carneadean *pithanon*, top-level *pithana* are persuasive because their propositional content is congruous, while first-level *pithana* are clear in addition, with clarity being an enabling or facilitating property, and that the two types of test distinguished test first-level *pithana* for these properties (incongruity and clarity). In this section I want to consider briefly how the Ciceronian evidence can be related to this interpretation.

It has been observed that Cicero's chosen rendering for '*pithanon*', '*probabile*', is etymologically connected with '*(ap)probare*', a term Cicero uses for dogmatic assent as well as non-dogmatic 'approval' (see below on *Luc.* 104). This might lead one to think that the *probabile* is semantically nothing beyond that which we can approve of, in much the same way in which the *pithanon* has been regarded by some as what is, as a matter of fact, persuasive to us without being capable of further analysis. However, if one surveys uses of '*probabilis*' in non-philosophical texts, it is plain that there are numerous grounds on which something can be called '*probabilis*' and that these can be inferred from the context with reasonable accuracy. To say that these grounds do not contribute to the meaning of '*probabile*' seems arbitrary, and is certainly not the view of lexicographers. The etymology of a term is, trivially, but one clue as to its meaning, and one needs to ask whether Cicero provides further information regarding the sense of '*probabilis*' he has in mind. Nor is the link with '*(ap)probare*' necessarily straightforward, since there are *probabilia* which we cannot approve of.<sup>68</sup>

It is well recognised that two different interpretations of Carneades' overall philosophical stance are mentioned in the *Academica*.<sup>69</sup> This could complicate the interpretation of the Ciceronian evidence, in that different conceptions of the *probabile* might be found side by side. If, however, as suggested in section 2., the *pithanon* was rationally persuasive (or plausible) from the very beginning and the different phases of Academic thought differed from one another in their metaphilosophical evaluation of the scheme and its elements, and in the type of endorsement of impressions envisaged or permitted, and if Cicero took the same view, then only one sense of '*probabile*' may be at issue.

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<sup>68</sup> In *Div. Caec.* 64 Cicero says that it is *probabile* but insufficiently *honestum* for someone who has been wronged to mount his own legal challenge, because the wronged are likely to lose sight of the common good, and that it is better for someone else to act on their behalf. '*Probabile*' here means 'understandable (but misguided)', which we may compare with the sense 'persuasive (but dubious)' which '*pithanon*' can have. This is one reason why it cannot plausibly be claimed that Academic scepticism in its Latin representation in Cicero offers a more optimistic outlook on the possibility of obtaining knowledge on the grounds that it replaces 'that which persuades us' with 'that which merits approval', *pace* Görler 2004: 71-2.

<sup>69</sup> They are the Clitomachean variety represented by Cicero in his speech in the second half of *Luc.*, and a position of mitigated scepticism mentioned in *Luc.* 78 and 148; a third view, that associated with Philo of Larissa's Roman Books, is mentioned but explicitly excluded from the discussion.

Before I look at the detailed correspondences between Sextus and Cicero, I want to draw attention to an important motif which Cicero uses to locate the refusal to make or endorse excessive knowledge claims within pre-philosophical Roman practice and which, as I shall argue, is in the background of some of the statements Cicero makes about *probabilia*. Consider *Luc.* 146 (Cicero the character, a Clitomachean, speaking in reply to Lucullus):

But just as you claimed that crafts would collapse if nothing could be apprehended and just as you did not concede that the persuasive is of sufficient power with respect to the arts, so I reply to you now that art cannot exist without knowledge. Would Zeuxis or Phidias or Polyclitus accept this, that they knew nothing, even though they had such skill? But if someone taught them what force knowledge is supposed to have, they would cease to be angry; not even about us would they get exercised, having learnt that we remove only what exists nowhere and that we leave them with what is sufficient [i.e. the *probabile*]. The care and diligence of our ancestors confirms this way of thinking. They wanted first that everyone took an oath ‘to the best of his knowledge’ (*ex sui animi sententia*), then that someone would only be held liable if he knowingly deceived, since much ignorance pervaded our lives, finally, that someone who gave a witness statement should say that he ‘took a view’ (*arbitrari*) even on matters which he had seen himself, and what judges found they should not state as having been done or not but as something that appeared to them (*quaeque iurati iudices cognouissent ut ea non aut esse <aut non esse> facta sed ut uideri pronuntiarentur*).

In this passage Cicero turns the tables on the dogmatist by suggesting that, given their views about the epistemic position of sages and non-sages, craft knowledge is only to be had by the sage. Thus famous artists, clearly in possession and complete command of their respective craft, would refrain from claiming technical knowledge if knowledge (*ἐπιστήμη*, *scientia*) was defined as the Stoics defined it. By the same token, the ancestors stipulated that witnesses should swear using a formula which allowed for their fallibility, even if they had witnessed an event with their own eyes, and judges would qualify their verdicts by saying that ‘it appeared to them that x or y was the case’.<sup>70</sup> In Rome judges were not members of a specially trained judiciary, and prosopographical studies have shown that it was unusual for a *iurisconsultus* to act as a judge or advocate (see Kunkel 1952). Rather, the judges were laymen who met certain formal criteria and who, in some cases after receiving instructions from a magistrate on terms of reference and the like, carried out their duties by relying on their own good sense and what experience they had. And given how the passage moves from outstanding artists to witnesses to judges, the witnesses in question are surely understood to be rational agents, too. In *Acad.* there are passages where *uisa* which correspond to

