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On Duties

Book I

(1) Marcus, my son, you have been a pupil of Cratippus' for a year already, and that in Athens. Consequently, you ought to be filled to overflowing with philosophical advice and instruction, through the great authority of both teacher and city: the former can improve you with his knowledge, the latter by her examples.[1] However, since I myself have always found it beneficial to combine things Latin with things Greek (something I have done not only in philosophy, but also in the practice of rhetoric), I think you should do the same, that you may be equally capable in either language.[2]

In this respect I have, it seems to me, provided a great service to my countrymen; as a result, not only those ignorant of the Greek language, but the learned also, think that they have found some assistance both in learning[3] and in making decisions.[4] (2) And you will certainly learn from the leading philosopher of our present generation, and you will go on doing so for as long as you like. (You

[1] On Cratippus (and all named persons), see Biographical Notes. Cf. *De Finibus* V.2–6 for the examples of the great men, including philosophers, whose monuments were in Athens.

[2] Despite initial hostility to teachers of Greek rhetoric, such study could, by the beginning of the first century BC, be defended as traditional against the new teaching in Latin, cf. *Brutus* 310.

[3] Some editors emend the manuscripts' *discendum* (learning) to *dicendum* (speaking).

[4] At II.2–9 C. addresses himself to these two groups in turn. He had already countered the aversion of the learned for philosophy in Latin in the *Academica* and *De Finibus*. In keeping with his own preference for Academic philosophy of the sceptical variety (see Summary, pp. xxxvi–xxxvii), C. throughout lays stress on helping his son and his readers generally to make their own moral choices (I.2, I.9, II.8, III.18, III.33).

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ought, of course, to want to learn for as long as you are not dissatisfied with your progress.) However, my writings do not differ greatly from those of the Peripatetics (for we both want to be Socratics and Platonists).[1] When you read them, therefore, though you must use your own judgement about the content (for I shall not prevent that), you will at least acquire a richer style of Latin prose by reading my work. I would not like it to be thought that I say this arrogantly: for I grant that many others surpass my knowledge of philosophy; and if, when I have devoted the best part of my life to oratory, I then claim for myself what is proper to an orator, that I speak suitably, clearly and elegantly, I seem to have some right to lay such a claim.

(3) I strongly urge you, therefore, my dear Cicero, assiduously to read not only my speeches, but also the philosophical works, which are now almost equal to them.[2] The language is more forceful in the former, but the calm and restrained style of the latter ought also to be cultivated.[3] Furthermore, I see that it has not happened to this day that the same Greek has laboured in both fields, pursuing both forensic oratory and also the other, quieter, sort of debating. Perhaps Demetrius of Phalerum can be counted as doing so, a man of precise argument and an orator who, though not over-vigorous, spoke so pleasantly that you can recognise him as a pupil of Theophrastus. My achievement in either field is for others to judge, but there is no doubt that I have pursued them both. (4) I certainly think that Plato, if he had wanted to try his hand at forensic oratory, would have been able to speak weightily and expansively. Conversely, if Demosthenes had held on to the things he learned from Plato, and had wanted to articulate them, he could have done so elegantly and with brilliance. I make the same judgement about Aristotle and

[1] See Plan of Hellenistic Schools, p. xxxiv and Biographical Notes under Socrates and Plato. Cf. III.20 and pp. xxxvi–xxxvii.

[2] C. had published 17 philosophical works divided into 41 books by this date; he had published 70 speeches (excluding The Philippic Orations, some of which were being composed at this time): see J. Crawford, *M. Tullius Cicero: the Lost and Unpublished Orations* (Gottingen, 1984), p. 12. C.'s exaggeration is perhaps excusable given the impressive speed with which he composed the philosophical works.

[3] For C.'s broad conception of oratory and oratorical training, see *De Oratore* II.4, III.70. He contrasts the style suitable to philosophy with that suitable to forensic oratory in *Brutus* 120–1. The former is characterized as the middle style of oratory in *Orator* 91–6, where C. claims to be able to handle all three levels himself (100–5).

