DE OFFICIIS

CICERO

Table of Contents

DE OFFICIIS

CICERO

Translated by Walter Miller

DE OFFICIIS

CICERO

Translated by Walter Miller

BOOK I. MORAL GOODNESS

I. My dear son Marcus, you have now been studying a full year under Cratippus, and that too in Athens, and you should be fully equipped with the practical precepts and the principles of philosophy; so much at least one might expect from the pre−eminence not only of your teacher but also of the city; the former is able to enrich you with learning, the latter to supply you with models. Nevertheless, just as I for my own improvement have always combined Greek and Latin studies and I have done this not only in the study of philosophy but also in the practice of oratory −− so I recommend that you should do the same, so that you may have equal command of both languages. And it is in this very direction that I have, if I mistake not, rendered a great service to our countrymen, so that not only those who are unacquainted with Greek literature but even the cultured consider that they have gained much both in oratorical power and in mental training.

You will, therefore, learn from the foremost of present−day philosophers, and you will go on learning as long as you wish; and your wish ought to continue as long as you are not dissatisfied with the progress you are making. For all that, if you will read my philos hical books, you will be helped; my philosophy is not very different from that of the Peripatetics (for both they and I claim to be followers of Socrates and Plato). As to the conclusions you may reach, I leave that to your own judgment (for I would put no hindrance in your way), but by reading my philosophical writings you will be sure to render your mastery of the Latin language more complete. But I would by no means have you think that this is said boastfully. For there are many to whom I yield precedence in the knowledge of philosophy; but if I lay claim to the orator's peculiar ability to speak with propriety, clearness, elegance, I think my claim is in a measure justified, for I have spent my life in that profession.

And therefore, my dear Cicero, I cordially recommend you to read carefully not only my orations but also these books of mine on philosophy, which are now about as extensive. For while the orations exhibit a more vigorous style, yet the unimpassioned, restrained style of my philosophical productions is also worth cultivating. Moreover, for the same man to succeed in both departments, both in the forensic style and in that of calm philosophic discussion has not, I observe, been the good fortune of any one of the Greeks so far, unless, perhaps, Demetrius of Phalerum can be reckoned in that number −− a clever reasoner, indeed, and, though rather a spiritless orator, he is yet charming, so that you can recognize in him the disciple of Theophrastus. But let others judge how much I have accomplished in each pursuit; I have at least attempted both. I believe, of course, that if Plato had been willing to devote himself to forensic oratory, he could have spoken with the greatest eloquence and power; and that if Demosthenes had continued the studies he pursued with Plato and had wished to expound his views, he could have done so with elegance and brilliancy. I feel the same way about Aristotle and Isocrates, each of whom, engrossed in his own profession, undervalued that of the other. II. 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.

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.

Alhough 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 vet 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.

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. III. 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.

And yet there is still another classification of duties: we distinguish between "mean" a duty, so−called, and "absolute" duty. Absolute duty we may, I presume, call "right," for the Greeks call it Ka,rpOo)ua, while the ordinary duty they call KaOiKOV. And the meaning of those terms they fix thus: whatever is right they define as "absolute" duty, but "mean" duty, they say, is duty for the performanceof which an adequate reason may be rendered.

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 ofexpediency. 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. Although omission is a most serious defect in classification, two points have been overlooked in are always 'offices of honour.' 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.

IV. 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. 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. 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.

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.

V. 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 with the full perception and intelligent development of the true; or with the conservation of organized society, with rendering to every man his due, and with the faithful discharge of obligations assumed; or with the greatness and strength of a noble and invincible spirit; or 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. 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.

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.

VI. 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. 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. VII. 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.

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.

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.

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.

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.

