ADVANCE SHEET – SEPTEMBER 16, 2022

President's Letter

In this issue, we present the philosophical summing up of Marcus Tullius Cicero, the greatest of Roman advocates, as contained in the first book of *On Duty* (*Selected Works of Cicero* (Roslyn, N.Y.: Walter J. Black, 1948). Readers interested in Cicero will enjoy a trilogy of novels about his life by the popular writer Robert Harris, also the author of historical novels about Nazi Germany and the Munich Agreement. The Cicero trilogy includes *Imperium* (2006), *Conspirata* (2010) and *Dictator* (2015). There is also an arresting biographical sketch of Cicero in Mary Ann Glendon's *The Forum and the Tower* (Oxford U.P.2011) an effort to educate law students about the necessary compromises of politics by sketches of the political adventures of a dozen or so intellectuals, including Plato, Justinian, Burke, Machiavelli, Hobbes, Locke, Rousseau, Tocqueville, Max Weber, Oliver Wendell Holmes, Eleanor Roosevelt and Charles Malik; she considers Cicero and Burke the two subjects that most successfully married theory and practice.

George W. Liebmann

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Books Are Nice, But…

For the past several weeks a firm used one of the Library's conference rooms for meetings and as a staging area while they were in trial. Yesterday, several of their lawyers came by to tell me that they were finished and to say thanks. They told me how much having the room meant to their efforts.

Over the years I have asked all of you to think of the Library and of the possibilities that its use held for you. Years ago a lawyer would always greet me with "How's the book business going?" I think sometimes, in spite of the transformation this and all libraries have undergone, people still think in much the same fashion. They think of all those books, on all those shelves, and think of nothing else. Now, I am not in any way going to bad mouth those volumes. They have been good to me as I am sure they have been good to you over the years, and sometimes, there is still no replacement for them. So, in those instances, whether it be a treatise on the law of property dating back hundreds of years, or one dealing with the latest of topics (I have just ordered a book dealing with the various legal aspects of the Covid pandemic), we are still the place.

Now, how about the other stuff. Let's start with computerized legal research and the substantial databases subscribed to by the Library. You can access it from a Library terminal, your laptop or just forward a search to us and we will transmit the results to you. There are services such as the M.V.A. search service, Library functions such as lectures (offered in-person and by way of Zoom) and movies as well as the above mentioned rooms that can be used from meeting clients to depositions or as staging areas while in trial.

If you can think of it, we can do it. At a time when all of us are looking to rise above what we find ourselves in the midst of, is it not a good thing, a smart thing, to utilize a resource that can be of so much potential benefit in so many ways?

To accomplish everything from saving money, to accessing a repository of so much that can be of help to you, please consider the Library not as a last resort, but as a first option.

I look forward to seeing you soon.

Joe Bennett

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SELECTED WORKS

OF

CICERO

A New Translation

Introduction by Harry M. Hubbell

Published for the Classics Club by

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ON DUTY

[*De Officiis*, 1]

You have now, son Marcus, been studying with Cratippus [1] for a whole year and living in Athens, and so under that authoritative teacher and in that most brilliant of cities you should be well grounded in the maxims and principles of philosophy. Cratippus can enrich you with his learning, Athens by the examples she offers you. However, I have always found it useful to combine Latin studies with Greek, not only in philosophy, but also in the practice of speaking, and I recommend you to do the same, so as to become adept in both languages. Along this line, I believe I have been of considerable help to my countrymen; for, as a result of my efforts, some hitherto ignorant of Greek, and even some acquainted with it, think they have gained much, both in skill of speaking and in clarity of thought.

Accordingly, you will continue to study under the best philosopher of our time for as long as you wish; and you should wish to continue as long as you think you are making progress. But at the same time, read some of my books. My views do not differ much from those of the Peripatetics, for we both claim to be pupils of Socrates and Plato. For your conclusions, however, use your own judgment. I shall not object. But by reading my books you will certainly increase your command of the Latin language. I do not wish you to think I am boasting. In knowledge of philosophy there are many better than I, but I feel justified in claiming the special

[1] Head of a school of Peripatetic or Aristotelian philosophy in Athens.

proficiency of an orator in speaking suitably, clearly, and gracefully, for I have devoted my life to the study of that art.

I therefore strongly advise you, my dear Marcus, to read carefully both my speeches and my philosophical writings, which are now almost as extensive. The speeches have more power of style, the philosophical essays a calm and restrained style, also worth cultivating. So far as I know, no Greek has yet succeeded in attaining excellence in both fields—in public speaking and in quiet, philosophic discourse, unless perhaps Demetrius of Phaleron [2] might be mentioned here. He was a subtle reasoner, and a charming orator, though not very forceful. You can recognize in him a pupil of Theophrastus. But let others judge my accomplishments in the two fields; I have attempted them both.

As a matter of fact, I feel confident that if Plato had cared to appear as a public speaker, he could have spoken with the greatest impressiveness and eloquence. Similarly, if Demosthenes had preserved and wished to expound what he had learned from Plato, he could have done so fluently and brilliantly. The same is true, in my opinion, of Aristotle and Isocrates,[3] each of whom, however, was absorbed in his own field and had little interest in the other.

But since I have decided to write you a letter now, and more later, I should like to start with something suited to your age and my position. Now there are important, practical problems in philosophy, which have been accurately and fully discussed by the philosophers, but their theories and teachings on duty seem to have the widest application. For no phase of life, whether public or private, political or domestic, whether

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[2] Demetrius of Phaleron (345–283 B.C.) was an Athenian orator and politician until his exile in 307 when he retired to Egypt and devoted himself to literature and philosophy.

[3] Isocrates (436–338 B.C.) was one of the most famous of Attic orators.

it is a matter of yourself alone or of your dealings with others, can be without its duty, on the performance of which depends all the virtue of your life, and neglect of which is sin.

And this question of duty has been taken up by all the philosophers. For who would dare to call himself a philosopher if he failed to teach some moral code? Yet there are certain schools that by their theories of good and evil pervert the whole idea of morality. Some men define the supreme good as having no relation to virtue, and measure it by their personal advantage, instead of by a standard of honor. If such a man is consistent and does not yield at times to his own natural goodness, he will be incapable of friendship, justice, or generosity. For a man who considers pain the supreme evil can never be brave; one who calls pleasure the supreme good can never be temperate. The truth of this observation is so patent that it needs no argument; however, I have dealt with the subject elsewhere.

If these schools of thought were only consistent, they would not speak of duty at all. For a fixed, steadfast, and natural code of morals can be established only by men who believe that goodness is desirable solely or chiefly for its own sake. So the teaching of duty is the work especially of the Stoic, Academic, and Peripatetic schools. The notions of the Skeptics, and of Ariston, Pyrrho, and Erillus,[4] were refuted long ago. Yet they would have had the right to discuss duty, if they had left themselves any choice between things, so as to discover what duty is. In this discourse, at this time, I shall present mainly the Stoic view, though not as a mere translator. As in the past, I shall use my own taste and judgment, and

[4] That is, the schools that had a sound ethical basis were the Stoic, Platonic, and Aristotelian. The school of the Skeptics, which declared that all truth was unattainable, had no absolute standards by which to judge morality. Pyrrho (fourth century) was the founder of the Skeptical school. Ariston and Erillus were eccentric Stoics, of whom Cicero disapproved. See on Ariston, above, p. 235, fn. 13.

draw from the sources as much as and in the way that suits my purpose.

Since then this whole discussion is to be about duty, I should like to begin with a definition of what duty is. I am surprised to notice that Panaetius[5] neglected to define it. For any systematic treatment of a subject should begin with a definition, so that everyone may understand what is the object of the inquiry. . . .[6]

Every discussion of duty has two parts. One part deals with the question of the supreme good; the other with the rules that should guide our ordinary lives in every respect. The following are problems of the first part. Are all duties binding on us without any qualification? Is one kind of duty more important than another?—and similar questions. As for the traditional moral code, though it bears a relation to our concept of the supreme good, the relationship is not so apparent, for it seems to aim more at the regulation of everyday life. But it is this part of the subject which I shall treat at length in these books.

There is still another classification of duties. For we speak of one duty as relative and another as absolute. Absolute duty I think we may call "the right," following the Greeks, who call it "the straight," whereas relative duty they call simply "the fitting." And they define those terms as follows: whatever is right, they call an absolute duty, while a relative duty is one for the performance of which a plausible reason can be adduced.

Panaetius says there are three different ways of coming to a decision on conduct. First, men ask whether the course con-

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[5] For Panaetius of Rhodes (c.180–111 B.C.), see p. 313.

[6] Cicero's definition may have been given here. It was probably brief. One version suggested by a modern scholar is: "We call duty any act dictated by reason."

templated is morally right or wrong. Different people often come to different conclusions on this. And then they investigate and consider how far the proposed action may contribute to their comfort and pleasure in life, to the resources and wealth, the possessions and power, by which they can help themselves and their friends. Such consideration clearly falls under the head of expediency. A third way of approach is required when the course that is expedient seems to clash with that which is right. For when expediency seems to pull one way and right to call us back to the other way, the mind is distraught in its deliberations and thrown into a state of irresolution.

There are two omissions in this classification, a serious flaw, since every classification should be exhaustive. For people often consider not only the question whether an act is morally right or wrong, but also of two proposed acts which one is the nearer right;[7] and of two proposed expediencies, which is the more expedient. Thus the question which Panaetius thought had three parts we find should be divided into five. These are, first, the question of the morally right in two forms; then, the question of the expedient in the same way; and finally, the comparison of the two contrasting groups.

From the beginning all species of living creatures have been endowed by Nature with the instinct to protect their own lives and bodies and avoid whatever seems likely to do them harm, and to find and secure whatever they need for life, such as food, shelter, and the like. Common too to all animate beings is a desire for union to produce offspring and a concern for their young.

There is, however, this great difference between man and beast. The beast, inasmuch as he is motivated solely by his

[7] The Stoics drew no distinction between different degrees of right and wrong.

senses, adjusts himself only to that which is present at the moment, with little thought of the past or the future. Man, on the other hand, is endowed with reason through which he observes events and their consequences. He perceives the causes of things, understands the relation of cause and effect, draws analogies, and connects and combines the present with the future. In this way, he easily visualizes the course of his whole life and prepares what he needs to carry it on. Through the same power of reason Nature links man to man, by their participation in speech and in social intercourse. Above all, she implants in him a special love for his offspring. She impels men too to meet and take part in social gatherings and festivals. Thus they are driven to provide not only for their own comfort and livelihood, but also for that of their wives, children, and all others they hold dear and feel bound to protect. This responsibility stimulates their spirits, and encourages them to greater deeds.

The thing most peculiar to the human race is its search and inquiry after truth. For, as soon as we are free from the cares of necessary business, we are eager to see, hear, and learn new things and we believe that a knowledge of the secret wonders of the world is essential to our well-being. Hence we see that the simple and unperverted truth appeals strongly to man's nature. To this craving for a sight of truth is added a desire for leadership. A mind naturally well developed is reluctant to obey anyone but a teacher of morals and wisdom, or, for practical reasons, a just and law-abiding ruler. Out of this attitude grows greatness of spirit and a disdain of human institutions.

And through his great powers of nature and reason man is the one animal with a feeling for order, propriety, and moderation in word and act. In the same way, no other animal has a sense of beauty, loveliness, and symmetry in visible things.

And nature and reason enable us to transfer these impressions from our eyes to our minds and to prize beauty, stability, and order even more in our thoughts and actions. So too, we are led to avoid any indecorous or unmanly deed, and any purely sensual thought or action. Out of these elements is formed and fashioned the goodness that is the topic of our inquiry, which is noble, though it is not a property of the nobility, and goes its way unpraised; however, I say truly that by its nature it is worthy of every praise.