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Isocrates; each, because he so enjoyed his own pursuit, despised the other one.[1]

Now when I had decided to write something for you at the present time (and much more in the future) I very much wanted to begin with something which was preeminently suitable to your age and my authority.[2] Many weighty and beneficial matters in philosophy have been discussed accurately and expansively by philosophers. However, it is their teachings and their advice on the question of duties that seem to have the widest application. For no part of life, neither public affairs nor private, neither in the forum nor at home, neither when acting on your own nor in dealings with another, can be free from duty. Everything that is honourable in a life depends upon its cultivation, and everything dishonourable upon its neglect.[3]

(5) The debate is one in which all philosophers share: for who would dare to call himself a philosopher if he had handed down no rules of duty? But there are some teachings that undermine all duty by the ends of good and evil things that they propound.[4] The man who defines the highest good in such a way that it has no connection with virtue, measuring it by his own advantages rather than by honourableness, cannot (if he is in agreement with himself and is not occasionally overcome by the goodness of his own nature) cultivate either friendship or justice or liberality. There can certainly be no brave man who judges that pain is the greatest evil, nor a man of restraint who defines pleasure as the highest good.

(6) All that is so obvious that the matter does not need to be debated, but I have in any case discussed it elsewhere.[5] If such systems of teaching were wanting to be consistent, they could say nothing about

[1] The rivalry with the Greeks was an important motive behind C.'s creation of a Latin philosophical literature. C. emphasizes forensic oratory as it had more prestige than the other two types, deliberative and display, and, in his view, required skill in all three levels of style.

[2] On the suitability of *De Officiis* to its addressee, see Introduction, pp. xvi–xvii.

[3] For the contrast between the broad scope of practical ethics here suggested and the very selective treatment offered in *De Officiis*, see Introduction, pp. xxiii–xxv.

[4] C. saw the ethical debate between the schools of philosophy as primarily one about the ends or goals of life, e.g. *De Finibus* V.15–23. See Summary, p. xxxv.

[5] Particularly in *De Finibus* Book II, where C. gives himself the role of criticizing Epicurean ethics propounded by his friend Manlius Torquatus. Cf. III.39 and 116–19 with n. 3 on 118. Members of this sect were the first to write philosophy in Latin, and their works, which C. regarded as crude, seem to have enjoyed some popularity. He alludes in (5) to the fact that many of his contemporaries who professed Epicureanism nonetheless entered public life and practised the traditional virtues, like Torquatus himself.

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duty; nor can any advice on duty that is steady, stable, and joined to nature be handed down except by those who believe that what is to be sought for its own sake is honourableness alone (as some say) or honourableness above all (as others say). Therefore the giving of such advice is the peculiar province of the Stoics, Aristotelians and Peripatetics, since the opinions of Aristo, Pyrrho and Erillus have long since been driven out. They would have had the right to dispute about duty if they had left any means of choice between things, so that there might be a path to the discovering of duty.[1] I shall, therefore, for the present and on this question, follow the Stoics above all, not as an expositor, but, as is my custom, drawing from their fountains when and as it seems best, using my own judgement and discretion.[2]

(7) Since the whole discussion is going to be about duty, I propose first to define what duty is. I am surprised that Panaetius omitted to do this. For every piece of rational instruction upon any matter ought to begin with a definition, so that everyone understands what the subject of discussion is.[3]

The whole debate about duty is twofold. One kind of question relates to the end of good things; the other depends upon advice by which one ought to be fortified for all areas of life. The following are examples of the former: are all duties 'complete'? Is one duty more important than another? and other questions of that type. The duties for which advice has been offered do indeed relate to the end of good things, but here it is less obvious, because they appear rather to have in view instruction for a life that is shared. It is these that I must expound in these books.[4]

(8) There is also another division to be made concerning duty.

[1] All three of these philosophers, for different reasons, agreed that external things were indifferent; no one external condition (wealth, poverty, health, sickness etc.) was preferable to another. Therefore, C. thinks, they left no grounds for choosing to act in one way rather than in another (see also, Summary p. xxxv).

[2] C. insists on his independence in two respects: as his own philosophy allows him to adopt whatever seems the most persuasive case (see II.7–8, III.20), he has chosen to follow the Stoics at this time and on this subject. Second, he is not merely translating or expounding Stoic authorities but using them selectively and critically (see Introduction, pp. xix ff.).

[3] Cf. I.101; *De Finibus* III.58.