VIII. Again, men seekriches partly to supply the needs of life, partly to secure the enjoyment of pleasure. With those who cherish higher ambitions, the desire for wealth is entertained with a view to power and influence and the means of bestowing favours; Marcus Crassus, for example, not long since declared that no amount of wealth was enough for the man who aspired to be the foremost citizen of the state, unless with the income from it he could maintain an army. Fine establishments and the comforts of life in elegance and abundance also afford pleasure, and the desire to secure it gives rise to the insatiable thirst for wealth. Still, I do not mean to find fault with the accumulation of property, provided it hurts nobody, but unjust acquisition of it is always to be avoided. The great majority of people, however, when they fall a prey to ambition for either military or civil authority, are carried away by it so completely that they quite lose sight of the claims of justice. For Ennius says:

There is no fellowship inviolate,
No faith is kept, when kingship is concerned;

and the truth of his words has an uncommonly wide application. For whenever a situation is of such a nature that not more than one can hold preeminence in it, competition for it usually becomes so keen that it is an extremely difficult matter to maintain a "fellowship inviolate." We saw this proved but now in the effrontery of Gaius Caesar, who, to gain that sovereign power which by a depraved imagination he had conceived in his fancy, trod underfoot all laws of gods and men. But the trouble about this matter is that it is in the greatest souls and in the most brilliant geniuses that we usually find ambitions for civil and military authority, for power, and for glory, springing; and therefore we must be the more heedful not to go wrong in that direction.

But in any case of injustice it makes a vast deal of difference whether the wrong is done as a result of some impulse of passion, which is usually brief and transient, or whether it is committed wilfully and with premeditation; for offences that come through some sudden impulse are less culpable than those committed designedly and with malice aforethought. But enough has been said on the subject of inflicting injury. IX. The motives for failure to prevent injury and so for slighting duty are likely to be various: people either are reluctant to incur enmity or trouble or expense; or through indifference, indolence, or incompetence, or through some preoccupation or self− interest they are so absorbed that they suffer those to be neglected whom it is their duty to protect. And so there is reason to fear that what Plato declares of the philosophers may be inadequate, when he says that they are just because they are busied with the pursuit of truth and because they despise and count as naught that which most men eagerly seek and for which they are prone to do battle against each other to the death. For they secure one sort of justice, to be sure, in that they do no positive wrong to anyone, but they fall into the opposite injustice; for hampered by their pursuit of learning they leave to their fate those whom they ought to defend. And so, Plato thinks, they will not even assume their civic duties except under compulsion. But in fact it were better that they should assume them of their own accord; for an action intrinsically right is just only on condition that it is voluntary.

There are some also who, either from zeal in attending to their own business or through some sort of aversion to their fellow− men, claim that they are occupied solely with their own affairs, without seeming to themselves to be doing anyone any injury. But while they steer clear of the one kind of injustice, they fall into the other: they are traitors to social life, for they contribute to it none of their interest, none of their effort, none of their means. 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; 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.

X. 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. 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.

Injustice often arises also through chicanery, that is, through an over−subtle and even fraudulent construction of the law. This it is that gave rise to the now familiar saw, "More law, less justice." Through such interpretation also a great deal of wrong is committed in transactions between state and state; thus, when a truce had been made

with the enemy for thirty days, a famous general went to ravaging their fields by night, because, he said, the truce stipulated "days," not nights. Not even our own countryman's action is to be commended, if what is told of Quintus Fabius Labeo is true −− or whoever it was (for I have no authority but hearsay): appointed by the Senate to arbitrate a boundary dispute between Nola and Naples, he took up the case and interviewed both parties separately, asking them not to proceed in a covetous or grasping spirit, but to make some concession rather than claim some accession. When each party had agreed to this, there was a considerable strip of territory left between them. And so he set the boundary of each city as each had severally agreed; and the tract in between he awarded to the Roman People. Now that is swindling, not arbitration. And therefore such sharp practice is under all circumstances to be avoided. XI. 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.

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. 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.