Here, then, son Marcus, you will see goodness take shape, and, as it were, discern the features of her face, which, as Plato says, "if once seen by human eyes, would arouse a marvelous thirst for wisdom." [8] Now all that is good has its origin in one of four sources. It may come from perception of and careful devotion to the truth, or from concern for the maintenance of human society, and the rendering to every man of his own and the faithful fulfillment of obligations, or from the great strength of a lofty and unconquerable spirit, or from an orderly and tempered control of words and deeds, which produces moderation and sobriety.[9]

These four sources are connected and interwoven with one another, yet each one creates its own particular virtue. From the first-named source, in which we include wisdom and intelligence, comes the eager and successful search for truth; this is the special object of that virtue. For the more clearly a person perceives the essential truth in any matter and the more quickly and accurately he can see and explain the reason for it, the wiser and more farsighted he will be considered, and rightly so. Thus the material, as it were, with which the first virtue deals and on which it works, is truth.

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[8] *Phaedrus*, 250 D.

[9] Here Cicero starts his description of goodness as composed of the four Platonic virtues, wisdom, justice, courage, and self-control or temperance.

On the three other virtues rests the obligation of acquiring and safeguarding the means for the practical conduct of life, so that human association in society may be preserved, and the excellence and greatness of man's mind may be revealed, both in the accumulation of riches and advantages for himself and his family, and, far more, in his contempt for these worldly goods. Orderliness, steadfastness, moderation and the like, are in this class of virtues, for which a certain amount of action is required, not only exertion of the mind. And by observing moderation and order in the affairs of everyday life, we shall be upholding goodness and right conduct.

The first of the four virtues into which we have divided the active nature of goodness is knowledge of the truth, a virtue that appeals especially to human nature. For we are all attracted and influenced by desire for knowledge and learning, thinking it fine to excel in this field but shocking and degrading to slip, or be mistaken, or ignorant, or misinformed. In pursuit of this virtue, natural and noble as it is, two errors must be avoided. First, we must never take the unknown as known, and thoughtlessly accept it. Whoever wants to avoid this error (as we all should), will devote both time and pains to a consideration of the evidence. The second error is that of those who concentrate too much labor and energy on the study of subjects that are obscure and difficult, and useless as well.

Provided we avoid these errors, we shall be well rewarded for all the labor and effort we spend on honest subjects, worth exploring, as, in the field of astronomy, Gaius Sulpicius [10] did, I have heard, and, in the field of geometry, Sextus Pompey [11]

[10] Gaius Sulpicius, consul in the year 166 B.C., was famous in his day as an astronomer. He is said to have predicted an eclipse of the moon.
[11] Sextus Pompey, a cousin of Pompey the Great, was a Stoic philosopher as well as a geometrician.

whom I knew myself. Many are outstanding in logic, more in civil law. All these professions are concerned with a search for truth. But to be drawn from such study quite away from active life is contrary to duty. For virtue is praiseworthy only in action, in which, to be sure, there may be many interruptions, and many temporary returns to study. At the same time, the working of our minds, which never stops, may keep us busy with problems of knowledge without any special exertion on our part. All our thought and mental activity, however, will then be directed either to planning for things that are right and that lead to a good and happy life, or to acquiring knowledge and learning. So much for the first source of duty.

The first principle of justice is that no one should harm another, unless provoked by an injury; the next that common possessions should be used for the common interest, and only private property for the individual's interest. There is, however, no private property so established by nature, but only what has become so through long occupancy, as when in the past men settled down on vacant land, or through conquest, as when men seized it in war, or through legal process, agreement, purchase, or allotment. On such grounds the land of Arpino is said to belong to the people of Arpino, and the land of Tusculum to the people of Tusculum; and all private property is based on similar claims. So since all private property comes from what was by nature common property, each one of us should be satisfied with whatever has been his lot. If he wants more than that, he will be violating a law of human society.

We are, as Plato beautifully says, born not for ourselves alone. Our country claims a share in our existence, and our friends a share. By Stoic doctrine the whole produce of the earth was created for the use of men, and men themselves are here for the sake of their fellow men, that they may mutually

assist one another. We ought then to follow Nature here and contribute to the common good by exchanging deeds of helpfulness, both giving and receiving, and by our skill, our labor, and our talents bind more closely together the association of men with men. The foundation of justice is good faith, that is, the faithful observance of promises and agreements. Some may think I am laboring the point, but I will venture, for a moment, to follow the Stoics who make a diligent study of the derivation of words, and assert that good faith is so called because through it a promise becomes a fact.[12]

There are two different kinds of injustice, the injustice of those who inflict an injury and the injustice of those who do not, when they can, protect others who are being injured. A man who, in rage or excitement, attacks anyone else unfairly is as bad as one who lays hands on his friend. And a man who does not prevent, or resist, if he can, an injury to someone else is as much a criminal as one who deserts his parents, his friends, or his country. Many of the injuries which are inflicted on purpose to do harm start from fear; the one who plans the wrong is afraid he will himself be hurt in some way if he does not strike first. But mostly men try to injure others in order to get something they want; so for this vice greed is usually the obvious motive.

Men seek wealth both to secure the necessities of life and to enjoy its pleasures. Men of higher intelligence desire wealth for the sake of the power it brings and the ability to confer favors. Marcus Crassus [13] lately declared that no sum of money was enough for a man who aimed at leadership in the state unless on the income from it he could support an army. Some

[12] The Latin words on whose resemblance Cicero is playing here are *fides* and *fiat*, a truly far-fetched connection.
[13] The wealthy Marcus Crassus had been the partner of Pompey and Caesar in the first triumvirate.

people like a sumptuous establishment and the comforts of luxury and abundance. As a result, the thirst for money is limitless. Nevertheless, I am not against the accumulation of property that hurts no one else, but injustice in acquiring it must always be avoided.

Most men, however, are inclined to forget justice altogether, when once the craving for military power or political honors and glory has taken possession of them. Remember the saying of Ennius,

> "When crowns are at stake
> No friendship is sacred, no faith will be kept,"

—words that have a wide application. For whenever a situation is such that only one man can be on top, the competition is ordinarily so bitter that to preserve "sacred friendship" is very difficult. An example of this behavior was given just recently by the unscrupulous Julius Caesar, who disregarded all rights, divine and human, in order to attain his ill-conceived and imaginary supreme command. The misfortune in this case is that the ambition for honor, military power, authority, and glory arises usually in the hearts of the greatest and most brilliantly talented men. For this reason we should be the more on guard against wrongdoing of that sort.

In any instance of injustice it makes a great deal of difference whether the injury is committed in a state of mental excitement, which is usually transitory and brief, or deliberately and with premeditation. For offenses committed in sudden heat are less serious than those that have been planned and thought out beforehand. And now we have said enough on the topic of infliction of injuries.

The reasons for failure to perform one's duty of preventing injustice to other people are apt to be varied. Men are unwilling to incur enmity, or effort, or expense, or they are in-

different, indolent, or inert, or taken up with some interests or affairs of their own so that they leave abandoned those whom they ought to protect. I wonder therefore whether Plato's dictum about philosophers is correct,[14] that they are just, because they are engaged in the search for truth, and despise and scorn the things for which the masses long and do battle with one another. They indeed practice one kind of justice in that they inflict no injury and do no harm to anyone else, but they fall into the other kind, for, engaged in their studies, they leave unhelped those whom they should protect. In fact, Plato says[15] that philosophers will take part in public business only if compelled; yet it would be better if they did so of their own accord, for, in order to be called just, the right course should be chosen voluntarily. There are people, too, so absorbed in their own affairs or so disgusted with humanity that they profess to have their hands full with their own business, and are certain they are doing no injury to others. These men avoid one kind of injustice and fall into the other; they are deserters from the common life, for they contribute nothing to it, neither their interest, nor their labor, nor their abilities.

I have described the two types of injustice and the causes that lead up to each, and have also stated the elements that go to make up justice. So now we can easily decide what our duty is at any given moment, provided we do not love ourselves overmuch. For it really is hard to be greatly concerned about other people's affairs. Yet Terence's Chremes says[16] that nothing human is alien to him. However, we do realize and feel more deeply the prosperity or adversity that affects ourselves than we do that which affects our neighbors, which

14 *Republic*, VI; see Classics Club edition, p. 368.
15 *Republic*, I; Classics Club edition, pp. 243–246.
16 Terence, *The Self-Tormentor* (*Heauton Timorumenos*), 1, 77.

we observe, as it were, from a long distance off. We judge their situation differently from the way we judge our own. It is sage advice, to refrain from all action in a case of doubt as to where the right and the wrong lie. For the right way shines bright by itself but doubt implies an admission of possible injustice.

There are often, however, times when the virtues normally most characteristic of a just man and one whom we call good change and become their opposites. It may on occasion, for instance, not be right to return a loan or to keep a promise, and it may be right to evade or disregard the duties of truthfulness and fidelity. We must look back to the fundamental principles of justice which I laid down at the beginning; first, to harm no one, and, second, to serve the common good. As these are affected by changing circumstances, our duty also changes and is not always the same.

It may happen, for instance, that to keep a certain promise or compact would be disadvantageous either to the one to whom the promise was made, or to him who made it. If, for example, Neptune in the story had not fulfilled his promise to Theseus, Theseus would not have lost his son, Hippolytus. For, as the tale goes, Theseus was granted three wishes, and for the third, in a fit of anger, he wished for the death of Hippolytus. The granting of that wish plunged him into the depths of grief. You should, therefore, not keep promises that would be harmful to those to whom you made them; or, if to keep them would hurt you more than it would help the other. It is no violation of duty to put the greater good ahead of the smaller.

Suppose, by way of illustration, you promised someone to appear as his attorney in court and in the meantime your son fell critically ill. It would be no breach of your duty not to do what you had promised. On the contrary, if the man you

had promised complained of your desertion, he would be showing a worse concept of duty. And everyone knows that promises made under duress, intimidation, or false pretenses are not binding. Pledges of this kind are frequently declared void by a praetor's edict, sometimes by law.

People often suffer injustice through a kind of chicanery, and an over-subtle or malicious interpretation of the law, whence comes the familiar saying: "The more law, the less justice." By this means a great number of wrongs are committed in public dealings. Take, for instance, the general who made with the enemy a truce of thirty days, and then ravaged their fields by night, because the truce specified days and not nights.[17] One of our own countrymen was guilty in a similar way, if the story about Quintus Fabius Labeo, or some other person, is true. I know it only from hearsay. This man was appointed by the Senate as arbitrator in a boundary dispute between Nola and Naples. On his arrival at the spot, he conferred with each party separately, urging them not to behave greedily or graspingly, but to give up something rather than try to seize more. As both parties followed this advice, a strip of land between them was left unoccupied. He then drew the boundaries as they had agreed and awarded the strip left between to the Roman people. That was certainly cheating, not a fair judgment. Such craftiness should in all circumstances be avoided.

We have certain duties to perform even toward persons who have injured us. There are bounds to vengeance and to punishment. In fact, it is perhaps enough if the offender repents of the wrong he committed so thoroughly that he will not repeat it and will discourage others from similar misdeeds.

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17 The story was told of Cleomenes, king of Sparta (520–491 B.C.), in his war with Argos.

In affairs of state the laws of war must be strictly observed. There are two ways of settling a dispute, the first by discussion, the other by force. The former is peculiar to men, the latter to animals, so we should resort to that only if discussion fails. Wars should never be undertaken save to make possible a life of peace and safety, and once the victory has been won, we should spare all who have not been cruel or brutal in the fight. Thus our forefathers received into citizenship the Tusculans, Aequians, Volscians, Sabines, and Hernicians, but leveled Carthage and Numantia to the ground. I wish they had not destroyed Corinth, but I presume they had some reason for doing so—perhaps the strategic location of the city, that might some day have tempted its inhabitants to start a war again. In my opinion, we should always work for peace, but a peace that will have no tricks in it. If my advice had been followed in the matter, we should still have, if not the best, at least some form of free government, as it is, we have lost it altogether.

A conquered enemy we should treat humanely, and take under our protection those who lay down their arms relying on the good faith of our generals, even if they wait to do so until the battering ram is beating at their walls. This kind of just treatment has been so scrupulously practiced by our people that the commanders who received the surrender of cities or nations defeated in war by ancient custom became their patrons. Justice in war is sacredly provided for in the Fetial Code [18] of the Roman people. There it is stated that a war to be just may not be undertaken until after a demand has been made for restitution, warning given, and a formal declaration issued.

[18] The Fetial Code was the law of the Fetiales or college of four priests who acted as guardians of public faith. They conducted the ceremonious declarations of war and peace, confirmation of treaties, etc.

