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On Duties (De Officiis)

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***On Duties (De Officiis),* Books 1 and 3 (Excerpts)**

By Cicero

[Marcus Tullius Cicero. *De Officiis*. Translated by Walter Miller. Loeb Edition. Cambridge, Mass.: Harvard University Press. 1913. Books 1 and 3. http://www.stoics.com/cicero_book.html (Accessed 24 May 2008). Used with permission.]

Bold numbers in brackets indicate the standard divisions in Cicero's texts in which are found in whole or part the sections reproduced here. Bracketed words or phrases usually represent my effort to clarify a term or reference. –Walter Nicgorski

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On Duties *is in the form of an extended letter from Cicero to his twenty-one-year-old son, Marcus, who is, at the time, studying in Athens. This is Cicero's major ethical writing and his final philosophical work, done in the last year and a half of his life. He explicitly follows, to the degree that makes sense to him, a text by the modified Stoic philosopher, Panaetius, who had direct impact in the previous century on the statesmen Scipio and Laelius. Book 1, understandably emphasizing the importance of philosophy bearing fruit in form of moral guidance, explains the discerning of the way or law of nature in the inclinations to the virtues in human beings.*

Book 1

[**4**] But since I have decided to write you a little now (and a great deal by and by), I wish, if possible, to begin with a matter most suited at once to your years and to my position. Although philosophy offers many problems, both important and useful, that have been fully and carefully discussed by philosophers, those teachings which have been handed down on the subject of moral duties seem to have the widest practical application. For no phase of life, whether public or private, whether in business or in the home, whether one is working on what concerns oneself alone or dealing with another, can be without its moral duty; on the discharge of such duties depends all that is morally right, and on their neglect all that is morally wrong in life.

[**5**] Moreover, the subject of this inquiry is the common property of all philosophers; for who would presume to call himself a philosopher, if he did not inculcate any lessons of duty? But there are some schools that distort all notions of duty by the theories they propose touching the supreme good and the supreme evil. For he who posits the supreme good as having no connection with virtue and measures it not by a moral standard but by his own interests—if he should be consistent and not rather at times over-ruled by his better nature, he could value neither friendship nor justice nor generosity; and brave he surely cannot possibly be that counts pain the supreme evil, nor temperate he that holds pleasure to be the supreme good.

[**6**] Although these truths are so self-evident that the subject does not call for discussion, still I have discussed it in another connection. If, therefore these schools should claim to be consistent, they could not say anything about duty; and no fixed, invariable, natural rules of duty can be posited except by those who say that moral goodness is worth seeking solely or chiefly for its own sake. Accordingly, the teaching of ethics is the peculiar right of the Stoics, the Academicians, and the Peripatetics; for the theories of Aristo, Pyrrho, and Erillus have been long since rejected; and yet they would have the right to discuss duty if they had left us any power of choosing between things, so that there might be a way of finding out what duty is. I shall, therefore, at this time and in this investigation follow chiefly the Stoics, not as a translator, but, as is my custom, I shall at my own option and discretion draw from those sources in such measure and in such manner as shall suit my purpose.

[**7**] Since, therefore, the whole discussion is to be on the subject of duty, I should like at the outset to define what duty is, as, to my surprise, Panaetius has failed to do. For every systematic development of any subject ought to begin with a definition, so that everyone may understand what the discussion is about.

Every treatise on duty has two parts: one, dealing with the doctrine of the supreme good; the other with the practical rules by which daily life in all its bearings may be regulated. The following questions are illustrative of the first part: whether all duties are absolute; whether one duty is more important than another; and so on. But as regards special duties for which positive rules are laid down, though they are affected by the doctrine of the supreme good, still the fact is not so obvious, because they seem rather to look to the regulation of everyday life; and it is these special duties that I propose to treat at length in the following books.

[*section 8 is extant but is omitted here*]

[**9**] The consideration necessary to determine conduct is, therefore, as

Panaetius thinks, a threefold one: first, people question whether the contemplated act is morally right or morally wrong; and in such deliberation their minds are often led to widely divergent conclusions. And then they examine and consider the question whether the action contemplated is or is not conducive to comfort and happiness in life, to the command of means and wealth, to influence, and to power, by which they may be able to help themselves and their friends; this whole matter turns upon a question of expediency. The third type of question arises when that which seems to be expedient seems to conflict with that which is morally right; for when expediency seems to be pulling one way, while moral right seems to be calling back in the opposite direction, the result is that the mind is distracted in its inquiry and brings to it the irresolution that is born of deliberation.