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. 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. XII. This also I observe −− that he who would properly have been called "a fighting enemy" (perduyellis) was called "a guest" (hostis), thus relieving the ugliness of the fact by a softened expression; for "enemy" (hostis) meant to our an− cestors what we now call "stranger "(peregrinus). This is proved by the usage in the Twelve Tables: "Or a day fixed for trial with a stranger" (hostis). And again: "Right of ownership is inalienable for ever in dealings with a stranger" (hostis). What can exceed such charity, when he with whom one is at war is called by so gentle a name? And yet long lapse of time has given that word a harsher meaning: for it has lost its signification of "stranger" and has taken on the technical connotation of "an enemy under arms." But when a war is fought out for supremacy and when glory is the object of war, it must still not fail to start from the same motives which I said a moment ago were the only righteous grounds for going to war. But those wars which have glory for their end must be carried on with less bitterness. For we contend, for example, with a fellow−citizen in one way, if he is a personal enemy, in another, if he is a rival: with the rival it is a struggle for office and position, with the enemy for life and honour. So with the

Celtiberians and the Cimbrians we fought as with deadly enemies, not to determine which should be supreme, but which should survive; but with the Latins, Sabines, Samnites, Carthaginians, and Pyrrhus we fought for supremacy. The Carthaginians violated treaties; Hannibal was cruel; the others were more merciful. From Pyrrhus we have this famous speech on the exchange of prisoners: "Gold will I none, nor price shall ye give; for I ask none;
Come, let us not be chaff'rers of war, but warriors embattled.
Nay; let us venture our lives, and the sword, not gold, weigh the outcome.
Make we the trial by valour in arms and see if Dame Fortune
Wills it that ye shall prevail or I, or what be her judgment.
Hear thou, too, this word, good Fabricius: whose valour soever
Spared hath been by the fortune of war −− their freedom I grant them.
Such my resolve. I give and present them to you, my brave Romans;
Take them back to their homes; the great gods' blessings attend you."
A right kingly sentiment this and worthy a scion of the Aeacidae.

XIII. Again, if under stress of circumstance individuals have made any promise to the enemy, they are bound to keep their word even then. For instance, in the First Punic War, when Regulus was taken prisoner by the Carthaginians, he was sent to Rome on parole to negotiate an exchange of prisoners; he came and, in the first place, it was he that made the motion in the Sen ate that the prisoners should not be restored; and in the second place, when his relatives and friends would have kept him back, he chose to return to a death by torture rather than prove false to his promise, though given to an enemy.

And again in the Second Punic War, after the Battle of Cannae, Hannibal sent to Rome ten Roman captives bound by an oath to return to him, if they did not succeed in ransoming his prisoners; and as long as any one of them lived, the censors kept them all degraded and disfranchised, because they were guilty of perjury in not returning. And they punished in like manner the one who had incurred guilt by an evasion of his oath: with Hannibal's permission this man left the camp and returned a litttle later on the pretext that he had forgotten something or other; and then, when he left the camp the second time, he claimed that he was released from the obligation of his oath; and so he was, according to the letter of it, but not according to the spirit. In the matter of a promise one must always consider the meaning and not the mere words. Our forefathers have given us another striking example of justice toward an enemy: when a deserter from Pyrrhus promised the Senate to administer poison to the king and thus work his death, the Senate and Gaius Fabricius delivered the deserter up to Pyrrhus. Thus they stamped with their disapproval the treacherous murder even of an enemy who was at once powerful, unprovoked, aggressive, and successful.

With this I will close my discussion of the duties connected with war. 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 thehypocrite who, at the very moment when he is most false, makes it his business to appear virtuous. This must conclude our discussion of justice. XIV. Next in order, as outlined above, let us speak of kindness and generosity. Nothing appeals more to the best in human nature than this, but it calls for the exercise of caution in many particulars: we must, in the first place, see to it that our act of kindness shall not prove an injury either to the object of our beneficence or to others; in the second place, that it shall not be beyond our means; and finally, that it shall be proportioned to the worthiness of the recipient; for this is the corner−stone of justice; and by the standard of justice all acts of kindness must be measured. For those who confer a harmful favour upon someone whom they seemingly wish to help are to be accounted not generous benefactors but dangerous sycophants; and likewise those who injure one man, in order to be generous to another, are guilty of the same injustice as if they diverted to their own accounts the property of their neighbours.