Popilius,[19] under whom Cato's[20] son was doing his first military service in the army, was the governor-general of a province. Popilius decided to demobilize one legion, and Cato's son, who served in that legion, was discharged. But the young man, liking warfare, stayed on with the army. So his father, Cato, wrote to Popilius and asked him, if he permitted his son to stay, to make him swear a new oath of military allegiance. For since his first oath was then void, he could not lawfully fight the enemy. So punctilious at that time was the observance of law in the conduct of war. There is a letter written by the aged Cato to his son Marcus in which he says he has heard of his discharge by the consul while serving in the Macedonian campaign against Perseus.[21] Cato warns his son accordingly not to go into battle again, for, as he puts it, a man who is not a soldier has no right to be fighting against the enemy.

I should like to point out, incidentally, that a man who should properly have been called "enemy fighter" [*perduellis*] was then called "foreigner" [*hostis*], thus softening the severity of the fact by the mildness of the word. For our ancestors used the word *hostis* for a person we now call foreigner [*peregrinus*]. The Twelve Tables speak of "the day assigned for trial of a foreigner [*hostis*]." Again: "In dealing with a foreigner [*hostis*] all rights of ownership are forever inalienable." What greater sign of humanity can there be than the use of so gentle a name for one with whom we are at war? Yet the word has become harsher with the passage of time, for it has

19 Popilius, consul in 172 B.C., had charge of campaigns in the province of Liguria.

20 This Cato was Marcus Porcius Cato (234–149 B.C.), the Elder, censor, orator and statesman, famous for his austerity of life and morals and his stern opposition to the introduction of Greek culture.

21 Perseus was the last king of Macedonia, conquered by the Romans at Pydna, 168 B.C.

lost its meaning of mere foreigner and become exclusively an armed enemy.

Even when men are fighting for power, or striving for glory in battle, their reasons should still be the same as those I mentioned above as just causes for war. And wars fought for glory and power should be waged with not so much bitterness. Just as in civil life we struggle in one way against an enemy and another against a simple rival. In the one case, we are fighting for our lives and our good name, and in the other for a higher position and prestige. So, the wars against the Celtiberians and the Cimbri were fought as against enemies, for the question then was not who should rule the other but who should survive. But with the Latins, Sabines, Samnites, Carthaginians, and King Pyrrhus we fought for supremacy. The Carthaginians were treaty breakers, and Hannibal was cruel, but the others were all law abiding.

We know the famous speech of Pyrrhus [22] on the exchange of prisoners,[23]

"I do not ask for gold, nor shall you pay me ransom;
We do not trade in war; we are but honest soldiers;
With sword and not with gold shall all our lives be measured.
Will Fortune bring to pass that you reign here, or I do?
Let valor answer for us! Now hear this word from me:
To those courageous men whom fate of war left living
I leave assured their freedom, committing them to you.
Take them, for I release them; and may the gods approve it!"

A royal speech was that, and worthy of Aeacus' famous race.

And if, in time of stress, a person makes a promise to the

[22] Pyrrhus (318–272), king of Epirus, claimed descent from the heroic Achilles and from Aeacus, son of Zeus. He led an invasion into Italy and was as brave and gallant a foe as the Romans ever encountered.
[23] Ennius, *Annals*, VI.

enemy, he must keep faith with them, as Regulus [24] did, for instance. He was taken prisoner by the Carthaginians during the First Punic War, and later sent to Rome to negotiate an exchange of prisoners, having sworn that he would return. But immediately on his arrival, he moved in the Senate that no prisoners should be sent back. Then when his friends and relatives tried to keep him at home, he chose to go back to torture at Carthage rather than break his word to the enemy.

On the other hand, during the Second Punic War, Hannibal, after the battle of Cannae, sent back to Rome ten captive Romans, whom he had bound by oath to return in case they were unable to arrange for a ransom of prisoners. They broke their pledge, and for that reason the censors deprived each of them of citizenship for life. In the same way they punished a man who was guilty of oath-breaking by a trick. He left the Carthaginian camp with Hannibal's permission, and soon afterward returned, saying he had forgotten something. When he left the camp the second time, he considered he was released from the obligation of his oath. By the letter of it he was released, but not by the spirit. Always in a pledge one must think of the meaning, not merely of the words.

Our forefathers gave an outstanding example of justice to an enemy when a deserter from Pyrrhus' army made an offer to the Senate to murder the king by poison, and the Senate, under Caius Fabricius,[25] turned the man over to Pyrrhus. Thus they expressed their disapproval of the treacherous mur-

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[24] The story of Regulus (consul in 267 and 256 B.C.) was a favorite of the Romans. After winning many victories over the Carthaginians, he was taken prisoner by them in 255.

[25] Gaius Fabricius, called "the Just," was another of the heroes of old Rome, renowned for his dignity and uprightness of character. As consul in 278 B.C., he sent back the traitor to Pyrrhus, as related here.

der of even a powerful and aggressive enemy. We have now said enough of duties connected with war-making.

Let us remember that we must be just even to people of the lowest station in life. The lowest station and the worst fate are those of slaves, and there are good teachers who tell us to treat them like paid servants. They should be obliged to work, but they should be given their dues.

There are two ways in which wrong can be done—by force and by fraud. Fraud is to be expected of a little fox, force of a lion. Both are beneath the dignity of man, but of the two, fraud is the more detestable. Of all forms of wrongdoing none is viler than that of the scoundrel who, when he is most false, acts so as to appear honorable. With this I have said enough on the subject of justice.

Next, as suggested above, let us talk of kindliness and generosity. Nothing appeals more strongly to human nature than this virtue, but it must be exercised with considerable discretion. First of all, we must see that our kindness does not harm the very persons whom it is meant to benefit, or anyone else. Secondly, our generosity must not go beyond our means. Lastly, it must be distributed according to the merit of the receiver, for this is the foundation principle of justice, by which all deeds of kindness should be measured. For those who, to please someone they wish to help, bestow on him something harmful to him, are not kind or generous, but dangerous pamperers. And those who injure one party in order to heap kindness on another are as unjust as those who help themselves to other men's property for their own benefit.

Many people, especially those who are ambitious for grandeur and glory, take from some to enrich others, and expect to be thought benefactors of their friends, if they fill those friends' pockets, regardless of how they do it. Yet duty re-

quires something different—precisely the opposite, in fact. Our kindness should be such that it benefits our friends, but hurts no one else. So when Sulla and Caesar took property away from its rightful owners and gave it to strangers, that should not have been considered generosity, for nothing is generous that is not also just.

Another point for caution is that your generosity does not go beyond your means. Whoever tries to be more generous than his means allow is guilty, first, of wrong to his own family, conferring on outsiders property that should justly be used for their support or left to them by bequest. Also, this kind of generosity often leads to rapacity and unjust robbing of other people in order to get the means to make large gifts. We see many people, not so much generous as coveting glory, who do many things to seem benevolent that come closer to ostentation than to true good will. Such pretense is more likely hypocrisy than genuine kindness.

Thirdly, we said that while being generous we should pay some consideration to merit. The character of the person on whom we propose to bestow our benefit should be looked into, his attitude toward us, his lifetime associates and companions, as well as the services he has already rendered to our interests. It is desirable that he have every qualification, or, if not, the more important should count for more.

Now we live with men who are neither perfect, nor conspicuously wise, but who get on quite well if they keep up a semblance of virtue. Even so, I think, we should feel that no human being should be left wholly neglected who shows any trace of goodness. And the more anyone reveals of the gentler virtues, self-control, modesty, and the justice of which we have said so much, the more he should be cherished. A bold and fearless spirit in a man neither perfect nor wise is

often unruly. Those other virtues seem more especially the marks of the good man. And so much for the character of the object of our kindness.

As for our reaction to kindness shown to us, we should give most gratitude to him from whom we receive most love. We should not, like the young, measure affection by the passion which accompanies it, but by its steadiness and constancy. We must be particularly careful whenever we are indebted to others, and the favor was not ours to start with but something to be returned, for no duty is more imperative than the obligation to requite kindness.

Hesiod tells us [26] that we should repay with interest, if possible, what we took for our needs. What then shall we do with unsolicited gifts? Shall we copy the fertile fields that return much more than they receive? We do not hesitate to do favors for persons we expect will be of use to us. How then ought we to treat those who have already helped us? For there are two kinds of generosity—doing a kindness and returning one. We are free in the first case to do or not, but to fail to return a favor is impossible for a good man, provided he can do it without injuring someone else.

Some distinctions have to be made between the favors received, and unquestionably the greater the favor the greater our obligation. Even so, we should weigh carefully the spirit, the ardor, the affection with which the favor was done. For there are people who do a multitude of favors for everybody, impulsively, without judgment, in a morbid or hasty burst of emotion, as unstable as the wind. Such favors should not be valued so highly as those done for us with judgment, deliberately and steadily.

However, in conferring a kindness or returning a favor,

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[26] *Works and Days*, 349–351.

other things being equal, our first duty is to help most where help is most needed. But as a rule, people do the contrary. They do most for the one from whom they expect most, even though he does not need it. The bonds that connect members of human society will be best preserved if we show our greatest kindness to those who are nearest us.

At this point I think we should go back to the natural principles on which human society and fellowship are based. There is, first of all, the common link existing between all members of the human race. This link is the power of reason and speech which through teaching and learning, communication, discussion, and judication brings men together and unites them in a kind of natural fellowship. This faculty more than any other thing distinguishes our nature from that of animals. They, we admit, often show courage, as, for instance, horses and lions do, but we do not ascribe to them justice, fairness, and goodness, because they are not endowed with reason or speech. Those are the universal bonds that join men to men and all to all. Through them the common ownership of all things that nature has produced for man's common use should be maintained. For even though all that has been made private property by statute and civil law must be protected as the laws appoint, all other things should be treated as the Greek proverb says, "everything in common among friends."

We see the common right of all men in things of the kind described by Ennius in one passage,[27] which may be extended to cover many more.

> "Whoever sets a wanderer on his way
> Is like a man who lights a lamp from his.
> His own shines no less bright for lighting that."

[27] The lines may come from Ennius' tragedy *Telephus*, now lost.

This illustration teaches us to give even to a stranger whatever we can spare without privation. And on this principle we base the following rules. "Shut no man off from running water." "Let anyone who asks light his fire from yours." "Give sound advice to a person in uncertainty." Such kindnesses help the recipient and involve no loss to the giver. We should therefore obey those rules and constantly contribute to the common good. But since the resources of individuals are small and the number of the needy is great, our general benevolence should be regulated by the test set by Ennius; our own lamp is to "shine no less bright"—that we may have means to be generous to our friends.

There are many degrees of connection between members of the human race. To pass beyond the universal bond, there is the closer bond of race, nation, and language, by which men are bound very tightly together. Within that are the groups of citizens of the same city who have many things in common —forum, temples, arcades, streets, statutes, laws, courts, and rights of suffrage, to say nothing of social relationships and numerous property and business associations. A still closer connection exists between groups of kinsmen.

Starting from the vast society of the human race, we have now arrived at a small and narrow circle. For since by nature all living creatures desire to produce offspring, the first bond of union is that between man and wife, then between them and their children. Then comes the household, with all its possessions in common. This is the starting point of the city, the seedbed, so to speak, of the state. After it come the bond between brothers, and then between first and second cousins who, when they can no longer find room in one house, go out to separate homes, like colonies. Marriages follow with their connections, and new relatives are thus added. With this increase of numbers and their progeny comes the

beginning of the state. Blood relationship produces in men good will and affection, for it means much to share with relatives the same memories of ancestors, the same religious rites, and the same tombs.

But of all the bonds mentioned so far, none is more noble or more enduring than familiar friendship, when it unites good and congenial men. For if we discover in a fellow man that goodness of which I have said so much, we are moved to make him our friend. And while every virtue attracts us and makes us love those in whom we see them exemplified, justice and generosity do so most of all. And nothing is more conducive to love and intimacy than the similarity of character of good men. When two persons strive for the same ideals and want the same things, then each loves the other as himself, and it comes about, as Pythagoras says it should in a friendship, that from being several they become one. Another strong tie between men is created by the give and take of friendly services. As long as these are reciprocal and agreeable, they make for firm friendship between those who exchange them.