[**10**] Although omission is a most serious defect in classification, two points have been overlooked in the foregoing: for we usually consider not only whether an action is morally right or morally wrong, but also, when a choice of two morally right courses is offered, which one is morally better; and likewise, when a choice of two expedients is offered, which one is more expedient. Thus the question which Panaetius thought threefold ought, we find, to be divided into five parts. First, therefore, we must discuss the moral—and that, under two sub-heads; secondly, in the same manner, the expedient; and finally, the cases where they must be weighed against each other.

[**11**] First of all, Nature has endowed every species of living creature with the instinct of self-preservation, of avoiding what seems likely to cause injury to life or limb, and of procuring and providing everything needful for life—food, shelter, and the like. A common property of all creatures is also the reproductive instinct (the purpose of which is the propagation of the species) and also a certain amount of concern for their offspring. But the most marked difference between man and beast is this: the beast, just as far as it is moved by the senses and with very little perception of past or future, adapts itself to that alone which is present at the moment; while man—because he is endowed with reason, by which he comprehends the chain of consequences, perceives the causes of things, understands the relation of cause to effect and of effect to cause, draws analogies, and connects and

associates the present and the future—easily surveys the course of his whole life and makes the necessary preparations for its conduct.

[**12**] Nature likewise by the power of reason associates man with man in the common bonds of speech and life; she implants in him alone above all, I may say, a strangely tender love for his offspring. She also prompts men to meet in companies, to form public assemblies and to take part in them themselves; and she further dictates, as a consequence of this, the effort on man's part to provide a store of things that minister to his comforts and wants—and not for himself alone, but for his wife and children and the others whom he holds dear and for whom he ought to provide; and this responsibility also stimulates his courage and makes it stronger for the active duties of life.

[**13**] Above all, the search after truth and its eager pursuit are peculiar to man. And so, when we have leisure from the demands of business cares, we are eager to see, to hear, to learn something new, and we esteem a desire to know the secrets or wonders of creation as indispensable to a happy life. Thus we come to understand that what is true, simple, and genuine appeals most strongly to a man's nature. To this passion for discovering truth there is added a hungering, as it were, for independence, so that a mind well-moulded by Nature is unwilling to be subject to anybody save one who gives rules of conduct or is a teacher of truth or who, for the general good, rules according to justice and law. From this attitude come greatness of soul and a sense of superiority to worldly conditions.

[**14**] And it is no mean manifestation of Nature and Reason that man is the only animal that has a feeling for order, for propriety, for moderation in word and deed. And so no other animal has a sense of beauty, loveliness, harmony in the visible world; and Nature and Reason, extending the analogy of this from the world of sense to the world of spirit, find that beauty, consistency, order are far more to be maintained in thought and deed, and the same Nature and Reason are careful to do nothing in an improper or unmanly fashion, and in every thought and deed to do or think nothing capriciously.

It is from these elements that is forged and fashioned that moral goodness which is the subject of this inquiry—something that, even though it be not generally ennobled, is still worthy of all honour and by its own nature, we correctly maintain, it merits praise even though it be praised by none.

[**15**] You see here, Marcus, my son, the very form and as it were the face of Moral Goodness; "and if," as Plato says, "it could be seen with the physical eye, it would awaken a marvellous love of wisdom." But all that is morally right rises from some one of four sources: it is concerned either (1) with the full perception and intelligent development of the true; or (2) with the conservation of organized society, with rendering to every man his due, and with the faithful discharge of obligations assumed; or (3) with the greatness and strength of a noble and invincible spirit; or (4) with the orderliness and moderation of everything that is said and done, wherein consist temperance and self-control.

Although these four are connected and interwoven, still it is in each one considered singly that certain definite kinds of moral duties have their origin: in that category, for instance, which was designated first in our division and in which we place wisdom and prudence, belong the search after truth and its discovery; and this is the peculiar province of that virtue. [**16**] For the more clearly anyone observes the most essential truth in any given case and the more quickly and accurately he can see and explain the reasons for it, the more understanding and wise he is generally esteemed, and justly so. So, then, it is truth that is, as it were, the stuff with which this virtue has to deal and on which it employs itself.