Now, there are many −− and especially those who are ambitious for eminence and glory −− who rob one to enrich another; and they expect to be thought generous towards their friends, if they put them in the way of

getting rich, no matter by what means. Such conduct, however, is so remote from moral duty that nothing can be more completely opposed to duty. We must, therefore, take care to indulge only in such liberality as will help our friends and hurt no one. The conveyance of property by Lucius Sulla and Gaius Caesar from its rightful owners to the hands of strangers should, for that reason, not be regarded as generosity; for nothing is generous if it is not at the same time, just.

The second point for the exercise of caution was that our beneficence should not exceed our means; for those who wish to be more open−handed than their circumstances permit are guilty of two faults: first they do wrong to their next of kin; for they transfer to strangers property which would more justly be placed at their service or bequeathed to them. And second, such generosity too often engenders a passion for plundering and misappropriating property, in order to supply the means for making large gifts. We may also observe that a great many people do many things that seem to be inspired more by a spirit of ostentation than by heart−felt kindness; for such people are not really generous but are rather influenced by a sort of ambition to make a show of being open−handed. Such a pose is nearer akin to hypocrisy than to generosity or moral goodness.

The third rule laid down was that in acts of kindness we should weigh with discrimination the worthiness of the object of our benevolence; we should take into consideration his moral character, his attitude toward us, the intimacy of his relation to us, and our common social ties, as well as the services he has hitherto rendered in our interest. It is to be desired that all these considerations should be combined in the same person; if they are not, then the more numerous and the more important considerations must have the greater weight.

XV. Now, the men we live with are not perfect and ideally wise, but men who do very well, if there be found in them but the semblance of virtue. I therefore think that this is to be taken for granted that no one should be entirely neglected who shows any trace of virtue; but the more a man is endowed with these finer virtues −− temperance, self−control, and that very justice about which so much has already been said−the more he deserves to be favoured. I do not mention fortitude, for a courageous spirit in a man who has not attained perfection and ideal wisdom is generally too impetuous; it is those other virtues that seem more particularly to mark the good man. So much in regard to the character of the object of our beneficence. 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.

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.

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. XVI. 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. 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.

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. XVII. 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. 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; 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. 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.

But when with a rational spirit you have surveyed the whole field, there is no social relation among them all more close, none 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.

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.

XVIII But in the performance of all these duties we shall have to consider what is most needful in each individual case and what each individual person can or cannot procure without our help. In this way we shall find that the claims of social relation,hip, in its various degrees, are not identical with the the dictates of circumstances; for there are obligations that are due to one individual rather than to another: for example, one would sooner assist a neighbour in gathering his harvest than either a brother or a friend; but should it be a caes in court, one would defend a kinsman and a friend rather than a neighbour. Such questions as these must, therefore, be taken into consideration in every act of moral duty [and we must acquire the habit and keep it up], in order to become good calculators of duty, able by adding and subtracting to strike a balance correctly and find out just how much is due to each individual. But as neither physicians nor generals nor orators can achieve any signal success without experience and practice, no matter how well they may understand the theory of their profession, so the rules for the discharge of duty are formulated, it is true, as I am doing now, but a matter of such importance requires experience also and practice. This must close our discussion of the ways in which moral goodness, on which duty depends, is developed from those principles which hold good in human society. We must realize, however, that while we bave set down four cardinal virtues from which as sources moral rectitude and moral duty emanate, that achievement is most glorious in the eyes of the world which is won with a spirit great, exalted, and superior to the vicissitudes of earthly life. And so, when we wish to hurl a taunt, the very first to rise to our lips is, if possible, something like this:
"For ye, young men, show a womanish soul, yon maiden a man's;" and this:
"Thou son of Salmacis, win spoils that cost nor sweat nor blood."