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<sup>70</sup> See *OLD* s.v. *uideo* no. 22: ‘(pass., in legal and other technical contexts) to appear after due consideration, or sim., be deemed’; for a more detailed account by a legal historian see Daube 1956: 73-7.

the loaded sense of *uideri* employed by judges issuing their verdict are identified as *probabilia*, specifically the kind of *probabilia* an Academic follows (see below on *Luc.* 103-5, p. 000). We recall that Sextus, too, as has been urged by Burnyeat in particular, presents the scheme of the *pithanon* as an abstraction from how rational people behave as a matter of fact - people whose epistemic habits can be likened to a procedure like the *dokimasia* or to a doctor making a diagnosis.<sup>71</sup> The *probabile* as understood in *Luc.* 146 is what deserves the acceptance of rational individuals who decide on rational grounds following a due process. Especially in the field of legal decision-making considerations of coherence, of making pieces of evidence fit with each other as well as explaining them in terms of each other, are obviously central to the process.

We continue with the review of what Cicero says about *probabilia*. He is aware that Carneades, unlike the Stoics, divided impressions into persuasive ones and those which are not persuasive.<sup>72</sup> *Non probabilia* are not characterised further, and there is no trace of the *emphasis/apemphasis* distinction in Cicero, which makes the evidence from Cicero indeterminate on an important point on which Sextus was specific.<sup>73</sup>

Lucullus says, speaking ironically, that the Academics had drawn up ‘an entire *ars* of impressions’, involving a division and definitions of the items in it (*Luc.* 40); if the division which we find in Sextus has been secondarily and not entirely successfully imposed, as Allen (1994: 103) has plausibly argued, then *Luc.* 40 would suggest that Cicero's source material was nonetheless in this respect similar to Sextus'. What Cicero actually says about *probabilia* would not suggest a distinction between top- and first-level *pithana*, nor an association of different types of test with different levels of *pithanon*. Rather, a distinction is drawn between impressions which immediately strike us as *probabile* and *probabilia* which have been examined and tested in some way. Consider Lucullus, representing Antiochus' views (*Luc.* 35-6):

So what is this persuasive impression of yours (*uestrum probabile*)? For if that which strikes people and appears persuasive to them, as it were, on first glance (*primo quasi adspectu*) is affirmed, what could be flimsier than that? If they say they follow that which appears to be the case on the basis

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<sup>71</sup> On a fully dialectical reading, we would expect Carneades to mount the strongest possible rejoinder to the *apraxia* charge, which would involve replacing the cataleptic impression with the persuasive impression while retaining a highly rational agent.

<sup>72</sup> Cf. *Luc.* 99: *Duo placet esse Carneadi genera uisorum; in uno hanc diuisionem, alia uisa esse quae percipi possint <alia quae non possint,> in altero autem, alia uisa esse probabilia alia non probabilia* ‘Carneades holds that there are two main classes of impressions: in one, there is this division, into impressions which can be apprehended <and impressions which cannot be apprehended>; in the other, there is this division, into persuasive ones and others which are not persuasive.’ The term *improbabile* is attested later (in legal texts *inter alia*, e.g. D. 50.14.3.1). I can see no linguistic or stylistic reason why Cicero could not have used or coined the word had he wanted to; see Frisk 1966: 214-23.

<sup>73</sup> Schofield 1999: 346 n. 60 suspects *emphasis* behind *species* in *Luc.* 58; for a different explanation see Striker 1997: 271.

of a certain scrutiny and careful consideration (*ex circumspectione aliqua et accurata consideratione*), then they will nonetheless not find a way out.

Relying on what is *probabile* ‘at first sight, as it were’ is clearly unsatisfactory in the opinion of Lucullus, but relying on a *probabile* which has undergone testing is not much better. The two terms used to describe the testing can be linked to terms we find in Sextus in connection with second- and third-level testing.

‘*Circumspectio*’ is reminiscent of ‘περιοδεύω’ (see above, p. 000). ‘*Consideratio*’ is less straightforward. It has been linked to ‘διεξοδεύω’ which we also find in Sextus, but a correspondence is barely recognisable, and there are reasons for thinking that we should connect it with an impression's being *aperispastos* when none of the impressions within a syndrome appears false in virtue of being incompatible with antecedently held beliefs and in disagreement with the others. ‘*Consideratio*’ can rather generically mean ‘careful consideration’, of course, but etymologically, as ancient and modern philologists agree, it comes from ‘*sidus*’, which means ‘constellation’ (and only secondarily ‘star’, the proper term for which is *stella*). *Consideratio* is thus the comprehensive (*con-*) application of a critical gaze to something which is an ordered set of items.<sup>74</sup> It became a technical term for rational scrutiny exercised by augurs and *haruspices* and was used in legal contexts, too (like *circumspectio*). Cicero himself nowhere makes explicit reference to the etymology, but may well be thinking of it in *Fin.* 5.58 *consideratio cognitioque rerum caelestium*. In the required sense the noun or the verb from which it derives do not occur again, but I submit that we have some reason to think that the material from which he worked made reference to a syndrome, too, and that Cicero ‘translated’ it by replacing the notion of a syndrome with that of a constellation.<sup>75</sup> This move would have been facilitated by the use of ‘*consideratio*’ in medical texts, of the appraisal of symptoms.<sup>76</sup> It would