[4] C. distinguishes here between, on the one hand, theoretical questions about the end of life and the concept of duty and, on the other hand, practical questions about how to choose and perform one's duties.

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For a duty can be called either 'middle' or 'complete'. 'Complete' duty we may, I think, label 'right', as the Greeks call it *katorthoma*; while the duty that is shared they call *kathekon*.[1] They give their definitions in such a way as to define complete duty as what is right; while middle duty, they say, is that for which a persuasive reason can be given as to why it has been done.[2]

(9) There are in consequence, as it seems to Panaetius, three questions to deliberate when deciding upon a plan of action. In the first place, men may be uncertain whether the thing that falls under consideration is an honourable or a dishonourable thing to do; often, when they ponder this, their spirits are pulled between opposing opinions. Secondly, they investigate or debate whether or not the course they are considering is conducive to the advantageousness and pleasantness of life, to opportunities and resources for doing things, to wealth and to power, all of which enable them to benefit themselves and those dear to them. All such deliberation falls under reasoning about what is beneficial. The third type of uncertainty arises when something apparently beneficial appears to conflict with what is honourable: benefit seems to snatch you to its side and honourableness in its turn to call you back; consequently the spirit is pulled this way and that in its deliberation, and it arouses in its reflection a care that is double-edged.

(10) Although it is a very great fault to omit anything when categorising, this division leaves out two things. For one often deliberates not only whether a thing is honourable or dishonourable, but also which of two proposed courses that are honourable is the more honourable, or of two that are beneficial the more beneficial. Therefore the method that Panaetius thought should be threefold turns out to require division into five parts. First, therefore, we must discuss

[1] An alternative reading is 'while the shared one, they call duty'. 'Middle' (Latin *media*, Greek *mesa*) duties are so called because both the wise man and the ordinary man share in doing them (hence C. sometimes calls them 'shared duties'). However, only the wise man, who fully possesses every virtue, can perform a right action, one which, in itself, apart from its consequences, is perfect and complete (*Fin.* III.32). His 'complete' duty, as C. puts it (III.14) 'fulfils all the numbers'. C. explains the term 'middle' differently in *De Finibus* III.58–9.

[2] C. may choose the Latin word *probabile* ('persuasive') to translate the Greek for 'reasonable' (justification) because it suggests the sceptical Academic view that what is *probabile* can serve as a basis for action.

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what is honourable, but asking of it two questions; then what is beneficial, by a parallel method; and then the comparison of the two.[1]

(11) From the beginning nature[2] has assigned to every type of creature the tendency to preserve itself, its life and body, and to reject anything that seems likely to harm them, seeking and procuring everything necessary for life, such as nourishment, shelter and so on. Common also to all animals is the impulse to unite for the purpose of procreation, and a certain care for those that are born. The great difference between man and beast, however, is this: the latter adapts itself only in responding to the senses, and only to something that is present and at hand, scarcely aware of the past or future. Man, however, is a sharer in reason; this enables him to perceive consequences, to comprehend the causes of things, their precursors and their antecedents, so to speak; to compare similarities and to link and combine future with present events; and by seeing with ease the whole course of life to prepare whatever is necessary for living it.

(12) The same nature, by the power of reason, unites one man to another for the fellowship both of common speech and of life, creating above all a particular love for his offspring. It drives him to desire that men should meet together and congregate, and that he should join them himself; and for the same reason to devote himself to providing whatever may contribute to the comfort and sustenance not only of himself, but also of his wife, his children, and others whom he holds dear and ought to protect.[3] Furthermore, such concern also arouses men's spirits, rendering them greater for achieving whatever they attempt.

(13) The search for truth and its investigation are, above all, peculiar to man. Therefore, whenever we are free from necessary business and other concerns we are eager to see or to hear or to learn, considering that the discovery of obscure or wonderful things is necessary

[1] The three Panaetian topics are each assigned one of the three books of *De Officiis*. The two supplementary topics are treated at the end of Book I (152–61) and Book II (88–9). See Introduction, pp. xxi, xxv.

[2] In the next chapters C. describes the natural basis of the four cardinal virtues, justice (12), wisdom, greatness of spirit (13) and moderation (14), which are to provide the structure of Book I as a whole. C. starts from the natural impulses man shares with other animals and then shows how the possession of reason gives him in addition impulses that can develop into the four virtues. Cf. II.11.