When, on the other hand, we wish to pay a compliment, we somehow or other praise in more eloquent strain the brave and noble work of some great soul. Hence there is an open field for orators on the subjects of Marathon, Salamis, Plataea, Thermopylae, and Leuctra, and hence our own Cocles, the Decii, Gnaeus and Publius Scipio, Marcus Marcellus, and countless others, and, above all, the Roman People as a nation are celebrated for greatness of spirit. Their passion for military glory, moreover, is shown in the fact that we see their statues usually in soldier's garb.

XIX. But if the exaltation of spirit seen in times of danger and toil is devoid of justice and fights for selfish ends instead of for the common good, it is a vice; for not only has it no element of virtue, but its nature is barbarous and revolting to all our finer feelings. The Stoics, therefore, correctly define courage as "that virtue which champions the cause of right." Accordingly, no one has attained to true glory who has gained a reputation for courage by treachery and cunning; for nothing that lacks justice can be morally right.

This, then, is a fine saying of Plato's: "Not only must all knowledge that is divorced from justice be called cunning rather than wisdom," he says, "but even the courage that is prompt to face danger, if it is inspired not by public spirit, but by its own selfish purposes, should have the name of effrontery rather than of courage." And so we demand that men who are courageous and high−souled shall at the same time be good and straightforward, lovers of truth, and foes to deception; for these qualities are the centre and soul of justice.

But the mischief is that from this exaltation and greatness of spirit spring all too readily self−will and excessive lust for power. For just as Plato tells us that the whole national character of the Spartans was on fire with passion for victory, so, in the same way, the more notable a man is for his greatness of spirit, the more ambitious he is to be the foremost citizen, or, I should say rather, to be sole ruler. But when one begins to aspire to pre−eminence, it is difficult to preserve that spirit of fairness which is absolutely essential to justice. The result is that such men do not allow themselves to be constrained either by argument or by any public and lawful authority; but they only too often prove to be bribers and agitators in public life, seeking to obtain supreme power and to be superiors through force rather than equals through justice. But the greater the difficulty, the greater the glory; for no occasion arises that can excuse a man for being guilty of injustice.

So then, not those who do injury but those who prevent it are to be considered brave and courageous. Moreover, true and philosophic greatness of spirit regards the moral goodness to which Nature most aspires as

consisting in deeds, not in fame, and prefers to be first in reality rather than in name. And we must approve this view; for he who depends upon the caprice of the ignorant rabble cannot be numbered among the great. Then, too, the higher a man's ambition, the more easily he is tempted to acts of injustice by his desire for fame. We are now, to be sure, on very slippery ground; for scarcely can the man be found who has passed through trials and encountered dangers and does not then wish for glory as a reward for his achievements.

XX. The soul that is altogether courageous and great is marked above all by two characteristics: one of these is indifference to outward circumstances; for such a person cherishes the conviction that nothing but moral goodness and propriety deserves to be either admired or wished for or striven after, and that he ought not to be subject to any man or any passion or any accident of fortune. The second characteristic is that, when the soul is disciplined in the way above mentioned, one should do deeds not only great and in the highest degree useful, but extremely arduous and laborious and fraught with danger both to life and to many things that make life worth living.