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<sup>74</sup> Cf. Paul. Fest. *verb. signif.* p. 33 Müller = p. 37 Lindsay: *considerare a contemplatione siderum uidetur appellari*; Thurneysen 1906: 183: ‘die zu einem Sternbild (*sidus*) gehörigen Sterne mit dem Blick zusammensuchen und vereinigen’; Walde-Hofmann 1938: i. 263: ‘die Gestirne beobachten bzw. mit dem Blick zusammenfassen’; further views to the same effect in Pârvolescu (1980: 159 n.1); see also de Meo (1983: 244-5) on ancient and modern conceptions of what a constellation is. The etymology in Festus, in line with ancient convention, does not account for every component of ‘*consideratio*’, but we can glean the force that *con-* was deemed to have by different means. ‘*Consideratio*’ occurs a number of times from the archaic period onwards in an alliterative pair with ‘*contemplatio*’ (cf. the Festus quote above), and we know that Varro offered an analysis of the latter (in *LL* 7.9, which was written at the same time as the *Academica* and is dedicated to Cicero) which sheds light on the interpretation he would have given the prefix *con-*: ‘*contemplari*’ was taken to mean originally ‘to draw together the *templum* with one look’, whereby *templum* means ‘an area in the sky’; see e.g. Linderski 1986: 2270-73. See also Latte 1968: 97-9 on the force of *con-* in other broadly cognitive terms in augural language (e.g. *colligere*). A passage where the ‘etymological’ sense of ‘*considerare*’ may be taken to be at issue is Gellius, *NA* 2.21.1-11 (esp. 2 *sedebamus ergo in puppi simul uniuersi et lucentia sidera considerabamus*), on a group of people looking at the night sky, identifying constellations and pointing them out to each other.

<sup>75</sup> Note also *Luc.* 66, where Cicero (as interlocutor, beginning his reply to Lucullus' speech) alludes to his (Clitomachean) way of following *probabilia* by means of the image of a navigator who is guided by one type of constellation rather than another.

<sup>76</sup> See *TLL* s.v. *considero* col. 427.54-61 and Celsus 8.10.1ff.

be preferable if this was not done in quite such a subtle way, but at least on this occasion the fragmentary state of *Acad.* must be invoked. Is it really credible that the Carneadean types of testing featured only once, briefly, and then in the speech of the Antiochian Lucullus? What is the force of the indefinite pronoun in *aliqua circumspectione* in *Luc.* 35 quoted above? It could have its normal alienating sense, but it may equally well be dismissive, of something that had been said before. There can be little doubt that a detailed exposition of the *probabile* scheme was offered in the lost first book of the two-book edition, i.e. in the *Catulus*, by one of the two Academic speakers who played a major role in the previous day's discussion, Catulus the younger or Cicero.

Elsewhere Cicero distinguishes between *probabilia* without further qualification and *probabilia* 'which are not impeded' (e.g. *Luc.* 33, see below 000). The latter is, as has been shown by Allen (1994: 97), a general expression covering any test that might be performed, as opposed to, specifically, the test for coherence with the syndrome of impressions whose successful passing leads in Sextus to second-level *pithana*.<sup>77</sup> Thus 'and which are unimpeded' is in fact a shorthand for 'and which are unimpeded after testing'. This is significant because otherwise passages like *Luc.* 33 might be used to argue that Cicero's plain *probabile* is not itself already plausible and congruous:

Therefore whether you offer a persuasive impression or one which is persuasive and not impeded (*siue tu probabilem uisionem siue probabilem et quae non impediatur*), as Carneades wanted, or something else that you can follow, you will have to return to the sort of persuasive impression which we are discussing.

This passage employs the same distinction as *Luc.* 35-6 above. Overall, the situation in the *Academica* encourages the interpretation, formulated on the basis of inconsistencies with Sextus' account in *M* and the reversed order of tests for a persuasive impression in *PH* relative to *M*, that the tests are not necessarily supposed to be performed in succession, but that they represent two different ways of scrutinising an impression.<sup>78</sup>

*Acad.* as we have it is not concerned with explaining what makes a plain *probabile* *probabile* to begin with. Minimally, the evidence of §146 discussed above, with its reference to the evaluation of evidence and decision-making in legal contexts, and what Cicero says about plain *probabilia* in particular, is compatible with what Sextus said (on my construal) about what makes a first-level *pithanon* persuasive (congruence in the first instance, with clarity acting as an enabling property). But I argued above that the notion of a constellation (*sidus*) in Cicero may correspond to that of a syndrome in Sextus' account, so that *consideratio* amounts to the careful examination of a set of *uisa* with which a target impression is associated or into which it dissolves. And since a plain

<sup>77</sup> Consider, e.g., the variant formulation in *Luc.* 99 (*sic quidquid acciderit specie probabile, si nihil se offeret quod sit probabilitati illi contrarium*), which surely covers clarity or its absence, too.

<sup>78</sup> Schofield 1999: 349, citing Allen 1994.