But when in a spirit of reason we survey them all, we find no bond more powerful or more dear than that which binds each one of us to our country. Parents are dear, children, relatives, and friends are dear, but our love of country embraces all other loves. For her no good citizen would hesitate to lay down his life if thereby he could serve her. The more despicable are those scoundrels who have rent their country in pieces with every form of crime, and have labored and still are laboring for her total destruction!

If we should draw up a comparison to select the ones to whom we owe our greatest duty, first would come our country and our parents, to whose charity we are most deeply indebted. Next would come our children and all our households, people who look to us as their sole support and can have no other

protector. Then would come our congenial relatives, whose fortunes are for the most part the same as ours.

The necessities of life, therefore, must first of all be provided for those I have just mentioned. But companionship in life and living, counsel, conversation, encouragement, consolation, sometimes even criticism are found at their best among friends. And the friendship is happiest that is knit between like characters.

But in the discharge of all these duties we must consider what is most needed in each case, and how much each person can or cannot get without our aid. In this way we shall find that the degrees of our obligation vary with circumstances. There are duties we owe to some people more than to others. For instance, in harvesting crops, you may help your neighbor more than you do your brother or your friend. But in a case in court, you will defend your relative or your friend rather than your neighbor. These and similar questions we should consider in every line of duty and make a custom and practice of doing so, in order to become good reckoners of duties, able by adding and subtracting to see what the final sum comes to and know how much we owe to each.

But just as doctors, generals, and public speakers, however well they may know the theory of their art, can never win any very admirable success without experience and practice, so though the rules for performance of duty have been laid down, as we are stating them, the fulfillment of them is so arduous that we too need experience and practice. We have now discussed sufficiently the way in which the idea of goodness, from which duty is derived, was developed out of the elements that are present in the institutions of all human society.

We must, however, remember that though the four cardinal virtues are, as we have described them, the foundations for

all good conduct and duty, the acts we call most splendid are performed by men of a great and lofty spirit, scorning the ordinary ways of men. So in taunting a person, the first thing we say, if we can, is something like this: [28]

> "You, young men, have the hearts of women,
> This girl, that of a man!"

Or like this:

> "O son of Salmacis, your spoils should show
> no stains of sweat and blood!" [29]

On the other hand, our most exuberant praise we give to brave and noble deeds done with a high heart. Orators dilate at length on Marathon, Salamis, Plataea, Thermopylae, and Leuctra, and on our own Cocles, the Decii, Gnaeus, and Publius Scipio, Marcellus, and countless others. The people of Rome excel above all in greatness of spirit. Their enthusiasm for military glory is shown by the fact that most of their statues wear the soldier's dress.

Yet if this same high spirit that is displayed in danger and difficulty is without regard for justice, and fights not for the common good but for its own advantage, it becomes a vice. Far from being a virtue, it is rather a barbarity revolting to all humane feeling. The Stoic philosophers are therefore right in defining courage as the virtue which makes men fight for the right. No man who won a reputation for courage through treachery and cruelty ever received much praise, for nothing can be good that is not just.

There is the famous saying of Plato,[30] "All knowledge used

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[28] The source of these lines is uncertain.
[29] Ennius, *Ajax*. Salmacis was a nymph, whose fountain at Halicarnassus made any man who drank of it weak and cowardly.
[30] *Menexenus*, 246.

to promote injustice should be called cunning rather than wisdom. And so a spirit willing to face danger, if it is moved by selfishness and not by desire for the common good, may be styled bold, but it is not courageous." We would have our brave and stouthearted men at the same time good and sincere, friends of truth and clean of all deceit. These qualities are the glorious heart of justice.

The shame is that from this loftiness and greatness of spirit spring often stubbornness and an excessive hunger for power. Plato tells us [31] that the Spartan disposition was all fired with ambition to win. Similarly, the man most outstanding for greatness of spirit most wants to become first among his fellow citizens or rather their sole ruler. It is difficult to preserve a sense of that fairness, which is essential to justice, when you are straining to outdo everyone else. Such men accordingly are not to be held in check by argument or by any public or legal edict. In public life they are apt to become bribers and intriguers, aiming at large influence and preferring a superiority based on force to an equality with justice. Yet the more difficult the task, the more glorious its accomplishment, for under no circumstances should a man forget justice.

Hence not those who commit injustice but those who prevent it are courageous and noble-hearted. A truly wise and great spirit believes that in deeds rather than in fame is the goodness which is Nature's goal. He chooses to be a leader rather than to seem so, for a man who is dependent on the vagrant opinion of the ignorant masses cannot be counted one of the great. The more ambitious a man is, the more easily can a desire for fame lead him to acts of injustice. We are here on slippery ground, for where is the man who has faced danger and conquered difficulties who does not wish to be

[31] *Laches*, 182.

rewarded with glory for his accomplishment? A soul that is altogether brave and great is distinguished by two main characteristics. One is his indifference to externals, for he is convinced that a man should never admire, or desire, or work for anything but what is good and seemly, and should never give way to any other man or any passion or any hardship of fortune. The second characteristic is that, having trained his spirit as we have just said, he will do deeds both splendid and highly useful, as well as extremely arduous and fraught with labor and danger to his own life and to many of the things that make life worth living.

It is the second of these two characteristics that ensures for him all the glory and grandeur and usefulness to others, but the cause and the intelligence that make the man great lie in the first. That is what makes a man superior and indifferent to human things. You can see this in two ways. First, he considers goodness the only good, and second, he is free from all passion. For it takes a brave and a great mind to treat as unimportant what seems to the masses most wonderful and splendid, and to despise them on firm and fixed principles. And it requires a spirit of much strength and constancy to bear all the pains, many and various, that meet us in human life and fate without losing the natural state and dignity of a wise man. And a man who is not to be shattered by fear cannot consistently be shaken by desire, nor should one who cannot be conquered by toil be conquered by pleasure. We must therefore beware of all these things and also of greed for money. For nothing is so characteristic of a narrow and small mind as a love of money, and nothing is more honorable and magnanimous than contempt for it, if you have none, and benevolent and generous spending of it, if you have it.

We should beware, too, as I have said, of too much glory, for it deprives us of the liberty that is the prize for which

all great men struggle. Nor should we desire military command. We should either refuse to accept it, or after a time resign it.

We should also keep our spirits free from all disturbances, from desire and fear, from excess of pain or pleasure, and from anger, that peace and serenity may reign in our souls, and bring with them steadfastness and dignity. There have been and still are many persons who seek to obtain this peace by withdrawing from public affairs and taking refuge in a life of quiet. Among these have been the noblest and by far the greatest philosophers and other austere and serious men, who could not endure the ways of people or of princes. Some of them went to live in the country and found happiness in the conduct of their households. Their purpose was like that of kings—to suffer no want, to be subject to no one's command, to enjoy liberty, which means to live as one pleases.

This last desire is felt both by persons ambitious for power and by the quiet retired men of whom I have just spoken. The former believe they can obtain that liberty by the acquirement of great resources; the latter are satisfied with the little they have. We should not condemn either way of thinking. The life of retirement is easier and safer and less unpleasant and troublesome to others. Whereas the career of one who devotes himself to service of the state and the management of great affairs is more useful to mankind and more apt to achieve fame and wide renown.

So perhaps we must excuse those men of brilliant ability who have not taken part in politics but devoted themselves to learning, as well as those who have retired from public life because of ill health or some other serious reason and left to others the power and the credit of governing. As for those who, without any such good reason, will have nothing to do

with military commands or civil offices, so much admired by the masses: I think this is not to their credit but to their discredit. Insofar as they are scornful of glory and care nothing for it, it is hard not to commend their attitude. But actually they seem to be afraid of the work and the trouble, and also of what they regard as the disgrace and the notoriety of possible attacks and defeats. For there are people who act quite inconsistently under contrary conditions. Pleasure they denounce in severest terms, but to pain they are very sensitive. Glory means nothing to them, but they are crushed by disgrace. And even in these things they are not really consistent.

But all who have received from Nature a gift for executive action should drop their hesitations, and stand for office and take a hand in the conduct of the state, for by no other means can government be carried on or a great spirit declare itself. Statesmen no less than philosophers—perhaps even more—should possess the magnanimity and superiority to human vicissitudes of which I have often spoken, and peace and serenity of mind, if they are to live free from worry, in dignity and stability. This is easier for philosophers, since their lives are less open to the blows of fortune, their needs are fewer, and if adversity comes upon them, their fall is not so serious. Not without reason, then, are men in public life more excited than men who live in seclusion, and more eager for success. All the more do they need greatness of spirit and freedom from petty anxieties. A man, then, who plans a public career should consider not only the honor of it but whether he has the ability to succeed. In doing this, he should neither despair too soon from discouragement, nor be overconfident through ambition. In every enterprise it is best to prepare carefully before starting to undertake it.

Most people suppose that military achievements are more

important than civil, but this view ought to be amended, for wars have often been started by men too eager to become famous, men who many times were gifted with great spirits and capacity. It is particularly likely to happen with men who are able and enthusiastic soldiers. If, therefore, we are to be truthful, we shall admit that many peaceful achievements have been more important and more renowned than feats of war.

Themistocles [32] is highly praised and justly so, and his name is more famous than that of Solon. Salamis is cited constantly as witness to a most glorious victory, which is rated above Solon's wise counsel in establishing the court of the Areopagus. Yet the latter achievement should be regarded as no less illustrious than the former, for Themistocles' victory served the city once, but Solon's work will be of value always. Through his measures the laws of the Athenians and their ancestral institutions have been preserved. And while Themistocles could not say that he had done anything to assist the Areopagus, it could truthfully claim to have assisted Themistocles, for the war was carried on under the direction of this senate which Solon had set up.

The same thing may be said of Pausanias and Lysander,[33] whose deeds are said to have won for Sparta her supremacy; yet they are never to be compared with the laws and social code of Lycurgus. Rather, it was due to them that Pausanias and Lysander possessed such brave and well-disciplined armies.

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[32] Themistocles was the brilliant general who gave Athens her fleet and by his victory off the island of Salamis saved Greece from conquest by the Persians (480 B.C.); Solon (c. 638–558) was the great lawgiver who gave Athens her constitution.

[33] Pausanias, king of Sparta, commanded the Greek army in the victory over Persia at Plataea (479); Lysander, a Spartan admiral, won the decisive naval victory over Athens that decided the outcome of the Peloponnesian War (405); Lycurgus was the lawmaker of Sparta.

I, for one, do not believe that Marcus Scaurus [34] was inferior to Gaius Marius, when I was a child, or Quintus Catulus to Pompey, when I was in public life. For arms are of little use in the field if there is no wise policy at home. So Scipio Africanus, remarkable man and general as he was, did no more for his country by destroying Numantia than was done at the same time by Publius Nasica, the private citizen, when he killed Tiberius Gracchus. That act, to be sure, was not wholly civil in character, but in a way warlike, since it was an act committed by violence. Yet it had a political motive, and was performed without an army.

The best statement is that line [35] which is criticized, I hear, by malicious and jealous persons:

"Let the sword bow to the toga, let the people's voice govern the laurels." Other instances aside, when I was at the helm of state, did not the sword bow to the toga? Never was our country in greater danger and never was a peace more profound. Through my vigilant policy the swords in the hands of the bold insurgents dropped suddenly to the ground. What military victory was ever so complete? What triumph can be compared with it? I may boast to you, my son, for you are heir to my glory, and yours is the duty to imitate it. And Gnaeus Pompey, crowned with the glories of war, before a vast audience paid me the high tribute of saying that he would have won his third triumph in vain, if, without my services to the state, he had found no place in which to celebrate it. Acts of civilian courage then are not inferior to military

[34] Marcus Scaurus and Quintus Catulus were both aristocratic consuls and politicians, of the senatorial party, to which Cicero belonged; Gaius Marius and Pompey were two of the famous generals of the time. On Scipio Africanus, see above, p. 19, fn. 1. Nasica was the leader of the band that attacked and killed the tribune Tiberius Gracchus for his attempt at reform of the land system in the interest of the small farmer.

[35] Poem by Cicero, *On his Times*, III.

prowess. On the contrary, the former require more devotion and more energy.