[**17**] Before the three remaining virtues, on the other hand, is set the task of providing and maintaining those things on which the practical business of life depends so that the relations of man to man in human society may be conserved, and that largeness and nobility of soul may be revealed not only in increasing one's resources and acquiring advantages for one's self and one's family but far more in rising superior to these very things. But orderly behaviour and consistency of demeanor and self-control and the like have their sphere in that department of things in which a certain amount of physical exertion, and not mental activity merely, is required. For if we bring a certain amount of propriety and order into the transactions of daily life, we shall be conserving moral rectitude and moral dignity.

[**18**] Now, of the four divisions which we have made of the essential idea of moral goodness, the first, consisting in the knowledge of truth, touches human nature most closely. For we are all attracted and drawn to a zeal for learning and knowing; and we think it glorious to excel therein, while we count it base and immoral to fall into error, to wander from the truth, to be ignorant, to be led astray. In this pursuit, which is both natural and morally right, two errors are to be avoided: first, we must not treat the unknown as known and too readily accept it; and he who wishes to avoid this error (as all should do) will devote both time and attention to the weighing of evidence. [**19**] The other error is that some people devote too much industry and too deep study to matters that are obscure and difficult and useless as well.

If these errors are successfully avoided, all the labour and pains expended upon problems that are morally right and worth the solving will be fully rewarded. Such a worker in the field of astronomy, for example, was Gaius Sulpicius, of whom we have heard; in mathematics, Sextus Pompey, whom I have known personally; in dialectics, many; in civil law, still more. All these professions are occupied with the search after truth; but to be drawn by study away from active life is contrary to moral duty. For the whole glory of virtue is in activity; activity, however, may often be interrupted, and many opportunities for returning to study are opened. Besides, the working of the mind, which is never at rest, can keep us busy in the pursuit of knowledge even without conscious effort on our part. Moreover, all our thought and mental activity will be devoted either to planning for things that are morally right and that conduce to a good and happy life, or to the pursuits of science and learning.

With this we close the discussion of the first source of duty.

[**20**] Of the three remaining divisions, the most extensive in its application is the principle by which society and what we may call its “common bonds” are maintained. Of this again there are two divisions—justice, in which is the crowning glory of the virtues and on the basis of which men are called “good men”; and, close akin to justice, charity, which may also be called kindness or generosity. The first office of justice is to keep one man from doing harm to another, unless provoked by wrong; and the next is to lead men to use common possessions for the common interests, private property for their own.

[**21**] There is, however, no such thing as private ownership established by nature, but property becomes private either through long occupancy (as in the case of those who long ago settled in unoccupied territory) or through conquest (is in the case of those who took it in war) or by due process of law, bargain, or purchase, or by allotment. On this principle the lands of Arpinum are said to belong to the Arpinates, the Tusculan lands to the Tusculans; and similar is the assignment of private property. Therefore, inasmuch as in each case some of those things which by nature had been common property became the property of individuals, each one should retain possession of that which has fallen to his lot; and if anyone appropriates to himself anything beyond that, he will be violating the laws of human society.

[**22**] But since, as Plato has admirably expressed it, we are not born for ourselves alone, but our country claims a share of our being, and our friends a share; and since, as the Stoics hold, everything that the earth produces is created for man’s use; and as men, too, are born for the sake of men, that they may be able mutually to help one another; in this direction we ought to follow Nature as our guide, to contribute to the general good by an interchange of acts of kindness, by giving and receiving, and thus by our skill, our industry, and our talents to cement human society more closely together, man to man.

[**23**] The foundation of justice, moreover, is good faith;—that is, truth and fidelity to promises and agreements. And therefore we may follow the Stoics, who diligently investigate the etymology of words; and we may accept their statement that “good faith” is so called because what is promised is “made good,” although some may find this derivation rather farfetched.

There are, on the other hand, two kinds of injustice—the one, on the part of those who inflict wrong, the

other on the part of those who, when they can, do not shield from wrong those upon whom it is being inflicted. For he who, under the influence of anger or some other passion, wrongfully assaults another seems, as it were, to be laying violent hands upon a comrade; but he who does not prevent or oppose wrong, if he can, is just as guilty of wrong as if he deserted his parents or his friends or his country. [**24**] Then, too, those very wrongs which people try to inflict on purpose to injure are often the result of fear: that is, he who premeditates injuring another is afraid that, if he does not do so, he may himself be made to suffer some hurt. But, for the most part, people are led to wrong-doing in order to secure some personal end; in this vice, avarice is generally the controlling motive.