*probabile* of, say, *Ursa Maior* must be possible, just as a top- or first-level *pithanon* of Socrates must be possible - we do not see a cluster of stars, and a constellation only upon testing, just as we do not see features of Socrates, and Socrates only upon testing -, a plain *probabile* may well have been conceived of as congruous by Cicero in the sense in which first-level *pithanon* are in Sextus on my argument. If I see a group of stars in the night sky and provisionally identify it as constellation x, only to discover upon closer examination that I must be mistaken because I can make out a star where there should not be one (or fail to see one which I am expecting), then a plain *probabile* has been found to be impeded upon testing. In confirming that all and only the individual stars which make up the constellation are present, I perform a test not just for specific features but for ones which account for my original plain *probabile* that I am looking at constellation x.

#### 4. Conclusion

Carneadean *pithana* are persuasive and appear true on rational grounds, primarily because of the relationship of their propositional content with that of other impressions which we hold to be true and which are associated with them. The clarity of perceptual *pithana* is, as I have argued, construed by Carneades as an independent feature, but also as further enabling this rational *pithanotês* and in that sense secondary to it. This matters because it makes it easier to understand how the Carneadean *pithanon* can also be employed in the discussion of non-perceptual impressions, as was clearly envisaged from the beginning:<sup>79</sup> non-perceptual *pithana* are *plausible*. The tests for the conditions under which a *pithanon* is experienced (cf. *M* 7.181-3) do not seem applicable to non-perceptual items,<sup>80</sup> while tests for coherence are. On a conception of the *pithanon* which takes top-level *pithana* to be persuasive as a matter of fact and for no specifiable reason, and first-level *pithana* to be more persuasive because they have the phenomenal feature of clarity in addition, this would be harder to understand, as it would be on a conception of perceptual *pithana* like the Stoic one, which does not turn on considerations of coherence.

As is well known, different meta-philosophical interpretations were placed on the *pithanon*-schema within the Academy: a position of radical scepticism, one of mitigated scepticism, and the view of Philo's Roman Books, which we shall leave to one side. The question arises if the findings of this paper have any import for the way in which these different stances are articulated and reconstructed. I take it that the division of impressions into *emphaseis* and *apemphaseis* is original, i.e. goes back to Clitomachus' records of Carneadean arguments. An

<sup>79</sup> See Cic. *Luc.* 32 *uolunt ... probabile aliquid esse et quasi ueri simile, eaque se uti regula et in agenda uita et in quaerendo ac disserendo* 'They want ... there to be something persuasive and, as it were, truth-like, and to use it as the guiding rule for the conduct of life as well as in inquiry and argument', which is about the Academics in general, rather than a particular faction among them; 104 (to be discussed below 000); Brittain 2001: 117 n. 69.

<sup>80</sup> Pace Tieleman 1996: 264.

attested difference between radical and mitigated scepticism lies in the type of acceptance of impressions: radical sceptics withhold assent but are able to ‘approve’, while mitigated sceptics give qualified assent, i.e. take impressions to be true in suitable circumstances with the *caueat* that they might be false. According to an influential reconstruction, radical and mitigated sceptics also differ in the status they accord to *pithana*: the former treat the persuasiveness of impressions as grounds for acceptance, while the latter regard it as evidence for their truth.<sup>81</sup> The findings of this paper discourage confining a conception of persuasiveness as evidence to a position of mitigated scepticism, while arguably shedding further light on the notion of approval.

First, the issue of evidence. Coherence considerations and phenomenal qualities of an impression, the latter conceived as dynamically determined by external conditions, work together to generate initial persuasiveness, against the background of a refusal to countenance external world scepticism.<sup>82</sup> Thus the notion that a *pithanon* provides evidence for a state-of-affairs in the world is bound to impose itself sooner rather than later, given that the phenomenal properties of a *pithanon* are construed from the very beginning as predicated on sensorimotor interaction with the world. With a *pithanon* thus conceived, the notion that in describing one's actions in response to *pithana* one describes the psychological histories of one's views only, and does not also give (tentative, undogmatic) epistemic justifications for them, is hard (for this interpreter) to make sense of.<sup>83</sup> Cicero, speaking as a Clitomachean and describing eye-witness accounts and legal decision-making in §146 (p. 000), evidently feels entitled to operate such a conception of *pithana* as evidence concurrently with a disavowal of knowledge claims.

Second, the issue of approval. The conception of the *pithanon/probabile* as the rationally persuasive or plausible is relied on in a passage from the *Academica* which represents a point of contact between dialectic as codified in Aristotle's *Top.* and Academic dialectic as documented in Cicero's dialogue. While our information on the reception of *Top.* itself in the Hellenistic period is scant, we can assume that question-and-answer *logoi* continued to be used for practice purposes and that philosophers retained familiarity with it and its conventions, acquired through actual experience and not through perusal of *Top.*<sup>84</sup> Dialectical exchanges could also provide a presentational framework for issues which were

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<sup>81</sup> Brittain 2008: section 3.3: ‘These mitigated skeptics thus took the persuasiveness of perceptual impressions under the right perceptual and coherence conditions as defeasible, but rational, *evidence* for their truth, rather than as merely the ground for their acceptance. We find a similar move in the case of non-perceptual impressions: some mitigated skeptics construed the standard Academic practice of arguing on either side of philosophical questions as a means of rationally evaluating arguments in order to establish which side is more likely to be true. These mitigated skeptics thus changed the status of argument on either side from a critical and, in effect, destructive practice into a positive method for rationally confirming and, indirectly, teaching philosophical conclusions.’ Cf. the much fuller discussion in Brittain 2001.