In general, the goodness we look to find in a lofty and noble mind is derived from spiritual, not physical, strength. Yet the body must be exercised and so trained that it will obey the judgments of reason in carrying out assignments and undergoing toil. But the goodness which is our subject here is a matter entirely of resolution and thought. By it the men who in civil toga guide the affairs of the republic perform as great a service as those who wage our wars. Through their wise counsels wars are often averted or brought to a close. At times, too, they start wars, as when Marcus Cato brought on the Third Punic War and influenced its conduct even after his death. Wisdom in settling a conflict is more desirable indeed than courage in fighting it out. But we must be careful not to choose peace out of desire to escape a war instead of for the public interest. Whenever a war is undertaken, clearly its sole purpose should be to secure peace.

Only a brave and steadfast spirit will remain undisturbed in times of stress and not be upset and lose sight of his goal, but keep his presence of mind and his judgment and push on in the path of reason. By reasoning to anticipate the future, and recognize beforehand what may happen in either the best or the worst contingency, and what must be done in any event, and never to have to say, "I did not think of that,"—all this requires a brave spirit and also high intelligence.

This is the conduct of a great and lofty soul, confident in his foresight and wisdom. But to dash recklessly into battle and fight the enemy sword in hand seems rather barbarous, animal behavior. Yet if circumstances demand it, we must resort to our swords and prefer death to slavery and disgrace.

When it comes to the destruction or plundering of conquered cities, great care must be taken that nothing is done

wantonly or too brutally. In turbulent times it is a great man's duty to punish the guilty, but to protect the masses and maintain under all circumstances an upright and honorable course. As I said before, there are men who set achievements in war above those of peace, and so you will find many to whom dangerous and rash decisions appear more glorious and brilliant than those that are calm and well considered.

On the one hand, we must never try so hard to avoid a danger as to seem cowardly and fearful, but we must beware too of exposing ourselves to danger without due reason—than which nothing can be more stupid. So in approaching dangers we should copy the physician's method; in light cases of illness, they give mild treatments, for the seriously sick, they must use perilous and sometimes drastic remedies. Only a fool will pray for a storm in fair weather, but when a storm comes, a wise man resists it with all his power, especially when he expects to gain more by winning out than he risks by the struggle.

The dangers of political action fall at times on those who undertake it, at other times on the state itself. Some risk their lives, some their reputations and the good will of their fellow citizens. We should, however, be more ready to face perils ourselves than to endanger the community, and to fight for honor and glory harder than for other possessions. Many would willingly sacrifice their property and even their lives for their country, even though their country calls for it. Take, for instance, Callicrates,[36] who, after being admiral for the Spartans in the Peloponnesian War and doing excellent service, at the end ruined everything by refusing to heed the advice of those who thought he should withdraw his fleet from Arginusae and not try battle with the Athenians. His

[36] Callicrates lost both his fleet and his life at Arginusae, 406 B.C.

answer was that the Spartans, if they lost that fleet, could build another, but that he could not retreat without disgracing himself. And actually it was not a heavy blow to Sparta! But when Cleombrotus,[37] in fear of criticism, undertook to rashly fight Epaminondas, his disastrous defeat meant the collapse of Sparta's power.

How much wiser was Quintus Fabius Maximus,[38] of whom Ennius says: [39]

> "One man by his delays our country has preserved,
> Its safety he has put before his own fair fame,
> And thus henceforth his glory brighter grows."

Misdeeds of this sort should not be committed in political life either. There are men who for fear of criticism never dare to express their opinion, excellent as it may be.

In general, political leaders should remember the two rules of Plato: [40] first, to be so careful of the people's welfare that in every act they consider that, without regard to their own advantage; second, to watch over the whole body of the citizenry, lest they betray some while protecting others. The administration of the state should be like a guardianship, conducted for the benefit of the wards, and not for that of the guardians. Those who disregard the interests of a part of the citizens, while they favor another part, introduce a pernicious influence into the state, sedition and party strife.

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[37] Cleombrotus, son of the king of Sparta, was defeated and killed in the battle of Leuctra, 371 B.C. Thereupon Thebes, under her great general Epaminondas, became the leading city of Greece.

[38] Quintus Fabius Maximus won his victory over Hannibal in 217 B.C., by his slow and cautious strategy of seizing every opportunity to harass the enemy, but refusing battle, until the Carthaginians were so weakened that their defeat was certain.

[39] *Annals*, XII.

[40] *Republic*, I, 342; IV, 420.

As a result, some will support the popular party, others the aristocratic, but few will take thought for the nation as a whole.

As a result of such conditions, violent factions arose in Athens, and in our republic we have had not only uprisings, but calamitous civil wars. Any sincere and courageous patriot, worthy of leadership in the state, will oppose and hate this state of things and will devote himself wholly to his country, with no thought of his own wealth or power. He will safeguard it and act in the interests of all the citizens. He will not use false charges to bring odium or suspicion on anyone, but will hold so fast to justice and honesty that he will suffer any loss, however heavy, in order to be true to his principles, and suffer death rather than give them up.

We have certainly a most unfortunate way of campaigning and struggling for public offices. Plato has some fine words on that subject.[41] "People who compete with each other to see who shall administer the government act like sailors who fight to take over the helm." He also advises us to treat as enemies only those who resort to arms, not those who merely have views of their own about conduct of administration. The dispute between Publius Africanus and Quintus Metellus was like that, without bitterness.

We should pay no attention to persons who tell us that we should feel a violent hatred for our enemies, and that such passion is the sign of a brave and noble man. Nothing is more admirable and nothing more worthy of a great and extraordinary character than gentleness and tolerance. And among a free people, where all are equal before the law, we must practice amiability and what we call poise of mind. For if we are irritated with people who call on us at incon-

[41] *Republic*, VI, 488, 489; VIII, 567; *Laws*, IX, 856.

venient hours or make impertinent requests of us, we may fall into a state of foolish and offensive bad temper. At the same time, we must realize that courtesy and kindliness are good only if they do not interfere with strictness in the cause of the state, without which government cannot be administered. But even punishment and censure should not be insulting, nor designed for the satisfaction of the punisher or censurer, but for the best interest of the republic.

We should see to it also that the punishment is not greater than the crime, and that some are not penalized for offenses for which others are not even put on trial. Above all, there should be no anger shown in punishing. For when an angry man inflicts punishment, he never takes the middle course between too much and too little. This middle course is the doctrine of the Peripatetics,[42] a good doctrine, too, if only they would not praise anger, and call it a useful gift bestowed on us by Nature. But, in reality, we should not countenance anger under any circumstances, but should expect our political leaders to be like the laws, which punish with justice but without passion.

When we are prosperous and everything is going our way, we should take pains to avoid arrogance, haughtiness, and pride, for it is as much a mark of weakness to be overexcited by good fortune as by bad. An admirable thing it is to keep one's equanimity all through life, with always a calm face and expression, as, we hear, Socrates and Gaius Laelius[43] did. King Philip of Macedon, though outdone by his son in military achievements and glory, was his superior, I believe, in courtesy and humanity. Philip then was always a great man, while

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42 The Peripatetics were the followers of Aristotle. On his doctrine of the "golden mean" see his Ethics; Classics Club edition, p. 109 ff.

43 Gaius Laelius, who served under Scipio Africanus at Carthage was a Stoic and friend of the philosopher, Panaetius, mentioned below.

Alexander was often extremely vicious. The warning seems sound, that the higher we rise, the more humbly we should walk. Panaetius [44] reports that his pupil and friend, Scipio Africanus, used to say, "When horses that have taken part in many battles become fierce, they have to be turned over to trainers to make them manageable again. And so men, unhinged by prosperity and brimful of self-confidence should be sent to the training-ring of reason and learning, to discover there the frailty of human life and the fickleness of fortune."

So at the pinnacle of our success we should listen very closely to the advice of our friends and defer even more than before to their opinions. At the same time, we must be careful not to open our ears to flatterers or listen to their blandishments. For it is easy to be deceived and we may come to think we deserve their compliments. Here is the starting point of much wrongdoing, for men, puffed up with conceit, make themselves shockingly ridiculous and commit the most outrageous errors. Enough on this subject!

To answer now our earlier question, we must admit that our greatest achievements, marks of the greatest spirit, are those accomplished by men who govern states, for their activities are most widespread and affect the largest number of people. Yet there are and have been many great souls living lives of seclusion, engaged in researches or undertakings of deep importance, who confine themselves strictly to their own work, or else stand midway between philosophers and public officials, enjoying their possessions, without trying with all their might to increase them, or shutting others out from them, but sharing them with their friends and their country, if it needs them. Their property, in the first place, will be acquired in no fraudulent or harmful way. Then it will be en-

[44] For Panaetius, see above, p. 313.

larged by intelligence, industry, and thrift. Lastly, it will be made available to as many people as possible, provided they are worthy, and will be used in ways of generosity and benevolence instead of sensuality and luxury. Following these rules, you may live nobly, in dignity and state, yet at the same time simply and loyally, as a true friend of man.

We must next discuss the one remaining phase of goodness, that including modesty and self-control, which are a kind of refinement of life, moderation, suppression of passions, and orderliness in things. It also includes what we call in Latin "decorum" and the Greeks call "fitness." The quality of this last cannot be distinguished from goodness, for whatever is fitting is good, and what is good is fitting. The difference between the two can be more easily felt than explained. Whatever decorum is, it is visible only after goodness has preceded it. This account of decorum applies not only to the phase of goodness we are now discussing but also to the three we discussed before. To think and speak wisely, to do what one does considerately, and to see and uphold the truth in everything is fitting. On the other hand, to be mistaken, to be led astray, to fall into error and be deceived, is as unfitting as to be insane and out of one's mind. Everything just is fitting, and everything unjust, like vice, is unfitting. The relationship of decorum to courage is similar. Whatever is done in a manly and courageous spirit is worthy of a man and fitting; what is cowardly is, like something immoral, unfitting.

So this decorum, of which I speak, is present in every aspect of goodness, and its presence is evident and requires no expert investigation. In every virtuous deed there is perceptible an element of decorum. The two can be separated theoretically, but not practically. As the charm and beauty of the body cannot be separated from its health, so this decorum is in fact in-

extricably mixed with virtue, but in thought and theory we distinguish them.

We may describe decorum or fitness under two heads. There is a general decorum, we know, that appears in all goodness, and another, subordinate to the first, that belongs to the several kinds of goodness. The former is commonly defined about as follows: decorum is a quality that marks human excellence in those things in which man by nature differs from other animals. The more particular type of decorum is defined as a quality in accord with nature, which produces moderation, self-control, and good manners.

That this is the accepted understanding of decorum we can see from the way the poets observe it. But of that I have said more elsewhere.[45] But poets conform, we say, to the rules of fitness when the acts and words of their characters are in accord with the nature of each individual. It would seem unfitting, for instance, if either Aeacus or Minos[46] were made to say:

"Let them hate me, as long as they fear me,"

or:

"The father is himself his children's tomb,"

because we have been told that those men were just. But if Atreus[47] speaks such lines they are applauded because the sentiment accords with his personality.

The poets, then, decide from each one's personality the part that is fitting for him. But Nature herself has assigned us all

[45] *The Orator*, XXII, 71.

[46] Aeacus, son of Zeus and legendary king of Aegina was renowned for his goodness and piety. With Minos, another noble son of Zeus and king of Crete, he was made judge of the dead in Hades.

[47] Atreus, father of Agamemnon and Menelaus, in the tale was the murderer of one brother and of the children of another.

personalities of great excellence, and souls superior to those of all other creatures. The poets choose for a large variety of characters, even bad ones, what is fitting and proper for each one, but on us Nature has imposed roles of steadfastness, moderation, self-control, and courtesy. She teaches us also to be careful in the way we treat our fellow men, that we show both that decorum that accompanies all goodness generally, and that which is to be seen in each separate type of goodness. For even as a beautiful body attracts our eyes by the fine symmetry of its members, and delights us with the graceful interplay of all its parts, so this decorum, if it appears in our daily lives, draws the praise of our fellow men for the orderliness, consistency, and moderation of all our words and acts.

We should accordingly show something like reverence toward other men, toward the best, and also the others. Not to care what others think of us is a sign not only of arrogance, but also of a lack of principle. There is a difference between justice and courtesy in our dealings with other men. Justice requires us not to wrong them, courtesy not to hurt their feelings. It is in this last respect that decorum becomes most apparent. With these remarks I think it is clear what it is that we mean by decorum.