[*This selection from Book I picks up at a later point where Cicero is found emphasizing again the need for overcoming excessive attachment to one's self in order to understand well what is right, and here he presents the basic rule of not doing harm and serving always the common good.*]

[**29**] Now since we have set forth the two kinds of injustice and assigned the motives that lead to each, and since we have previously established the principles by which justice is constituted, we shall be in a position easily to decide what our duty on each occasion is, unless we are extremely self-centred; [**30**] for indeed it is not an easy matter to be really concerned with other people's affairs; and yet in Terence's play, we know, Chremes "thinks that nothing that concerns man is foreign to him." Nevertheless, when things turn out for our own good or ill, we realize it more fully and feel it more deeply than when the same things happen to others and we see them only, as it were, in the far distance; and for this reason we judge their case differently from our own. It is, therefore, an excellent rule that they give who bid us not to do a thing, when there is a doubt whether it be right or wrong; for righteousness shines with a brilliance of its own, but doubt is a sign that we are thinking of a possible wrong.

[**31**] But occasions often arise, when those duties which seem most becoming to the just man and to the "good man," as we call him, undergo a change and take on a contrary aspect. It may, for example, not be a duty to restore a trust or to fulfil a promise, and it may become right and proper sometimes to evade and not to observe what truth and honour would usually demand. For we may well be guided by those fundamental principles of justice which I laid down at the outset: first, that no harm be done to anyone; second, that the common interests be conserved. When these are modified under changed circumstances, moral duty also undergoes a change and it does not always remain the same. [**32**] For a given promise or agreement may turn out in such a way that its performance will prove detrimental either to the one to whom the promise has been made or to the one who has made it. If, for example, Neptune, in the drama, had not carried out his promise to Theseus, Theseus would not have lost his son Hippolytus; for, as the story runs, of the three wishes that Neptune had promised to grant him the third was this: in a fit of anger he prayed for the death of Hippolytus, and the granting of this prayer plunged him into unspeakable grief. Promises are, therefore, not to be kept, if the keeping of them is to prove harmful to those to whom you have made them; and, if the fulfilment of a promise should do more harm to you than good to him to whom you have made it, it is no violation of moral duty to give the greater good precedence over the lesser good. For example, if you have made an appointment with anyone to appear as his advocate in court, and if in the meantime your son should fall dangerously ill, it would be no breach of your moral duty to fail in what you agreed to do; nay, rather, he to whom your promise was given would have a false conception of duty if he should complain that he had been deserted in time of need. Further than this, who fails to see that those promises are not binding which are extorted by intimidation or which we make when misled by false pretences? Such obligations are annulled in most cases by the praetor's edict in equity, in some cases by the laws.

[*Shortly after in the complete text, the selection below follows, and here Cicero is found discussing the application of the standard of right to retribution, punishment and warfare.*]

[**33**] Again, there are certain duties that we owe even to those who have wronged us. For there is a limit to retribution and to punishment; or rather, I am inclined to think, it is sufficient that the aggressor should be brought to repent of his wrong-doing, in order that he may not repeat the offence and that others may be deterred from doing wrong.

[**34**] Then, too, in the case of a state in its external relations, the rights of war must be strictly observed. For since there are two ways of settling a dispute: first, by discussion; second; by physical force; and since the former is characteristic of man, the latter of the brute, we must resort to force only in case we may not avail ourselves of discussion. [**35**] The only excuse, therefore, for going to war is that we may live in peace unharmed; and when the victory is won, we should spare those who have not been blood-thirsty and barbarous in their warfare. For instance, our forefathers actually admitted to full rights of citizenship the Tusculans, Acquians, Volscians, Sabines, and Hernicians, but they razed Carthage and Numantia to the ground. I wish they had not destroyed Corinth; but I believe they had some special reason for what they did—its convenient situation, probably—and feared that its very location might some day furnish a temptation to renew the war. In my opinion, at least, we should always strive to secure a peace that shall not admit of guile. And if my advice had been heeded on this point, we should still have at least some sort of constitutional government, if not the best in the world, whereas, as it is, we have none at all.