All the glory and greatness and, I may add, all the usefulness of these two characteristics of courage are centred in the latter; the rational cause that makes men great, in the former. For it is the former that contains the element that makes souls pre− eminent and indifferent to worldly fortune. And this qualitity is distinguished by two criteria: if one account moral rectitude as the only good; and if one be free from all passion. For we must agree that it takes a brave and heroic soul to hold as slight what most people think grand and glorious, and to disregard it from fixed and settled principles. And it requires strength of character and great singlenesss of purpose to bear what seems painful, as it comes to pass in many and various forms in human life, and to bear it so unflinchingly as not to be shaken in the least from one's natural state of the dignity of a philosopher. Moreover, it would be inconsistent for the man who is not overcome by fear to be overcome by desire, or for the man who has shown himself invincible to toil to be conquered by pleasure. We must, therefore, not only avoid the latter, but also beware of ambition for wealth; for there is nothing so characteristic of narrowness and littleness of soul as the love of riches; and there is nothing more honourable and noble than to be indifferent to money, if one does not possess it, and to devote it to beneficence and liberality, if one does possess it. As I said before, we must also beware of ambition for glory; for it robs us of liberty, and in defence of liberty a high−souled man should stake everything. And one ought not to seek military authority; nay, rather it ought sometimes to be declined, sometimes to be resigned.

Again, we must keep ourselves free from every disturbing emotion, not only from desire and fear, but also from excessive pain and pleasure, and from anger, so that we may enjoy that calm of soul and freedom from care which bring both moral stability and dignity of character. But there have been many and still are many who, while pursuing that calm of soul of which I speak, have withdrawn from civic duty and taken refuge in retirement. Among such have been found the most famous and by far the foremost philosophers and certain other earnest, thoughtful men who could not endure the conduct of either the people or their leaders; some of them, too, lived in the country and found their pleasure in the management of their private estates. Such men have had the same aims as kings −− to suffer no want, to be subject to no authority, to enjoy their liberty, that is, in its essence, to live just as they please. XXI. So, while this desire is common to men of political ambitions and men of retirement, of whom I have just spoken, the one class think they can attain their end if they secure large means; the other, if they are content with the little they have. And, in this matter, neither way of thinking is altogether to be condemned; but the life of retirement is easier and safer and at the same time less burdensome or troublesome to others, while the career of those who apply themselves to statecraft and to conducting great enterprises is more profitable to mankind and contributes more to their own greatness and renown.

So perbaps those men of extraordinary genius who have devoted themselves to learning must be excused for not taking part in public affairs; likewise, those who from ill−health or for some still more valid reason have retired from the service of the state and left to others the opportunity and the glory of its administration. But if those who have no such excuse profess a scorn for civil and military offices, which most people admire, I think that this should be set down not to their credit but to their discredit; for in so far as they care little, as they say, for glory and count it as naught, it is difficult not to sympathize with their attitude; in reality however, they seem to dread the toil and trouble and also, perhaps, the discredit and humiliation of political failure and defeat. For there are people who in opposite circumstances do not act consistently: they have the utmost contempt for pleasure but in pain they are too sensitive; they are indifferent to glory, but they are crushed by disgrace and even in their

inconsistency they show no great consistency.

But those whom Nature has endowed with the capacity for administering public affairs should put aside all hesitation, enter the race for public office and take a hand in directing the government; for in no other way can a government be administered or greatness of spirit be made manifest. Statesmen too, no less than philosophers −− perhaps even more so −should carry with them that greatness of spirit and indifference to outward circumstances to which I so often refer, together with calm of soul and freedom from care, if they are to be free from worries and lead a dignified and self−consistent life. This is easier for the philosophers; as their life is less exposed to the assaults of fortune, their wants are fewer; and, if any misfortune overtakes them, their fall is not so disastrous. Not without reason, therefore, are stronger emotions aroused in those who engage in public life than in those who live in retirement, and greater is their ambition for success; the more, therefore, do they need to enjoy greatness of spirit and freedom from annoying cares. If anyone is entering public life, let him beware of thinking only of the honour that it brings; but let him be sure also that he has the ability to succeed. At the same time, let him take care not to lose heart too readily through discouragement nor yet to be over−confident through ambition. In a word, before undertaking any enterprise, careful preparation must be made.

XXII. Most people think that the achievements of war are more important than those of peace; but this opinion needs to be corrected. For many men have sought occasions for war from the mere ambition for fame. This is notably the case with men of great spirit and natural ability, and it is the more likely to happen, if they are adapted to a soldier's life and fond of warfare. But if we will face the facts, we shall find that there have been many instances of achievement in peace more important and no less renowned than in war.