The duty that we derive from it leads us first to the way of harmony with Nature and obedience to her laws. For following Nature as our guide, we shall never go astray, but shall be on the road to keen perception and understanding (which is wisdom), and to an ardent and courageous spirit. But the special power of decorum appears in the virtue we are now discussing (that is, moderation). For only those actions of our bodies and of our minds are to be called right that are in agreement with Nature's laws.

The activities of our minds are naturally twofold. One kind has its seat in desire—called in Greek appetite—which drives

men hither and yon. The other kind is based on reason, which teaches and explains to us what we should do and what avoid. As a result, our reason controls us and our desires obey it.

We should do nothing rashly or carelessly, and nothing for which we cannot give a sound reason. This rule amounts almost to a definition of duty. We must see to it too that our desires obey our reason, and neither run ahead of it nor lazily and timidly lag behind it, but remain calm and cause no disturbance to the spirit. Thus we shall achieve a luminous steadfastness and moderation in all things. But when our desires are given free reign and break loose, so to speak, into greed or aversion, with no sufficient control by reason, they transgress glaringly all limits of decent behavior. They discard and reject all ideas of obedience to reason, although the law of Nature made them subject to it; and create disturbances not only in the mind, but in the body. We have only to look at the faces of people in a rage, or under the spell of passion or fear, or who are disporting themselves in gross pleasures. Their faces, voices, gestures, postures are all of them changed.

To return to our picture of duty, we see now that all our appetites should be restrained and kept in bounds, and we should take constant pains not to do anything rashly, haphazardly, inconsiderately, or carelessly. For Nature has not created us to behave as if we were here for play and fun, but for a serious life of earnest and important tasks. Sports and jesting we may indeed enjoy, but as we do sleep and other relaxations, after we have finished our serious and significant work. Even then, our kind of fun should not be extravagant or immodest, but decent and witty. We do not allow our children to play every kind of game, but only those compatible with good behavior; similarly our jests should be lighted by nobility of spirit.

There are, in general, two forms of jesting. One is rude,

coarse, vicious, and obscene; the other, refined, polite, clever, and witty. Both our poet, Plautus, and the Old Comedy at Athens, and also the books of the Socratic philosophers, are full of jests of the latter type, and many witty sayings of other men, like those that the elder Cato collected, called *Apophthegmata* [aphorisms]. It is easy to tell the decent from the improper jest. The one, if rightly timed, that is, when minds are relaxed, is suitable even for the most dignified person; the other is unfit for any free man, when the subject is foul and the language obscene. In our amusements too we should observe certain rules, so as not to go too far and be carried away by our revels and lapse into sheer debauchery. The games on our Campus Martius and hunting excursions are examples of healthy amusements.

In any discussion of duty we should keep in mind how far man is by nature superior to the cattle and other animals. They think of nothing but their own pleasure and all their instincts drive them to press toward it. Man's mind, on the other hand, is trained by learning and thinking. He is forever either investigating or doing something and delights in seeing and hearing. Even if he is too prone to run after sensual pleasures, so long as he is not in a class with beasts—for there are creatures who are men in name only, not in reality—even if he is somewhat too prone to the joys of the flesh, he hides the fact, however much they captivate him, and out of shame conceals his desires. From this we deduce that physical pleasures are not worthy of the dignity of a man, and should be despised and rejected. If, however, one should yield a bit to pleasure, one should take care to be moderate in his indulgence. Our bodily lives and comforts should be patterned on the rules of health and strength, not of pleasure. And if only we remember the excellence and dignity of our natures, we shall realize how degraded it is to abandon ourselves to

luxury and soft and voluptuous living and how right it is to live thriftily, continently, plainly, and soberly.

We should recognize the fact that Nature has, so to speak, endowed us with two characters. One of these we share with all other men in that we all have reason and capacity superior to that of animals. On this common nature we base our whole idea of goodness and fitness, and from it we derive our way of ascertaining our duty. The second character allotted to us is the one peculiar to each of us as an individual. There are great differences in bodily physique. Some persons, we see, are swift in a race, others are powerful wrestlers; likewise, in appearance, some are dignified, others graceful. Differences in mind are still greater. Lucius Crassus [48] and Lucius Philippus were very witty, Gaius Caesar, the son of Lucius, even more so, though his wit was rather studied. But at that same time Marcus Scaurus and the young Marcus Drusus were exceptionally serious, Caius Laelius very jolly, and his intimate friend Scipio more ambitious and sterner in his way of living.

As for the Greeks, we hear that Socrates was charming, witty, and gay, always pretending to know nothing; the Greeks called him "ironical." Pericles and Pythagoras, on the other hand, acquired immense authority without being in the least humorous. The Carthaginian Hannibal and our own general Quintus Maximus were both shrewd and clever at concealing their plans, holding their tongues, disguising their strategy, and anticipating the enemy's designs. In these qualities too the Greeks say Themistocles and Jason of Pherae [49] excelled. And Solon was particularly sharp and crafty, when, in order to

[48] Lucius Crassus and Lucius Philippus were well known and admired orators of the generation before Cicero. Gaius Caesar was also an orator and a poet. Scaurus, Drusus, and Laelius were prominent men of Cicero's time.

[49] Jason, ruler of Pherae in Thessaly (395–370), was considered a sagacious soldier and diplomat.

protect his own life and do a service to his country, he pretended to be insane.

Other men have entirely different characters, simple and open. They do not believe in secretiveness and plotting, but love truth and hate fraud. Others again will stop at nothing, stoop to anyone, if only they can gain their ends. Sulla and Crassus, as we saw, were of that type. But the craftiest and most persevering man of that sort was, we are told, the Spartan Lysander, whereas Callicratidas, who succeeded him as commander of the fleet, belonged to the opposite kind. Some people in very high positions make a point of appearing quite ordinary in their conversation. Catulus,[50] father and son, we saw were like that, and also Quintus Mucius. I have heard from older friends that Scipio Nasica was the same. His father,[51] on the other hand, the man who punished Tiberius Gracchus for his unscrupulous agitations, had no gracious way of talking, and for that reason became great and famous. There are countless other differences of nature and habits, no one of which is to be condemned.

Everyone should, however, hold firmly to his own characteristics, as long as they are not bad but only his own, and so maintain that fitness in things that is our object. We should act so as not to violate the universal laws of nature, but yet while obeying those follow our own peculiar bent. Even though other men's work seems better and more important, we should measure our own way by the standard set by our natures. For one gains nothing by fighting his own nature, pursuing something he can never attain. This shows still more clearly the meaning of fitness, which is, that nothing is fit if it is in opposition to Minerva, as the saying runs, or that goes

[50] On Quintus Catulus, see above, p. 351, fn. 34; on Quintus Mucius Scaevola, Cicero's old teacher, see above, p. 28, fn. 11.
[51] See above, p. 351, fn. 34.

against or contradicts one's nature. Indeed if there is such a thing as fitness or decorum at all, it lies especially in the consistency of our life as a whole and of all our individual actions. This consistency we cannot preserve by disregarding our own natures in order to imitate another's. Just as we should use our native language, and not, as some do, get ourselves deservedly ridiculed by dragging in Greek words, so our acts and our entire lives should be all of a piece.

These differences in human nature may go so deep that suicide may be right for one man and under the same circumstances wrong for another. Was Marcus Cato [52] in a different situation from those who surrendered to Caesar in Africa? For them, perhaps, it would have been a crime to kill themselves, for their mode of life had been softer and their characters were more easygoing. But Cato had been endowed by nature with a remarkably serious character, which he had strengthened by training, remaining always constant to his aim and to the course on which he had resolved. He had to choose death rather than face a tyrant.

How much Ulysses endured during his long wanderings, when he was servant to women—if Circe and Calypso can be called women—and yet he always tried in every word to be courteous and pleasant to everyone! On his return home, he submitted to the insults of his menservants and maids in order to attain at last the end for which he longed. Ajax, however, with the character ascribed to him, would have chosen to die a thousand times rather than endure such indignities. With these examples in mind we should each one of us consider well what are his own peculiar gifts, train those

[52] Marcus Cato, great grandson of the Cato of the Carthaginian wars (see p. 149, fn. 7) was one of the republicans who took Pompey's part in his war with Caesar and committed suicide after the defeat of his forces at Thapsus in North Africa.

well, and not desire to see how another man's become him. The thing that best becomes any man is that which is most his own.

We should all then learn to know our own abilities and become strict judges of our good and bad qualities, and not let the actors show more sense than we do. For they pick not the finest plays, but those most suited to them. Those who are proud of their voices take the *Epigoni* [53] or the *Medus*. Those who prefer action take the *Menalippa* or *Clytemnestra*. Rupilius, whom I remember well, always chose *Antiope*, but Aesopus rarely played Ajax. Shall the player then have an eye to what he can do best on the stage, and the wise man fail to do it in life? We shall do the best work in the fields for which we are fitted. However, if necessity ever thrusts us into some occupation for which we are not qualified, we must give to it all our efforts, thought, and pains, so as to do our work, if not handsomely, at least with as little impropriety as possible. And we should not try so hard to acquire the gifts that were not given us as to get rid of our faults.

To the two characters which, we have said, Nature has given each individual should be added a third, imposed on us by chance and circumstance, and a fourth which we deliberately assume. Royal power, military authority, nobility of birth and of office, wealth, influence, and their opposites, depend on chance and are shaped by circumstance. But it lies

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[53] The *Epigoni* of the Latin poet Accius was a tragedy that carried on the story of the *Seven Against Thebes*, by Aeschylus. The *Medus* was a tragedy by the Latin poet Pacuvius. The hero was a son of the barbarian princess Medea, the heroine of a tragedy by Euripides. *Menalippa* was a play by Ennius, *Clytemnestra* a tragedy by Accius. *Antiope* was a play of vengeance by Pacuvius. Ennius was the author of a Latin tragedy on the tale of the Homeric Ajax. The subjects of all this early Latin drama were drawn from Greek literature. None of it has survived, except in scattered passages.

within our will to decide which role we want to play. Some turn to philosophy, others to civil law, others to oratory. And as to the virtues, one man would like to excel in one, another in another.

Men whose fathers or ancestors have been prominent in some field of distinction often try to become famous in the same field, like Quintus Mucius, for instance, son of Publius Mucius, in civil law, and Africanus, son of Paulus, in the army. Some have even added glory to the name they inherited from their fathers, as Africanus [54] did, who crowned his brilliant generalship with his eloquence. Timotheus, son of Conon, did the same, proving equal to his father in military fame and adding to that a renown for learning and intellectual brilliance. Sometimes, however, sons do not copy their fathers but follow a plan of their own. Some who come of lowly parentage and set their goals high have achieved great success.

All these things we must bear in mind and consider when we ask what is fitting for us. Above all, we must be quite sure who and what kind of person we wish to be and what kind of life we want to lead. This last is the most difficult problem of all, for it is in early youth, when we are least able to make important decisions, that we each select for ourselves the career that most takes our fancy. Thus we become involved in some course or calling in life before we can judge what is best for us.

We mortals are not given the choice which Hercules had in the story told by Prodicus [55] and repeated by Xenophon.

[54] Scipio Africanus, the younger, was the son of Aemilius Paulus, but being adopted by the son of Scipio Africanus the Elder took the name of his legal father. Timotheus, admiral of the Athenian fleet (378–356) was the son of the admiral Conon.

[55] Prodicus was a fifth-century Greek sophist, who taught at Athens. His account of the *Choice of Hercules* is to be found in Xenophon's Memorabilia, II, 1, 21–34.

"When the hero was growing into manhood, the time that Nature has appointed for deciding what path to take in life, he went out into the wilderness, and sitting down meditated for a long time. For he saw two paths open to him, one, the path of pleasure, the other, the path of virtue, and wondered which it would be better to take." This might perhaps happen to Hercules, son of Jove, but not to us. We imitate those we like, and are influenced by them to make their interests and aims our own. Often, too, we are imbued with the teachings of our parents, and fall into their habits and ways of life. Some are swayed by the popular voice and want most what looks finest to the masses. Some, however, by a stroke of luck or their own good disposition, take the right course in life without direction from their parents.