Not only must we show consideration for those whom we have conquered by force of arms but we must also ensure protection to those who lay down their arms and throw themselves upon the mercy of our generals, even though the battering-ram has hammered at their walls. And among our countrymen justice has been observed so conscientiously in this direction, that those who have given promise of protection to states or nations subdued in war become, after the custom of our forefathers, the patrons of those states.

[**36**] As for war, humane laws touching it are drawn up in the fetial code of the Roman People under all the guarantees of religion; and from this it may be gathered that no war is just, unless it is entered upon after an official demand for satisfaction has been submitted or warning has been given and a formal declaration made. Popilius was general in command of a province. In his army Cato’s son was serving on his first campaign. When Popilius decided to disband one of his legions, he discharged also young Cato, who was serving in that same legion. But when the young man out of love for the service stayed on in the field, his father wrote to Popilius to say that if he let him stay in the army, he should swear him into service with a new oath of allegiance, for in view of the voidance of his former oath he could not legally fight the foe. So extremely scrupulous was the observance of the laws in regard to the conduct of war. [**37**] There is extant, too, a letter of the elder Marcus Cato to his son Marcus, in which he writes that he has heard that the youth has been discharged by the consul, when he was serving in Macedonia in the war with Perseus. He warns him, therefore, to be careful not to go into battle; for, he says, the man who is not legally a soldier has no right to be fighting the foe.

[*Shortly after this point in the complete text some important passages on the requisites of justice and the often later utilized images of the lion and fox appear.*]

[**41**] But let us remember that we must have regard for justice even towards the humblest. Now the humblest station and the poorest fortune are those of slaves; and they give us no bad rule who bid us treat our slaves as we should our employees: they must be required to work; they must be given their dues.

While wrong may be done, then, in either of two ways, that is, by force or by fraud, both are bestial: fraud seems to belong to the cunning fox, force to the lion; both are wholly unworthy of man, but fraud is the more contemptible. But of all forms of injustice, none is more flagrant than that of the hypocrite who, at the very moment when he is most false, makes it his business to appear virtuous.

[*The next selection from the full text finds Cicero treating the fellowship of the entire human community, the various levels or kinds of community and the special nature of friendship. Among all men, he emphasizes the special claim of attending to real need when deciding how to bestow favors and seeks to distinguish and even rank the obligations humans have to the various communities to which they belong.*]

[**47**] But as to the affection which anyone may have for us, it is the first demand of duty that we do most for him who loves us most; but we should measure affection, not like youngsters, by the ardour of its passion, but rather by its strength and constancy. But if there shall be obligations already incurred, so that kindness is not to begin with us, but to be requited, still greater diligence, it seems, is called for; for no duty is more imperative that that of proving one's gratitude.

[**48**] But if, as Hesiod bids, one is to repay with interest, if possible, what one has borrowed in time of need, what, pray, ought we to do when challenged by an unsought kindness? Shall we not imitate the fruitful fields, which return more than they receive? For if we do not hesitate to confer favours upon those who we hope will be of help to us, how ought we to deal with those who have already helped us? For generosity is of two kinds: doing a kindness and requiting one. Whether we do the kindness or not is optional; but to fail to requite one is not allowable to a good man, provided he can make the requital without violating the rights of others.

[**49**] Furthermore, we must make some discrimination between favours received; for, as a matter of course the greater the favour, the greater is the obligation. But in deciding this we must above all give due weight to the spirit, the devotion, the affection that prompted the favour. For many people often do favours impulsively for everybody without discrimination, prompted by a morbid sort of benevolence or by a sudden impulse of the heart, shifting the wind. Such acts of generosity are not to be so highly esteemed as those which are performed with judgment deliberation, and mature consideration.

But in bestowing a kindness, as well as in making a requital, the first rule of duty requires us—other things being equal—to lend assistance preferably to people in proportion to their individual need. Most people adopt the contrary course: they put themselves most eagerly at the service of the one from whom they hope to receive the greatest favours even though he has no need of their help.

[**50**] The interests of society, however, and its common bonds will be best conserved, if kindness be shown to each individual in proportion to the closeness of his relationship.