<sup>82</sup> Cf. n. 000 and the second half of *Luc.* 105, not cited above.

<sup>83</sup> Cf., e.g., the characterisation of Cotta's behaviour in Cic. *N.D.* in Wynne 2014: 247.

<sup>84</sup> See Cic. *Tusc.* 1.7-17, whose similarity to the procedures described in *Top.* Θ8 is striking, as Moraux 1968: 300-7 has shown.

not dialectical, as in Chrysippus' discussion of the Sorites.<sup>85</sup> And so one wonders if the rules and mechanisms of dialectical exercise could have influenced the debate between Stoics and Sceptics in some ways, by providing conceptual categories or by helping to articulate conceptual distinctions. A case in point is the kind of acceptance of premisses (offered in a dialectical exchange) and of impressions respectively. Consider *Luc.* 103-5, on the Carneadean distinction between assent and approval as reported by Clitomachus:<sup>86</sup>

Therefore, he says, those are very much mistaken who say that the senses are rooted out by the Academics. The Academics have never said that colour, taste, or sound do not exist. What they did argue was that those things had no mark of what is true and certain which is peculiar to them and which is nowhere else to be found. (104) After he had explained this, he added that 'the sage suspends judgement' is said in two senses, in one sense where it is understood that he assents to nothing whatsoever, and another where he checks himself from responding so as to approve or disapprove,<sup>87</sup> with the result that he neither affirms nor denies anything (*altero cum se a respondendo ut aut approbet quid aut improbet sustineat, ut neque neget aliquid neque aiat*). Since this is so, he says that the sage adopts the former, so that he never assents, and goes with the latter, in such a way that, following persuasiveness, wherever it obtains or is absent, he can answer 'I suppose so' or 'no'. And since we hold that he who checks himself from assenting about everything is nonetheless moved and acts, there remain those impressions through which we are stirred to action, likewise those with respect to which **we, when interrogated on either side, can respond, following only what appears to be so, provided we do this without assent** (*item ea quae interrogati in utramque partem respondere possimus sequentes tantum modo quod ita uisum sit, dum sine adsensu*). However, not all impressions of this kind are approved but only those which are not impeded by anything. (105) Perhaps you do not approve of these claims. Maybe they are false. But they are certainly not odious. For we do not take away the light, but say that those very things appear to us to be the case (*uideri dicimus*), provided they are persuasive, which you say are grasped and apprehended.<sup>88</sup>

In this passage, on the two types of acceptance distinguished by Carneades according to Clitomachus, we are told that the person who withholds dogmatic assent is nonetheless moved by impressions and acts on them, in which case he

<sup>85</sup> Galen, *De exp. med.* XVI.1-2, XVII.102 Walzer; Cic. *Luc.* 93-4; see Bobzien 2002: 217-8.

<sup>86</sup> Burnyeat 1997: 303-4 notes that, strictly, the passage has Clitomachus distinguish between non-assent and qualified non-assent.

<sup>87</sup> For the passage to be coherent, *ut aut approbet quid aut improbet* must be explicative not of *respondendo* but of *se a respondendo ... sustineat*. Other solutions to this problem merit consideration, too, but would require more argument; see my forthcoming commentary on the *Academica*.

<sup>88</sup> I have compared several frequently used translations, e.g. by Long & Sedley 1987 and Brittain 2006, and am indebted to all of them.

‘approves’ of them. The impressions which have this effect are *probabilia*. However, he will not use all the impressions which are apt to give rise to action, but only those ‘which are not impeded’, i.e. have been tested.<sup>89</sup> This subclass of persuasive impressions is then said to appear in what must be the technical legal sense of *uideri* discussed above.<sup>90</sup> Plain *probabilia*, given that they can give rise to action (even if they are not to be used), resemble first-level *pithana* in Sextus’ account; for top-level *pithana* ‘do not induce assent’ (*M* 7.172).

The passage likens approval to respondent behaviour in a question-and-answer *logos* when it is said that the Academic sage would follow *probabilia*, in practical matters relating to action, as well as on theoretical matters when questioned on either side (see the highlighting above).<sup>91</sup> If Cicero had wanted to present theoretical *probabilia* as the outcome of speeches on either side, he could have done so, but here, it seems, his point was a different one: that giving approval is like replying ‘yes’ in a dialectical exchange.<sup>92</sup> Now there can of course be exchanges in question and answer where saying ‘yes’ is equivalent to Stoic assent (Chrysippus on the Sorites in *Luc.* 93-4 being an example), in the sense that in answering ‘yes’ the respondent can be taken to adopt or proclaim a belief that *p*, as is recognised by Aristotle at the end of his main discussion of the rules governing the behaviour of respondents when offered premisses (*Top.* Θ5, 159b25-7). But in *Luc.* 103-5 Cicero cannot mean that, given that it is stated three times that the Academic reaction amounts to a withholding of assent. Instead, Cicero must be referring to the normal case (on which Aristotle seeks to legislate in *Top.* Θ5, 159a38-159b25), where the respondent in a dialectical exchange combines a full application of his rational self to the activity of appraising propositions with a simultaneous detachment from the issue, such that it can be

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<sup>89</sup> Hirzel (1883: 165-6) found it problematic that there should be a larger class of *probabilia* which can give rise to action, a species of which the Academic will rely on; he thus proposed to delete *eius modi* at the end of §104 as repeated from above, assuming that there was only one type of *probabile* and that it was defined as ‘a *uisum* which was not impeded’. However, the earlier passages from Lucullus’ speech, which distinguish a *probabile* (*primo quasi aspectu*) and a *probabile* which is not impeded, confirm that *eius modi* must be retained.