However highly Themistocles, for example, may be extolled −− and deservedly −− and however much more illustrious his name may be than Solon's, and however much Salamis may be cited as witness of his most glorious victory −− a victory glorified above Solon's statesmanship in instituting the Areopagus −yet Solon's achievement is not to be accounted less illustrious than his. For Themistocles's victory served the state once and only once; while Solon's work will be of service for ever. For through his legislation the laws of the Athenians and the institutions of their fathers are maintained. And while Themistocles could not readily point to any instance in which he himself had rendered assistance to the Areopagus, the Areopagus might with justice assert that Themistocles had received assistance from it; for the war was directed by the counsels of that senate which Solon had created. The same may be said of Pausanias and Lysander. Although it is thought that it was by their achievements that Sparta gained her supremacy, yet these are not even remotely to be compared with the legislation and discipline of Lycurgus. Nay, rather, it was due to these that Pausanias and Lysander had armies so brave and so well disciplined. For my own part, I do not consider that Marcus Scaurus was inferior to Gaius Marius, when I was a lad, or Quintus Cattilus to Gnaeus Pompey, when I was engaged in public life. For arms are of little value in the field unless there is wise counsel at home. So, too, Africanus, though a great man and a soldier of extraordinary ability, did no greater service to the state by destroying Numantia than was done at the same time by Publius Nasica, though not then clothed with official authority, by removing Tiberius Gracchus. This deed does not, to be sure, belong wholly to the domain of civil affairs; it partakes of the nature of war also, since it was effected by violence; but it was, for all that, executed as a political measure without the help of an army. The whole truth, however, is in this verse, against which, I am told, the malicious and envious are wont to rail:

Yield, ye arms, to the toga; to civic praises, ye laurels."

Not to mention other instances, did not arms yield to the toga, when I was at the helm of state? For never was the republic in more serious peril, never was peace more profound. Thus, as the result of my counsels and my vigilance, their weapons slipped suddenly from the hands of the most desperate traitors −− dropped to the ground of their own accord! What achievement in war, then, was ever so great What triumph can be compared with that? For I may boast to you, my son Marcus; for to you belong the inheritance of that glory of mine and the duty of imitating my deeds. And it was to me, too, that Gnaeus Pompey, a hero crowned with the honour of war, paid this tribute in the hearing of many, when he said that his third triumph would have been gained in vain, if he were not to have through my services to the state a place in which to celebrate it. There are, therefore, instances of civic courage that are not inferior to the courage of the soldier. Nay, the former calls for even greater energy and greater devotion than the latter.

XXIII. That moral goodness which we look for in a lofty, high−minded spirit is secured, of course, by moral,

not by physical, strength. And yet the body must be trained and so discliplined that it can obey the dictates of judgment and reason in attending to business and in enduring toil. But that moral goodness which is our theme depends wholly upon the thought and attention given to it by the mind. And, in this way, the men who in a civil capacity direct the affairs of the nation render no less important service than they who conduct its wars: by their statesmanship oftentimes wars are either averted or terminated; sometimes also they are declared. Upon Marcus Cato's counsel, for example, the Third Punic War was undertaken, and in its conduct his influence was dominant, even after he was dead. And so diplomacy in the friendly settlement of controversies is more desirable than courage in settling them on the battlefield; but we must be careful not to take that course merely for the sake of avoiding war rather than for the sake of public expediency. War, however, should be undertaken in such a way as to make it evident that it has no other object than to secure peace. But it takes a brave and resolute spirit not to be disconcerted in times of difficulty or ruffled and thrown off one's feet, as the saying is, but to keep one's presence of mind and one's self−possession and not to swerve from the path of reason.