[3] See I.158 and n. 1.

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for a blessed life. Consequently, we understand that what is true, simple and pure is most fitted to the nature of man. In addition to this desire for seeing the truth, there is a kind of impulse towards pre-eminence, so that a spirit that is well trained by nature will not be willing to obey for its own benefit someone whose advice, teaching and commands are not just and lawful. Greatness of spirit and a disdain for human things arise as a result.

(14) The power of nature and reason is not insignificant in this too, that this one animal alone perceives what order there is, what seemliness, what limit to words and deeds. No other animal, therefore, perceives the beauty, the loveliness, and the congruence of the parts, of the things that sight perceives. Nature and reason transfer this by analogy from the eyes to the mind, thinking that beauty, constancy and order should be preserved, and much more so, in one's decisions and in one's deeds. They are careful also to do nothing in an unseemly or effeminate way, in all their opinions and actions thinking and doing nothing licentiously.

The honourableness that we seek is created from and accomplished by these things. Even if it is not accorded acclaim, it is still honourable, and, as we truly claim, even if no one praises it, it is by nature worthy of praise. (15) You are seeing, my son, the very face and form, so to speak, of the honourable; if it could be seen with the eyes, as Plato says, it would inspire an amazing love of wisdom.[1] Everything that is honourable arises from one of four parts: it is involved either with the perception of truth and with ingenuity; or with preserving fellowship among men, with assigning to each his own, and with faithfulness to agreements one has made; or with the greatness and strength of a lofty and unconquered spirit; or with order and limit in everything that is said and done (modesty and restraint are included here).

Although these four are bound together and interwoven,[2] certain kinds of duties have their origin in each individually. For example, in the part that we described as first, in which we placed wisdom and good sense,[3] there lie the investigation and discovery of what is true, and that is the peculiar function of that virtue. (16) For when

[1] *Phaedrus* 250d.
[2] See II.35.
[3] Wisdom and good sense, here treated together, are separated at I.153 (see n. 1), though their separate spheres are suggested at the end of I.19.

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a man is extremely good at perceiving what is most true in each particular thing, and when he is able with great acuity and speed to see and to explain the reason, then he is rightly considered extremely sensible and wise. Therefore, the thing that underlies this virtue, the matter (as it were) that it handles and treats, is truth.

(17) As for the other three virtues, their aim is necessities: they are to procure and to conserve whatever is required for the activities of life, in order both to preserve the fellowship and bonding between men, and to allow excellence and greatness of spirit to shine out – both in increasing influence and in acquiring benefits for oneself and those dear to one, and also, and much more, in disdaining the very same things. Again, order, constancy, moderation, and the qualities similar to these are associated with the group that requires not only mental activity, but also some action. For we shall conserve honourableness and seemliness if we apply some limit and order to the things with which we deal in our life.

(18) We have divided the nature and power of that which is honourable under four headings. The first of these, that consisting of the learning of truth, most closely relates to human nature. For all of us feel the pull that leads us to desire to learn and to know; we think it a fine thing to excel in this, while considering it bad and dishonourable to stumble, to wander, to be ignorant, to be deceived.

In this category, which is both natural and honourable, one must avoid two faults: first, we should not take things that have not been ascertained for things that have, and rashly assent to them. Anyone who wants to avoid that fault (as everyone indeed should) will take time and care when he ponders any matter. (19) The second fault is that some men bestow excessive devotion and effort upon matters that are both abstruse and difficult, and unnecessary.[1]

When those faults are avoided, then the amount of effort and care that is given to things honourable and worth learning will rightly be praised; just as we have heard happened regarding Gaius Sulpicius in astronomy, and as we have learnt ourselves regarding Sextus Pompeius in geometry, many men in dialectical arguments, and yet

[1] Of the two faults mentioned, the first reflects C.'s profound dislike of dogmatism which made the sceptical Academic tradition so attractive to him (see Summary, p. xxxvi); the second reflects Roman priorities which also led C. to justify his philosophical writing in terms of his involuntary exclusion from public life and his hope of helping his countrymen in another way (II.2–6; cf. *Acad.* II.6; *Div.* II.6). See also I.71.