But it seems we must trace back to their ultimate sources the principles of fellowship and society that Nature has established among men. The first principle is that which is found in the connection subsisting between all the members of the human race; and that bond of connection is reason and speech, which by the processes of teaching and learning, of communicating, discussing, and reasoning associate men together and unite them in a sort of natural fraternity. In no other particular are we farther removed from the nature of beasts; for we admit that they may have courage (horses and lions, for example); but we do not admit that they have justice, equity, and goodness; for they are not endowed with reason or speech.

[**51**] This, then, is the most comprehensive bond that unites together men as men and all to all; and under it the common right to all things that Nature has produced for the common use of man is to be maintained, with the understanding that, while everything assigned as private property by the statutes and by civil law shall be so held as prescribed by those same laws, everything else shall be regarded in the light indicated by the Greek proverb: "Amongst friends all things in common." Furthermore, we find the common property of all men in things of the sort defined by Ennius; and, though restricted by him to one instance, the principle may be applied very generally:

Who kindly sets a wand'rer on his way
Does e'en as if he lit another's lamp by his:
No less shines his, when he his friend's hath lit.

In this example he effectively teaches us all to bestow even upon a stranger what it costs us nothing to give. [**52**] On this principle we have the following maxims: "Deny no one the water that flows by;" "Let anyone who will take fire from our fire;" "Honest counsel give to one who is in doubt;" for such acts are useful to the recipient and cause the giver no loss. We should, therefore, adopt these principles and always be contributing something to the common weal. But since the resources of individuals are

limited and the number of the needy is infinite, this spirit of universal liberality must be regulated according to that test of Ennius—"No less shines his"—in order that we may continue to have the means for being generous to our friends.

[**53**] Then, too, there are a great many degrees of closeness or remoteness in human society. To proceed beyond the universal bond of our common humanity, there is the closer one of belonging to the same people, tribe, and tongue, by which men are very closely bound together; it is a still closer relation to be citizens of the same city-state; for fellow-citizens have much in common—forum, temples colonnades, streets, statutes, laws, courts, rights of suffrage, to say nothing of social and friendly circles and diverse business relations with many.

But a still closer social union exists between kindred. Starting with that infinite bond of union of the human race in general, the conception is now confined to a small and narrow circle. [**54**] For since the reproductive instinct is by Nature's gift the common possession of all living creatures, the first bond of union is that between husband and wife; the next, that between parents and children; then we find one home, with everything in common. And this is the foundation of civil government, the nursery, as it were, of the state. Then follow the bonds between brothers and sisters, and next those of first and then of second cousins; and when they can no longer be sheltered under one roof, they go out into other homes, as into colonies. Then follow between these in turn, marriages and connections by marriage, and from these again a new stock of relations; and from this propagation and after-growth states have their beginnings. The bonds of common blood hold men fast through good-will and affection; [**55**] for it means much to share in common the same family traditions the same forms of domestic worship, and the same ancestral tombs. But of all the bonds of fellowship, there is none more noble, none more powerful than when good men of congenial character are joined in intimate friendship; for really, if we discover in another that moral goodness on which I dwell so much, it attracts us and makes us friends to the one in whose character it seems to dwell. [**56**] And while every virtue attracts us and makes us love those who seem to possess it, still justice and generosity do so most of all. Nothing, moreover, is more conducive to love and intimacy than compatibility of character in good men; for when two people have the same ideals and the same tastes, it is a natural consequence that each loves the other as himself; and the result is, as Pythagoras requires of ideal friendship, that several are united in one.

Another strong bond of fellowship is effected by mutual interchange of kind services; and as long as these kindnesses are mutual and acceptable, those between whom they are interchanged are united by the ties of an enduring intimacy.

[**57**] But when with a rational spirit you have surveyed the whole field, there is no social relation among them all more close, none more dear than that which links each one of us with our country. Parents are dear; dear are children, relatives, friends; one native land embraces all our loves; and who that is true would hesitate to give his life for her, if by his death he could render her a service? So much the more execrable are those monsters who have torn their fatherland to pieces with every form of outrage and who are and have been engaged in compassing her utter destruction.

[**58**] Now, if a contrast and comparison were to be made to find out where most of our moral obligation is due, country would come first, and parents; for their services have laid us under the heaviest obligation; next come children and the whole family, who look to us alone for support and can have no other protection; finally, our kinsmen, with whom we live on good terms and with whom, for the most part, our lot is one.