<sup>90</sup> Recognised by OLD s.v. *uideo* no. 22. *Luc.* §105 continues after the extract given: *Sic igitur inducto constituto probabili, et eo quidem expedito soluto libero nulla re implicato, uides profecto, Luculle, iacere iam illud tuum perspicuitatis patrocinium* ‘Now that the persuasive impression has been so introduced and formulated, and in such a way as to be unencumbered, unfettered, free, and tied up with nothing, you well and truly see, Lucullus, that defence of clarity of yours lying defeated.’ The absence of impedance in connection with approval is itself a legal concept, a fact that was surely not lost on the contemporary readership: a piece of craftsmanship was deemed to have received approval (*adprobatio*) if no objection had been raised during final inspection. At that point liability passed from the craftsman to the party represented by the inspector. See Zimmermann 1996: 404-6.

<sup>91</sup> Cf. *Luc.* 32, quoted above (n. 000).

<sup>92</sup> Cicero can and does of course talk about *in utramque partem disserere* on occasion, whereby the hope or the effect is that the *ueri simile* will emerge. In *Luc.* 104 *interrogati in utramque partem* can be compared to Alexander of Aphrodisias’ expression εἰς ἑκατέρων μέρος ἐπιχειρήσις ‘attack on either side’ (*in Top.* 27.11-12; cf. 584.9-11), which is the skill that dialectic aims to foster: the ability of the questioner to attack (= mount a dialectical syllogism to the contradictory of) the thesis chosen by the respondent when confronted with the initial question (πρόβλημα). For Aristotle’s use of ἐπιχείρημα in the required sense see, e.g., *Top.* Θ3, 158a31-2; Θ11, 162a15-6.

articulated why a premiss to which the answer was ‘yes’ does not amount to a belief acquired or expressed. *That* attitude is meant to elucidate the concept of approval.<sup>93</sup> In a dialectical exchange one may well find oneself debating questions on which one personally does not have a view (‘Is the cosmos eternal or not?’), and yet the rules of the game dictate that the respondent has to select one proposition of the contradictory pair as his thesis, which the questioner will then seek to refute by arguing for the thesis he is landed with by the respondent's decision. Crucially, in an exchange in question and answer a respondent answers ‘yes’ in a suitably detached way not for reasons which are opaque to himself and just because he finds himself feeling so inclined, but for specifiable reasons, like other premisses granted earlier which jointly support a more general premiss inductively, or the fact that the respondent granted another premiss earlier which entails the one he is now asked to accept.<sup>94</sup>

### Bibliography

- Ahl, F. (1984) ‘The Art of Safe Criticism in Greece and Rome’, *AJPh* 105: 174-208.
- Allen, J. V. (1994) ‘Academic Probabilism and Stoic Epistemology’, *CQ* 44: 85-113.
- (2001) *Inferences from Signs: Ancient Debates about the Nature of Evidence*. Oxford.
- (2014) ‘Aristotle on the Value of “Probability”, Persuasiveness, and Verisimilitude, in Rhetorical Argument’, in *Probabilities, Hypotheticals, and Counterfactuals in Ancient Greek Thought*, ed. V. Wohl. Cambridge: 47-64.
- Barnes, J. (1985) ‘ΠΙΘΑΝΑ ΣΥΝΗΜΜΕΝΑ’, *Elenchos* 2: 454-67.
- Bénatouïl, T. (2007) *Faire usage: la pratique du Stoïcisme*. Paris.
- Bett, R. (1989) ‘Carneades' Pithanon: A Reappraisal of Its Role and Status’, *OSAPh* 7: 59-94.
- (2005) *Sextus Empiricus - Against the Logicians*. Cambridge.
- Bobzien, S. (1996) ‘Stoic Syllogistic’, *OSAPh* 14: 133-92.
- (1999) ‘Logic: The Stoics (part 2)’, in *The Cambridge History of Hellenistic Philosophy*, eds. K. Algra, J. Barnes, J. Mansfeld and M. Schofield. Cambridge: 106-8.
- (2002) ‘Chrysippus and the Epistemic Theory of Vagueness’, *PAS* 102: 217-38.
- Brennan, T. (2005) *The Stoic Life - Emotions, Duty, and Fate*. Oxford.
- Brittain, C. (2001) *Philo of Larissa - The Last of the Academic Sceptics*. Oxford.

<sup>93</sup> This conception of approval raises problems of its own, like the question of whether approval as it appears to be construed in *Luc.* 103-5 would not require a large number of actual beliefs as a background; on this problem see, e.g., Perin 2010: 149-50. See also Thorsrud 2010: 73.

<sup>94</sup> On the rationale for accepting premisses in dialectical exchanges as described in *Ar. Top.* see Reinhardt 2015: 232-6.