One kind of person is very rare—the man of extraordinary natural ability, or unusual learning and education, or both, who has time to reflect carefully on the career he wishes to choose. Then the decision should be based wholly on the man's character. For, whereas in all decisions we ask, as we said before, what is the suitable thing for each one's natural disposition, we must take far greater pains when it comes to planning a whole life, that we may be true to ourselves throughout all our lives and not be hampered in performing our duties.

In this decision we are influenced primarily by Nature and secondarily by fortune. Both should be considered in selecting our way of life, but Nature first. For Nature is much the stronger and more stable, so that fortune, when it comes into conflict with Nature seems like a mortal fighting a god. The man who has based his choice in life on his own better nature should hold steadfastly to it—for that is what is most fitting for him, unless by chance he discovers that his choice was a mistake. In that case—for it may happen—he must change his

occupation and way of life. If circumstances are favorable, he may make the change easily and satisfactorily. Otherwise he must go slowly, step by step. Just as when a friendship no longer gives pleasure and has lost its value, a wise man thinks it more fitting to discontinue it gradually than to break it off abruptly. And once we have changed our manner of life, we should endeavor in every way to make it clear that we did it for good reason.

I said above that we should imitate our forefathers, but I must make an exception. We should not copy their faults, nor should we follow in their footsteps if our own natures do not warrant it. For example, the son of the elder Africanus, who adopted the younger Africanus, son of Paulus, was prevented by his poor health from following the career of his father, who had himself followed his father. So, if a man is unable to speak in court so as to capture the audience's attention, in the assembly, or to fight a war, he should at least practice those virtues that are within his power—justice, loyalty, generosity, modesty, and self-control, until he is able to meet most of the demands made on him. The finest inheritance that parents can leave their children, more precious than any estate, is a reputation for goodness and brave deeds. To disgrace such an inheritance should be considered a crime.

People of different ages have different duties, and those of youth are not the same as those of old age. Hence I must say a word on that subject. A young man should respect his elders, and choose the company of the best and most eminent of them so as to profit by their advice and influence. For the ignorance of youth needs to be steadied and guided by the prudent wisdom of age. Above all, the young should be kept from sensual dissipation, trained to work and endurance of mind and body, that they may be active in service whether as soldiers or as citizens. Even when they wish to relax and en-

joy themselves, they should avoid excesses and remember to be modest. They will find that easier if they let their elders take part even in their pleasures.

Old men, on the other hand, should reduce the amount of their physical exertions but increase the activities of their minds. They should do their best, with wisdom and advice, to be of as much service as possible to their friends, to young people, and especially to their country. Above everything else, old men should beware of giving themselves up to feebleness and indolence. A luxurious life is bad for all ages, but most pernicious for the old, and if licentiousness is added to luxury, the harm is doubled, for age in that case not only disgraces itself, but makes youth bolder to indulge itself.

It is not inappropriate to mention here the duties of magistrates, of private citizens, and of resident foreigners. The particular duty of a magistrate is to realize the fact that he represents the state, and must uphold its dignity and honor, maintain its laws, guard the rights of the citizens, and remember that his post was given to him in trust. A private citizen should live in fairness and justice with his fellow men, neither servile and abject nor domineering. In public affairs he should stand for peace and decency. A man of this sort we judge and call a good citizen. A foreigner or resident alien has merely the duty of minding his own business, not inquiring into other people's affairs, and not meddling in the politics of a country not his own.

We should now have ready a fair idea of duty, when we are asked what is fitting and right for any individual, occasion, or age. The most fitting or decorous conduct is always to be consistent in the things we do and the plans we make.

This decorum shows itself in all our deeds and words, and in the very motions and postures of our bodies. It manifests itself in three ways, in beauty, in orderliness, and in good taste,

difficult things to explain in words, sufficiently easy to understand. In three ways too we reveal our anxiety to be approved by the persons with whom we live. Accordingly we should say a few words about them.

To begin with, Nature herself seems to have had a marvelous plan for the structure of our bodies. Our faces and the other parts of our physique that are agreeable to look at she has made plainly visible, while the parts that are given to us to serve our natural needs and would appear unsightly and ugly she has covered up and hidden away. Human modesty follows this careful design of Nature. For all healthy-minded persons keep out of sight the parts that Nature has concealed, and perform their necessary operations as privately as they can. The functions of these parts of the body are indeed necessary, but neither the parts nor the functions are called by their proper names. There is nothing wrong in performing these functions, if it is done in private, but to talk about them is indecent. So both the open performance of such acts and frequent mention of them are indecencies.

We should pay no heed to the Cynics or to those Stoics who are almost Cynics, who criticize and ridicule us for thinking it improper to speak of some things that are not themselves wrong and calling by their names other things that are wrong. Robbery, fraud, and adultery are surely crimes, yet there is nothing indecent in talking about them. To beget children is a good act, but to speak of it is indecent. Along these lines, they attack on many points our ideas of modesty. Let us, however, follow Nature and shun everything displeasing to our eyes and ears. So whether standing or walking, sitting, or lying down, in face, in eyes, in the movements of our hands, let us maintain this kind of decorum.

In this connection we should avoid two pitfalls, be neither effeminate and soft, nor callous and boorish. Nor should we

expect this rule to apply to actors and public speakers, and not to us. The custom of the stage with its tradition of discipline is so modest that no actor steps out on the stage without a loincloth, for fear that he might accidentally expose parts of his body that it would be indecorous to see. With us grown sons do not customarily bathe with their fathers, or sons-in-law with their fathers-in-law. We should then preserve this kind of modesty, especially since Nature herself is our teacher and guide.

As for beauty, there are two types. In one loveliness is the dominant feature, in the other, dignity. Loveliness we consider more appropriate for women, dignity for men. A man should, therefore, keep off his person any apparel that diminishes his dignity and guard against similar faults in his bearing and movements. The behavior taught in the gymnasium is often grotesque, and the bearing of some actors is quite unsuitable. And in both gymnasium and theater good and simple manners win the praise. Dignity of appearance is enhanced by a good complexion, and a good complexion is the result of physical exercise. We must also be neat, not in an unpleasant, exaggerated way, but enough so to avoid uncivilized and underbred slovenliness. Our dress should follow the same rules. Here, as in most other matters, the best is the golden mean. We should be careful too in walking not to saunter along languidly, like bearers in a procession, or hurry ahead too fast. When we do that we get out of breath, our expression is altered, our features distorted, demonstrating plainly our lack of poise.

However, it is much more important to keep the workings of our minds harmonious with Nature, and this we shall achieve if we avoid giving way to over-excitement or depression, and fix our attention on maintaining a true decorum. Our minds work in two different ways, in thinking and in

feeling. Thought centers on the search for truth; feeling impels us to act. Accordingly, we should spend our thinking on the noblest subjects and keep our feelings under the control of our intellect.

The power of speech is great and it appears in two forms, oratory and conversation. Oratory is to be used in arguments in court, in the people's assemblies, and in the Senate. Conversation takes place in social gatherings and discussions, at meetings of friends, and may be introduced at dinner parties. Rules for oratory are laid down by the rhetoricians. There are none for conversation, though I do not know why there could not be. For wherever there are students eager to learn, instructors are found to teach them; but no one is interested in learning how to converse, while the classrooms of the rhetoricians are crowded. However, the rules that govern the choice of words and structure of sentences in oratory are the same too for conversation.

Our organ of speech is the voice, in using which we should aim at two things, to be clear and to be melodious. Both are gifts to be sought for from Nature, yet clarity may be increased by practice, and melodiousness by imitating those who speak softly and pleasantly. There was nothing about the two Catuli to make one think them particularly rare judges of literature, although they were men of good education. But so too were others. These two men, however, were considered perfect masters of the Latin tongue. Their pronunciation was delightful. They neither overstressed nor mumbled their syllables. They were neither indistinct nor affected. Their voices were neither strained nor weak, nor yet shrill. Lucius Crassus was a more fluent speaker, and no less adept, but the reputation of the Catuli for eloquence was as great as his. When it came to wit and humor, the brother of the elder Catulus,

Caesar,[56] surpassed them all. Even in court he would with his informal style defeat his opponents with their elaborate oratory. So, if we wish to serve decorum under all conditions, we must pay some attention to all these points.

In the art of conversation, Socratics were pastmasters. The talk should be easy, not insistent, but lively. No individual should shut out others from speaking, as if he had a monopoly of the conversation, but here, as in other things, he should realize that turn about is fair play. One should note first the subject of the conversation; if it is serious, one should approach it soberly; if trivial, lightly. One should be especially careful not to let his talk suggest something wrong in his own character, as happens often when people in jest or earnest set themselves to disparaging the absent with malicious slander.

The topics of conversation are ordinarily domestic matters, or politics, or the practice of arts or learning. If the talk begins to drift away to other subjects, one should bring it back but without hurting the feelings of those present. For we are not all interested in the same things at all times or to the same extent. One should watch too to see how far the conversation is still enjoyed, and as it had a reason for beginning, so it should come to a proper end.

Just as for every phase of life we have the excellent rule to avoid excitement, that is, passions that are too strong and do not obey reason, so our conversation should be free from such emotions. We should not display anger, or greed, or indolence, or callousness, or anything of the sort. Most of all, we should aim to show respect and consideration for those with whom we are talking.

It may sometimes, however, be necessary to express disapproval. On such occasions we should perhaps use a sharper

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[56] This Caesar was known as "the orator."

tone of voice and sterner expressions, and even put on an appearance of anger. But we should resort to this kind of reproof seldom, and with reluctance, as we do to cautery and amputation, and never unless it is necessary, and no other remedy can be found. And there must be no real anger, for that prevents all fair, considered action. In most cases a mild reproof is enough, but gravely administered, so as to show its seriousness, and avoiding insult to the feelings. We must make it plain too that whatever harshness there was in our reproof was intended only for the good of the person reproved.

In disputes with our bitterest enemies, even while we hear ourselves insulted, the right thing is to remain calm and restrain our anger. For action taken in excitement cannot be steadily consistent and will not be approved by the witnesses. It is bad taste to talk about oneself, especially to say what is not true, and before a derisive audience to imitate the "boastful soldier."

Now, since we are surveying the subject in all its aspects (at least that is our aim), we should say something about the kind of house suitable for a distinguished and prominent citizen. The main object of a house is usefulness, and to meet this purpose the plan of the building should be designed. At the same time, some pains should be taken to make it comfortable and dignified.

Gnaeus Octavius,[57] the first of his family to become consul, had distinguished himself, we are told, by building on the Palatine Hill a beautiful and impressive house. Crowds came to see it, and it was thought that it won votes for its owner, a new man in politics, and helped bring about his election to the consulship. Scaurus tore down that house and built on the site an addition to his own palace. So Octavius first

[57] Gnaeus Octavius, who commanded a fleet in the Macedonian war, was consul in 165 B.C.

brought to his house the honor of the consulship, while Scaurus, son of a great and eminent gentleman, brought to a much enlarged house, not only defeat but disgrace and ruin.[58] One's standing may be enhanced by the house one lives in, but it must not all depend on the house. The house should be honored for its owner, not the owner for his house.

As in everything else, one should consider not only one's own wants, but also the needs of others. The house of a prominent citizen, therefore, in which many guests are to be entertained and large crowds of every sort of visitors received, must be spacious. Under other circumstances a large house may be a discredit to its owner, if it looks lonely, and especially if under another owner, it once was full of people. It is disagreeable to hear passersby remarking:

"O, poor old house, alack, how different an owner owns you now!" Nowadays the same can be said of many a house.[59]

Particularly in building one's own house one should take care not to go beyond one's limit in expense and grandeur. Much harm can be done along this line simply by setting a bad example. For many people follow eagerly the lead of the great, especially in this direction. Who, for instance, thinks of copying the virtues of noble Lucius Lucullus? [60] But how many there are who imitate the magnificence of his villas! Some limit should certainly be set to such expenditures and an effort made to return to moderation. The same moderation should be shown in all usages and modes of living. But enough now on this subject.

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[58] Marcus Scaurus, the younger, a stepson of Sulla, made a great fortune out of plundering the island of Sardinia during his terms there as governor, 56 B.C. Four years later he was condemned and banished from Rome.