All needful material assistance is, therefore, due first of all to those whom I have named; but intimate relationship of life and living, counsel, conversation, encouragement, comfort, and sometimes even reproof flourish best in friendships. And that friendship is sweetest which is cemented by congeniality of character.

[*In a series of passages below from the remainder of Book I Cicero eloquently restates some his basic principles and perspectives on a dutiful life. New here is his exploration in §107 of the difference*

between the universal nature and particular nature with which each person is endowed.]

[**98**] The poets will observe, therefore, amid a great variety of characters, what is suitable and proper for all—even for the bad. But to us Nature has assigned the roles of steadfastness, temperance, self-control, and considerateness of others; Nature also teaches us not to be careless in our behaviour towards our fellow-men. Hence we may clearly see how wide is the application not only of that propriety which is essential to moral rectitude in general, but also of the special propriety which is displayed in each particular subdivision of virtue. For, as physical beauty with harmonious symmetry of the limbs engages the attention and delights the eye, for the very reason that all the parts combine in harmony and grace, so this propriety, which shines out in our conduct, engages the approbation of our fellow-men by the order, consistency, and self-control it imposes upon every word and deed.

[**99**] We should, therefore, in our dealings with people show what I may almost call reverence toward all men—not only toward the men who are the best, but toward others as well. For indifference to public opinion implies not merely self-sufficiency, but even total lack of principle. There is, too, a difference between justice and considerateness in one's relations to one's fellow-men. It is the function of justice not to do wrong to one's fellow-men; of considerateness, not to wound their feelings; and in this the essence of propriety is best seen.

With the foregoing exposition, I think it is clear what the nature is of what we term propriety.

[**100**] Further, as to the duty which has its source in propriety, the first road on which it conducts us leads to harmony with Nature and the faithful observance of her laws. If we follow Nature as our guide, we shall never go astray, but we shall be pursuing that which is in its nature clear-sighted and penetrating (Wisdom), that which is adapted to promote and strengthen society (Justice), and that which is strong and courageous (Fortitude). But the very essence of propriety is found in the division of virtue which is now under discussion (Temperance). For it is only when they agree with Nature's laws that we should give our approval to the movements not only of the body, but still more of the spirit.

[**101**] Now we find that the essential activity of the spirit is twofold: one force is appetite (that is, *hormé* , in Greek), which impels a man this way and that; the other is reason, which teaches and explains what should be done and what should be left undone. The result is that reason commands, appetite obeys.

Again, every action ought to be free from undue haste or carelessness; neither ought we to do anything for which we cannot assign a reasonable motive; for in these words we have practically a definition of duty.

[**102**] The appetites, moreover, must be made to obey the reins of reason and neither allowed to run ahead of it nor from listlessness or indolence to lag behind; but people should enjoy calm of soul and be free from every sort of passion. As a result strength of character and self-control will shine forth in all their lustre. For when appetites overstep their bounds and, galloping away, so to speak, whether in desire or aversion, are not well held in hand by reason, they clearly overleap all bound and measure; for they throw obedience off and leave it behind and refuse to obey the reins of reason, to which they are subject by Nature's laws. And not only minds but bodies as well are disordered by such appetites. We need only to look at the faces of men in a rage or under the influence of some passion or fear or beside themselves with extravagant joy: in every instance their features, voices, motions, attitudes undergo a change.

[**107**] We must realize also that we are invested by Nature with two characters, as it were: one of these is universal, arising from the fact of our being all alike endowed with reason and with that superiority which lifts us above the brute. From this all morality and propriety are derived, and upon it depends the rational method of ascertaining our duty. The other character is the one that is assigned to individuals in particular. In the matter of physical endowment there are great differences: some, we see, excel in speed for the race, others in strength for wrestling; so in point of personal appearance, some have stateliness, others comeliness. Diversities of character are greater still.

[**158**] And it is not true, as certain people maintain, that the bonds of union in human society were instituted in order to provide for the needs of daily life; for, they say, without the aid of others we could not secure for ourselves or supply to others the things that Nature requires; but if all that is essential to our wants and comfort were supplied by some magic wand, as in the stories, then every man of first-rate ability could drop all other responsibility and devote himself exclusively to learning and study. Not at all. For he would seek to escape from his loneliness and to find someone to share his studies; he would wish to teach, as well as to learn; to hear, as well as to speak. Every duty, therefore, that tends effectively to maintain and safeguard human society should be given the preference over that duty which arises from speculation and science alone.