- (2006) *Cicero: On Academic Scepticism*. Indianapolis.
- (2008) 'Philo of Larissa', in *The Stanford Encyclopedia of Philosophy* (Fall 2008 Edition), Edward N. Zalta (ed.), URL = <http://plato.stanford.edu/archives/fall2008/entries/philo-larissa/>.
- (2014) 'The Compulsion of Stoic Assent', in *Strategies of Argument: Essays in Ancient Ethics, Epistemology, and Logic*, ed. Mi-Kyoung Lee. New York: 332-55.
- Brouwer, R. (2002) 'Sagehood and the Stoics', *OSAPh* 23: 181-224.
- (2007) 'The Early Stoic Doctrine of the Change to Wisdom', *OSAPh* 33: 285-315.
- Brunschwig, J. (1991) 'On a Book-title by Chrysippus: On the Fact that the Ancients admitted Dialectic along with Demonstrations', *OSAPh* suppl. vol.: 81-95.
- (2007) *Aristote - Topiques (Livres V-VIII)*. Paris.
- Burnyeat, M. (1982) 'Idealism and Greek Philosophy: What Descartes Saw and Berkeley Missed', *PhR* 91: 3-40.
- (1997) 'Antipater and Self-Refutation: Elusive Arguments in Cicero's *Academica*', in *Assent and Argument: Studies in Cicero's Academic Books*, eds. B. Inwood and J. Mansfeld. Leiden: 277-310.
- (2012) 'Gods and Heaps', in *Explorations in Ancient and Modern Philosophy* vol. I. Cambridge: 90-111.
- (unpublished) 'Carneades was no probabilist'.
- Bury, R. G. (1935) *Sextus Empiricus - Against the Logicians*. Cambridge, Mass.
- Couissin, P. (1983) 'The Stoicism of the New Academy', in *The Sceptical Tradition*, ed. M. Burnyeat. Berkeley: 31-63. [first published as 'Le Stoïcisme de la nouvelle Académie', *Revue d'histoire de la philosophie* 3 (1929): 241-76.]
- Croissant, J. (1984) 'Autour de la quatrième formule d'implication dans Sextus Empiricus, Hyp. Pyrrh., II, 112', *RPhA* 2: 73-120.
- Daube, D. (1956) *Forms of Roman Legislation*. Oxford.
- Fine, G. (2003) 'Sextus and External World Scepticism', *OSAPh* 23: 341-85.
- Frede, M. (1974) *Die Stoische Logik*. Göttingen.
- (1987) 'Stoics and Sceptics on Clear and Distinct Impressions', in *Essays in Ancient Philosophy*. Oxford: 151-76.
- (1988) 'A Medieval Source of Modern Scepticism', in *Gedankenzeichen. Festschrift für Klaus Oehler zum 60. Geburtstag*, eds. R. Claussen and R. Daube-Schackat. Tübingen: 65-70.
- Frisk, H. (1966) 'Über den Gebrauch des Privativpräfixes', in *Kleine Schriften zur Indogermanistik und zur griechischen Wortkunde*. Göteborg: 183-229.
- Glucker, J. (1995) 'Probabile, Veri Simile, and Related Terms', in *Cicero the Philosopher* ed. J. G. F. Powell. Oxford: 115-43.
- Görler, W. (1994) 'Älterer Pyrrhonismus. Jüngere Akademie. Antiochos aus Askalon', in *Grundriss der Geschichte der Philosophie. Begründet von Friedrich Ueberweg, völlig Neubearb. Ausgabe. Die Philosophie der Antike, Bd. 4: Die hellenistische Philosophie*. Basle: 717-989.

- (2004) 'Ein sprachlicher Zufall und seine Folgen - "Wahrscheinliches" bei Carneades und Cicero', in *Kleine Schriften zur hellenistisch-römischen Philosophie*. Leiden: 60-75.
- Griffin, M. (1997) 'The Composition of the *Academica* - Motives and Versions', in *Assent and Argument: Studies in Cicero's Academic Books*, eds. B. Inwood and J. Mansfeld. Leiden: 1-35.
- Hacking, I. (1975) *The Emergence of Probability*. Cambridge.
- Hirzel, R. (1883) *Untersuchungen zu Cicero's philosophischen Schriften. III. Theil Academica Priora. Tusculanae Disputationes*. Leipzig.
- Hofmann, J. B. and Szantyr, A. (1972) *Lateinische Syntax und Stilistik*. Munich.
- Ierodiakonou, K. (2012) 'The Notion of *Enargeia* in Hellenistic Philosophy', in *Episteme etc.: Essays in Honour of Jonathan Barnes*, eds. B. Morison and K. Ierodiakonou. Oxford: 60-73.
- Ioppolo, A. M. (2007) 'L'assenso nella filosofia di Clitomaco: un problema di linguaggio?', in *Pyrrhonists, Patricians, Platonizers - Hellenistic Philosophy in the Period 155-86 BC*, eds. A. M. Ioppolo and D. N. Sedley. Naples: 225-67.
- Janko, R. (1984) *Aristotle on Comedy: towards a Reconstruction of Poetics II*. London.
- Kunkel, W. (1952) *Herkunft und soziale Stellung der römischen Juristen*. Weimar.
- Latte, K. (1968) 'Augur und Templum in der varronischen Auguralformel', in *Kleine Schriften*. Munich: 91-105.
- Lévy, C. (1992) *Cicero Academicus - recherches sur les Académiques et sur la philosophie cicéronienne*. Rome.
- Linderski, J. (1986) 'The Augural Law', *ANRW* II.16.3: 2146-2312.
- Long, A. A. and Sedley, D. N. (1987) *The Hellenistic Philosophers*, 2 vols. Cambridge.
- de Meo, C. (1983) *Lingue technique del Latino*. Bologna.
- Moraux, P. (1968) 'La joute dialectique d'après le huitième livre des Topiques', in *Aristotle on Dialectic*, ed. G. E. L. Owen. Oxford: 277-311.
- Mutschmann, H. (1911) 'Die Stufen der Wahrscheinlichkeit bei Carneades', *RhM* 66: 190-8.
- Nesselrath, H.-G. (1990) *Die attische mittlere Komödie - ihre Stellung in der antiken Literaturkritik und Literaturgeschichte*. Berlin and New York.
- Obdrzalek, S. (2006) 'Living in Doubt: Carneades' *Pithanon* Reconsidered', *OSAPh* 31: 243-80.
- Pârvulescu, A. (1980) 'Latin Considerare et Desiderare', *Zeitschrift für vergleichende Sprachforschung* 94: 159-65.
- Perin, C. (2010) 'Scepticism and Belief', in *The Cambridge Companion to Ancient Scepticism*, ed. R. Bett. Cambridge: 145-64 .
- Primavesi, O. (1996) *Die Aristotelische Topik - ein Interpretationsmodell und seine Erprobung am Beispiel von Topik B*. Munich.
- Radermacher, L. (1951) *Artium Scriptores (Reste der voraristotelischen Rhetorik)*. Vienna.
- Rapp, C. (2002) *Aristoteles - Rhetorik*, 2 vols. Berlin.
- Reid, J.S. (1885) *M. Tulli Ciceronis Academica*. London.