[59] Adherents of Caesar were at this time living in many of the great houses that had belonged to members of Pompey's party.

[60] The consul Lucullus was famous for giving magnificent banquets.

In undertaking any enterprise, we should hold in mind three rules. First, our reason should be master of our desires, for there is no better way to make sure we adhere to our duty. Secondly, we should see clearly just how important is the thing we wish to accomplish so as to spend neither more nor less pains and labor on it than the case calls for. Thirdly, we should be careful to maintain moderation in everything connected with a gentleman's appearance and dignity. This can best be done by staying within the bounds of the decorum we discussed above, and not going beyond it. But of these three rules, the most important is to control our desires by our reason.

The next topic to be discussed is orderliness in things and seasonableness of occasion. These qualities are included by the Greeks in the property they call "right organization"—not the word we translate as "moderation," but rather one that means preservation of order. Making use, however, of our word "moderation," the Stoics define it this way: "Moderation is the art of giving its proper place to whatever we do or say." Orderliness and proper placing thus seem to have the same meaning, for the Stoics define orderliness as the "arrangement of things in their appropriate and convenient places." The place for an action is, according to them, its seasonable time. The seasonable time for an act the Greeks call the "right moment," the Latins "occasion." So moderation, as we define it here, is, as I have said, the art of doing the right thing at the suitable time.

Prudence, too, of which we spoke at the beginning, can be defined in the same way. Here, however, we are discussing temperance, self-control, and similar virtues. The characteristics of prudence we mentioned in their proper connection. We are now, as we have been for some time, talking of these

other virtues that have to do with respect for and ways of winning the approval of our fellow men.

We should be so orderly in our conduct that everything in our lives is as well organized and harmonious as words in a set speech. It is shocking and highly reprehensible to introduce in a serious conversation jokes appropriate only at a dinner party or in other frivolous talk. Once when Pericles had the poet Sophocles as his colleague in office, and they were conferring about their common duties, a handsome boy chanced to pass by, and Sophocles exclaimed, "Look Pericles; what a beautiful boy!" And Pericles rightly reproved him by saying, "But, Sophocles, a general should keep not only his hands, but his eyes too under control!" Yet if Sophocles had made the same remark at an athletic competition, he could not have been justly blamed. So great is the importance of time and place. If, for example, a man preparing to defend a case in court, memorizes his speech while traveling or on a walk, or thinks intently about something else, no one criticizes him. But if he does the same thing at a dinner party, he is considered rude, for ignoring the nature of the occasion.

Flagrant violations of good manners, as singing in the street or other bad misbehavior, are obviously wrong and do not much need our admonition and instruction. We should be more on our guard against faults that seem small, and that may pass unobserved by many. As when a harp or a flute is only slightly out of tune, the expert still notices it, so we must see to it that nothing in our lives is out of tune, and all the more as a harmony of deeds is deeper and better than a harmony of sounds.

And as the ear of a musician detects even slight dissonances in the tone of a harp, we—if we want to be sharp and constant observers of faults in conduct—will often discover important things by means of trifles. From a glance of the eye, a con-

traction or lift of the eyebrows, an air of gloom, a burst of hilarity, a laugh, a word, a silence, a raising or lowering of the voice, and other signs of the sort, we shall readily tell what is a proper action and what a violation of a duty or of Nature. In this connection it is not a bad idea to learn what is right or wrong to do by the behavior of others so that what is obnoxious in them we may avoid in ourselves. For it is somehow a fact that we see faults in other people more easily than we do in ourselves. So pupils in school are quickest to correct their faults, when their masters imitate them to teach them better.

And when we are in doubt which course to choose, it is proper to consult men of learning or practical experience, to find out what they think on any point of duty. Most men tend to drift in the direction their nature takes them. If we consult someone else we should take into consideration not only what he says, but also what he thinks and why he thinks as he does. Painters, sculptors, and poets, too, like to have their work inspected by the public, so that they can improve whatever is most criticized. Both by themselves and from others they try to find out where they have failed. So we are helped by other people's judgment to know what to do and what not to do, what to alter and what to correct.

No rules are required for our attitude toward common usage and civic regulations. For they are themselves rules, and no one should make the mistake of imagining that because Socrates and Aristippus [61] did or said something contrary to the ways and customs of their city, he has a right to do the same. For these men earned their privilege by their great and

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[61] Aristippus (c. 370 B.C.) was a pupil of Socrates who founded a philosophic school of his own. He taught that pleasure was the chief aim of man.

godlike virtue. We must reject altogether the Cynics' manner of reasoning,[62] for it is opposed to any sense of reverence, without which nothing can be right and nothing good.

We should respect and honor all those whose lives have been noted for good and important accomplishments, the true patriots who have served and are serving their country just as much as if they held positions of civil and military authority. We should also show great respect to the aged, give precedence to public officials, make some distinction between a citizen and a foreigner, and in the case of foreigners between those who have come on private and on public business. To sum up, without going into details, we should respect, uphold, and preserve the common bonds of unity and association that exist between all the members of the human race.

Now with regard to trades and other modes of earning a living, as to which are to be considered gentlemanly and which vulgar, our instructors taught us as follows.[63] First, no occupation is desirable that makes other people hate us, such as tax collecting and usury. Unworthy too and vulgar are the occupations of all hired workmen, whom we pay for physical labor and not for artistry, for in their case their wages are a mark of slavery. Vulgar too we must call the business of those who buy from other merchants to sell by retail immediately, for all their profits are due to plain lying, and nothing is more contemptible than deceit. Mechanics all have a vulgar profession, for nothing noble can be found in a workshop. At the bottom of the list come trades that cater to luxurious living—"the fishmongers, butchers, and cooks, the poulterers, and

[62] The Cynics in their lives and in their teachings expressed a contemptuous indifference to convention and ordinary standards of decency.
[63] Cicero's stipulations as to acceptable occupations and behavior are thought to have been the most important influence in shaping the concept of the "English gentleman."

fishmen," as Terence says.[64] You can add to them, if you wish, the perfumers, dancers and all the slapstick comedians.

Professions that either require a higher intelligence, or perform a considerable service for the community, like medicine, architecture, and good teaching, are right for those whose social standing makes them possible. Trade, when conducted on a small scale, should be called vulgar, but when carried on on a large scale, like wholesale importing from all over the world and distribution to many without fraud, it is not so much to be disdained. As a matter of fact, those successful traders, who, satiated or at any rate satisfied with their fortunes, as once they sailed from the high seas into harbor proceed now from the harbor to country estates inland, deserve much approbation. Of all the gainful occupations, however, none is better than agriculture, none more profitable, none more agreeable, and none more worthy of a free man. But that subject I have discussed already in my *Cato the Elder*. You will find there material on that point.

I have now, I think, explained fully enough how all our duties are derived from the four divisions of goodness. Yet, often a conflict and a rivalry arise between actions that are themselves good, as to which of the two good acts is the better—a problem that Panaetius ignored. Now the four divisions of all goodness are, first, wisdom; second, respect for one's fellow men; third, courage; and fourth, temperance. Hence in making a choice between duties, it is often necessary to compare the importance of these virtues.

In my opinion, the duties based on ties with our fellow men are closer to our natural instinct than those that are matters of the intellect. I can support this view by the following argument. Suppose a wise man were granted a life of complete

[64] Terence, *The Eunuch*, II, 2, 26.

affluence so that in perfect comfort he might study and reflect on everything worth knowing; even so, if he were left so solitary that he could never see another human being, he would die. Now the highest of all virtues is the understanding which the Greeks call "wisdom," for by "prudence," which they call "sagacity," we mean something else, namely, a practical knowledge of what to avoid. But the wisdom which I shall call the supreme virtue is the knowledge of things divine and human, among which are included the bonds of relationship between God and man and the fellowship of man with man. If this wisdom is really the highest virtue as it undoubtedly is, then the duty based on ties with our fellow men must be the most important. For the contemplation and understanding of Nature would be somehow incomplete and defective if it led to no practical action. Such action is especially concerned with the furthering of man's welfare. It is of interest therefore to the whole of human society and should be valued accordingly above any mere speculation.

All the best men agree on this point, and prove it by their behavior. For who is so engrossed in the investigation and study of the universe, that if, in the midst of his most important studies and deliberations, he were informed of some sudden danger or crisis in his country that he could relieve or help, would not drop everything, even though he thought he might be about to count the stars or measure the size of the world? He would do the same to help a parent or friend, or to save them from danger. Hence we may conclude that duties required by justice should take precedence over pursuit of knowledge and duties connected with it. For the former promote the well-being of mankind and nothing should be more sacred than that to any man.

However, the men who have devoted all their lives and efforts to the search for knowledge have not failed to con-

tribute to the improvement of the welfare and safety of mankind. For they have taught many to be better citizens and more useful to their communities. So, for instance, the Pythagorean Lysis [65] taught the Theban Epaminondas, Plato Dion of Syracuse, and many others have done likewise. As for myself and whatever I have done for my country, if it has been anything at all, I came to my career trained and equipped by teachers who taught me well. And not only while they are living and here with us do those wise men teach and enlighten those who wish to learn, but after their death their literary works go on performing the same service.

Nor did they overlook any subject that was a part of legal, moral, or political science. It seems indeed as if they had devoted all their leisure time to aiding us with our public responsibilities. So those men dedicated to the study of learning and wisdom have used their foresight and understanding wonderfully to help mankind. For this reason those who say much, provided they do it wisely, are of greater value than those who speculate most profoundly but never put it into words. For mere speculation centers on itself, while speech takes in our fellow members in society.

As the bees do not assemble in swarms for the sake of making honeycombs, but make their honeycombs because they are gregarious by nature, so—and much more—do men exercise their genius together in thought and action because they are naturally gregarious. And so, if the virtue that consists of safeguarding humanity, that is, maintaining human society, does not accompany the search for knowledge, knowl-

[65] Lysis, a Pythagorean philosopher, expelled from Italy, went to Greece and became there a teacher of Epaminondas, the great Theban patriot and general. Dion, a relative of the more famous Dionysius of Syracuse, studied under Plato both at Athens and at Syracuse. He was tyrant of Syracuse from 356 to 353 B.C.

edge comes to seem self-centered and fruitless. Courage, too, if not guided by concern for human society and human fellowship, degenerates into a kind of brutality and ferocity. Wherefore a care for human society and relationships is more important than the pursuit of theoretical knowledge.

Nor is it true, as some people say, that human society and fellowship were first established to meet the needs of daily life, because without the help of others we could not obtain or provide the things our nature demands. If this were so, and if, by some magic wand, as the story goes, everything necessary for our livelihood and comfort were supplied us, then surely every man of brilliant intellect would drop all his other business and immerse himself altogether in learning and scholarship. But that is not true. He would try to avoid loneliness and look for company in his studies. He would want to teach and to learn, to listen and to talk. Every duty then that promotes the maintenance of human society and fellowship should be given preference over one that has to do with learning and study only.

Another question should perhaps be raised in this connection. Should our obligation to our fellow men be always considered more important than temperance and moderation? I do not think so. For there are some acts either so repulsive or so wicked that no wise man would perform them even to save his country. Posidonius [66] collected a long list of such crimes, and some of them are so vile and indecent that it seems a sin even to mention them. A wise man will not do such things even for the sake of his country, nor will his country want him to do them for her. But this problem easily resolves itself, for a time cannot come when it would be to a country's advantage to have a wise man commit any of those crimes.

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[66] See p. 124, fn. 5.

We may take it, therefore, as settled that in choosing between duties that conflict, those demanded by the interests of society should be given precedence. Any well-considered action indeed is the result of knowledge and forethought, but such action is more important than mere wise speculation. This is enough to say on this point. For I have explained the matter so that it should not be hard to tell in a dilemma concerning duties which should be chosen in preference to another. Yet within the class of obligations to our fellows there are grades of duty, and one must know their order of importance. Our first debt is to the immortal gods, our second to our country, our third to our parents, and thereafter in descending scale to other people.

From this brief discussion we see that men are often in doubt not only as to what is right and wrong, but also between two good courses of action as to which is better. This problem, as I said before, was overlooked by Panaetius. But let us go on now to the rest of our subject.

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