Book 3

[*In Book 2 Cicero has explored the appeal, from the justifiable to the excessive, of the useful or expedient. In the third and final book of* On Duties *Cicero argues that following nature is to embrace the path of virtue and right as the truly expedient. He insists that the human being can and ought progress in his ability to recognize, even in perplexing cases, the identity of the right and the expedient. The few passages below from Book 3 are statements found in this book especially relevant to the law of nature and its realization as a guide in human life.*]

[**13**] Furthermore, when the Stoics speak of the supreme good as “living conformably to Nature,” they mean, as I take it, something like this: that we are always to be in accord with virtue, and from all other things that may be in harmony with Nature to choose only such as are not incompatible with virtue. This being so, some people are of the opinion that it was not right to introduce this counterbalancing of right and expediency and that no practical instruction should have been given on this question at all. And yet moral goodness, in the true and proper sense of the term, is the exclusive possession of the wise and can never be separated from virtue; but those who have not perfect wisdom cannot possibly have perfect moral goodness, but only a semblance of it. [**14**] And indeed these duties under discussion in these books the Stoics call “mean duties”; they are a common possession and have wide application; and many people attain to the knowledge of them through natural goodness of heart and through advancement in learning.

[**17**] For these reasons it is unlawful either to weigh true morality against conflicting expediency, or common morality, which is cultivated by those who wish to be considered good men, against what is profitable; but we every-day people must observe and live up to that moral right which comes within the range of our comprehension as jealously as the truly wise men have to observe and live up to that which is morally right in the technical and true sense of the word. For otherwise we cannot maintain such progress as we have made in the direction of virtue.

[**30**] For, if merely, for one’s own benefit one were to take something away from a man, though he were a perfectly worthless fellow, it would be an act of meanness and contrary to Nature’s law. But suppose one would be able, by remaining alive, to render signal service to the state and to human society—if from that motive one should take something from another, it would not be a matter for censure. But, if such is not the case, each one must bear his own burden of distress rather than rob a neighbour of his rights. We are not to say, therefore, that sickness or want or any evil of that sort is more repugnant to Nature than to covet and to appropriate what is one’s neighbour’s; but we do maintain that disregard of the common interests is repugnant to Nature; for it is unjust. [**31**] And therefore Nature’s law itself, which protects and conserves human interests, will surely determine that a man who is wise, good, and brave, should in emergency have the necessaries of life transferred to him from a person who is idle and worthless; for the good man’s death would be a heavy loss to the common weal; only let him beware that self-esteem and self-love do not find in such a transfer of possessions a pretext for wrong-doing. But, thus guided in his decision, the good man will always perform his duty, promoting the general interests of human society on which I am so fond of dwelling.

[**68**] Now the law disposes of sharp practices in one way, philosophers in another: the law deals with them as far as it can lay its strong arm upon them; philosophers, as far as they can be apprehended by reason and conscience. Now reason demands that nothing be done with unfairness, with false pretence, or with misrepresentation. Is it not deception, then, to set snares, even if one does not mean to start the game or to drive it into them? Why, wild creatures often fall into snares undriven and unpursued. Could one in the same way advertise a house for sale, post up a notice “To be-sold,” like a snare, and have somebody run into it unsuspecting?

[**69**] Owing to the low ebb of public sentiment, such a method of procedure, I find, is neither by custom accounted morally wrong nor forbidden either by statute or by civil law; nevertheless it is forbidden by the moral law [law of nature (*naturae lege*)]. For there is a bond of fellowship—although I have often made this statement, I must still repeat it again and again—which has the very widest application, uniting all men together and each to each. This bond of union is closer between those who belong to the same nation, and more intimate still between those who are citizens of the same city-state. It is for this reason that our forefathers chose to understand one thing by the universal law and another by the civil law. The civil law is not necessarily also the universal law; but the universal law ought to be also the civil law. But we possess no substantial, life-like image of true Law and genuine Justice; a mere outline sketch is all that we enjoy. I only wish that we were true even to this; for, even as it is, it is drawn from the excellent models which Nature and Truth afford.
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