- Reinhardt, T. (2015) 'On *Endoxa* in Aristotle's *Topics*', *RhM* 158: 225-46.
- Riesenweber, T. (2009) 'Eine stoische Tugenddefinition. Zur Überlieferung von Cic. Inv. 2, 159-167', *RhM* 152: 265-91.
- Schäublin, C. (1995) *Akademische Abhandlungen - Lucullus*. Text und Übersetzung von Christoph Schäublin. Einleitung von Andreas Graeser und Christoph Schäublin. Anmerkungen von Andreas Bächli und Andreas Graeser. Stuttgart.
- Schofield, M. (1999) 'Academic epistemology', in *The Cambridge History of Hellenistic Philosophy*, eds. K. Algra, J. Barnes, J. Mansfeld and M. Schofield. Cambridge: 323-51.
- Schwyzer, E. (1953) *Griechische Grammatik. Erster Band: Allgemeiner Teil, Lautlehre, Wortbildung, Flexion*. Munich.
- Sedley, D. (1982) 'On Signs', in *Science and Speculation - Studies in Hellenistic Theory and Practice*, eds. J. Barnes, J. Brunschwig, M. Burnyeat and M. Schofield. Cambridge: 239-72.
- Sedley, D. (2002) 'Zeno's Definition of *phantasia kataleptike*', in *The Philosophy of Zeno*, eds. T. Scaltsas and A. S. Mason. Larnaka: 135-54.
- Smith, R. (1989) *Aristotle - Prior Analytics*. Indianapolis and Cambridge.
- Spinelli, E. (2008) 'Sextus Empiricus, l'expérience sceptique et l'horizon de l'éthique', *Cahiers Philosophiques* 115: 29-45.
- von Staden, H. (1989) *Herophilus - The Art of Medicine in Early Alexandria*. Cambridge.
- Striker, G. (1997) 'Academics fighting Academics', in *Assent and Argument: Studies in Cicero's Academic Books*, eds. B. Inwood and J. Mansfeld. Leiden: 257-76.
- Svavarsson, S. H. (2014) 'Sextus Empiricus on Persuasiveness and Equipollence', in *Strategies of Argument: Essays in Ancient Ethics, Epistemology, and Logic*, ed. Mi-Kyoung Lee. New York: 356-73.
- Tielemann, T. (1996) *Galen and Chrysippus on the Soul*. Leiden.
- Thomas, R.F. (2000) 'A Trope by Any Other Name: "Polysemy", Ambiguity and Significatio in Virgil', *HSPH* 100: 381-407.
- Thorsrud, H. (2010) 'Arcesilaus and Carneades', in *The Cambridge Companion to Ancient Scepticism*, ed. R. Bett. Cambridge: 58-80.
- Thurneysen, R. (1905) 'Senium und desiderium', *Archiv für Lateinische Lexikographie und Grammatik* 14: 179-84.
- Vogt, K. M. (2010) 'Scepticism and Action', in *The Cambridge Companion to Ancient Scepticism*, ed. R. Bett. Cambridge: 165-80.
- Wackernagel, J. (2008) *Lectures on Syntax, with special reference to Greek, Latin, and Germanic*, edited with notes and bibliography by D. Langslow. Oxford.
- Walde, A. and Hofmann, J. B. (1938<sup>3</sup>) *Lateinisches etymologisches Wörterbuch*, 3 vols. Heidelberg.
- Wynne, J. P. F. (2014) 'Learned and Wise: Cotta the Sceptic in Cicero's *On the Nature of the Gods*', *OSAPh* 47: 245-73.
- Zimmermann, R. (1996) *The Law of Obligations - Roman Foundations of the Civilian Tradition*. Oxford.