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more in civil law (for these arts are all associated with the investigation of what is true). It is, however, contrary to duty to be drawn by such a devotion away from practical achievements: all the praise that belongs to virtue lies in action. On the other hand, there is often a break from it, and we are given many opportunities to return to our studies. Besides, the activity of the mind, which is never at rest, can maintain in us our pursuit of learning even without effort on our part. For reflective movements of the spirit occur in one of two ways: either when taking counsel about honourable matters, that pertain to living well and blessedly, or in the pursuit of knowledge and learning.

We have now discussed the first source of duty. **(20)** Of the three that remain the most wide-reaching one is the reasoning by which the fellowship of men with one another, and the communal life, are held together. There are two parts of this: justice, the most illustrious of the virtues, on account of which men are called 'good';[1] and the beneficence connected with it, which may be called either kindness or liberality.

Of justice, the first office is that no man should harm another unless he has been provoked by injustice; the next that one should treat common goods as common and private ones as one's own.[2] **(21)** Now no property is private by nature, but rather by long occupation (as when men moved into some empty property in the past), or by victory (when they acquired it in war), or by law, by settlement, by agreement, or by lot. The result is that the land of Arpinum is said to belong to the Arpinates, and that of Tusculum to the Tusculani.[3] The distribution of private property is of a similar kind. Consequently, since what becomes each man's own comes from what had in nature been common, each man should hold on to whatever has fallen to him. If anyone else should seek any of it for himself, he will be violating the law of human fellowship.

(22) We are not born for ourselves alone, to use Plato's splendid

[1] On the importance attributed to justice, see Introduction pp. xxiii ff. The remark that men are called 'good' for being just reflects not only common moral notions (II.38, III.75–6) but also the use of the phrase *vir bonus* in Roman law, e.g. *Digest* XIX.2.24 pr. 'satisfaction as a good man would judge' in a contract, to which C. also alludes in III.70 and 77.

[2] Justice in the narrow sense (the first part of C.'s second virtue) has a negative aspect – not to harm anyone unprovoked (21), and a positive one – to help our fellow men (22, cf. I.31). These correspond respectively to the positive and negative forms of injustice at I.23.

[3] C. uses as examples his home town and Tusculum where he had a villa.

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words,[1] but our country claims for itself one part of our birth, and our friends another. Moreover, as the Stoics believe, everything produced on the earth is created for the use of mankind, and men are born for the sake of men, so that they may be able to assist one another. Consequently, we ought in this to follow nature as our leader, to contribute to the common stock the things that benefit everyone together, and, by the exchange of dutiful services, by giving and receiving expertise and effort and means, to bind fast the fellowship of men with each other.[2] (23) Moreover, the keeping of faith is fundamental to justice, that is constancy and truth in what is said and agreed. Therefore, though this will perhaps seem difficult to some, let us venture to imitate the Stoics, who hunt assiduously for the derivations of words, and let us trust that keeping faith (*fides*) is so called because what has been said is actually done (*fiat*).[3]

Of injustice there are two types: men may inflict injury; or else, when it is being inflicted upon others, they may fail to deflect it, even though they could. Anyone who makes an unjust attack on another, whether driven by anger or by some other agitation, seems to be laying hands, so to speak, upon a fellow. But also, the man who does not defend someone, or obstruct the injustice when he can, is at fault just as if he had abandoned his parents or his friends or his country.[4]

(24) Those injustices that are purposely inflicted for the sake of harming another often stem from fear; in such cases the one who is thinking of harming someone else is afraid that if he does not do so, he himself will be affected by some disadvantage. In most cases, however, men set about committing injustice in order to secure something that they desire: where this fault is concerned avarice is

[1] Letter IX 358a.
[2] C. in 21–2 has been trying to reconcile the natural sociability of man that is the root of the second virtue with the notion of private possession which he defends throughout (especially II.73, II.78). At I.51 the law of the community supplies the criteria for distinguishing what is communal and what is private.
[3] Stoic interest in etymology was connected with the belief that language had its basis in nature, not convention. The derivation of words also had a great vogue in Rome of this period and figures prominently in what remains of Varro's *On the Latin Language*, which he was writing about this time and dedicated in part to C.
[4] In the description of positive injustice (treated in 24–7) we must supply the absence of provocation noted at 20. Negative injustice is treated in 28–9.

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