Now all this requires great personal courage; but it calls also for great intellectual ability by reflection to anticipate the future, to discover some time in advance what may happen whether for good or for ill, and what must be done in any possible event, and never to be reduced to having to say, "I had not thought of that." These are the activities that mark a spirit strong, high, and self−reliant in its prudence and wisdom. But to mix rashly in the fray and to fight hand to hand with the enemy is but a barbarous and brutish kind of business. Yet when the stress of circumstances demands it, we must gird on the sword and prefer death to slavery and disgrace. XXIV. As to destroying and plundering cities, let me say that great care should be taken that nothing be done in reckless cruelty or wantonness. And it is great man's duty in troublous times to single out the guilty for punishment, to spare the many, and in every turn of fortune to hold to a true and honourable course. For whereas there are many, as I have said before, who place the achievements of war above those of peace, so one may find many to whom adventurous, hot−headed counsels seem more brilliant and more impressive than calm and well−considered measures.

We must, of course, never be guilty of seeming cowardly and craven in our avoidance of danger; but we must also beware of exposing ourselves to danger needlessly. Nothing can be more foolhardy than that. Accordingly, in encountering danger we should do as doctors do in their practice: in light cases of illness they give mild treatment; in cases of dangerous sickness they are compelled to apply hazardous and even desperate remedies. It is, therefore, only a madman who, in a calm, would pray for a storm; a wise man's way is, when the storm does come, to withstand it with all the means at his command, and especially, when the advantages to be expected in case of a successful issue are greater than the hazards of the struggle. The dangers attending great affairs of state fall sometimes upon those who undertake them, sometimes upon the state. In carrying out such enterprises, some run the risk of losing their lives, others their reputation and the good−will of their fellow−citizens. It is our duty, then, to be more ready to endanger our own than the public welfare and to hazard honour and glory more readily than other advantages.

Many, on the other hand, have been found who were ready to pour out not only their money but their lives for their country and yet would not consent to make even the slightest sacrifice of personal glory −− even though the interests of their country demanded it. For example, when Callicratidas, as Spartan admiral in the Peloponnesian War, had won many signal successes, he spoiled everything at the end by refusing to listen to the proposal of those who thought he ought to withdraw his fleet from the Arginusae and not to risk an engagement with the Athenians. His answer to them was that "the Spartans could build another fleet, if they lost that one, but he could not retreat without dishonour to himself." And yet what he did dealt only a slight blow to Sparta; there was another which proved disastrous, when Cleombrotus in fear of criticism recklessly went into battle against Epaminondas. In consequence of that, the Spartan power fell. How much better was the conduct of Quintus Maximus! Of him Ennius says: One man −− and he alone −− restored our state by delaying. Not in the least did fame with him take precedence of safety; Therefore now does his glory shine bright, and it grows ever brighter. This sort of offence must be avoided no less in political life. For there are men who for fear of giving offence do not dare to express their honest opinion, no matter how excellent.

XXV. Those who propose to take charge of the affairs of government should not fail to remember two of Plato's rules: first, to keep the good of the people so clearly in view that regardless of their own interests they will make their every action conform to that; second, to care for the welfare of the whole body politic and not in

serving the interests of some one party to betray the rest. For the administration of the government, like the office of a trustee must be conducted for the benefit of those entrusted to one's care, not of those to whom it is entrusted. Now, those who care for the interests of a part of the citizens and neglect another part, introduce into the civil service a dangerous element −− dissension and party strife. The result is that some are found to be loyal supporters of the democratic, others of the aristocratic party, and few of the nation as a whole. As a result of this party spirit bitter strife arose at Athens, and in our own country not only dissensions but also disastrous civil wars broke out. All this the citizen who is patriotic, brave, and worthy of a leading place in the state will shun with abhorrence; he will dedicate himself unreservedly to his country, without aiming at influence or power for himself; and he will devote himself to the state in its entirety in such a way as to further the interests of all. Besides, he will not expose anyone to hatred or disrepute by groundless charges. but he will surely cleave to justice and honour so closely that he will submit to any loss, however heavy, rather than be untrue to them, and will face death itself rather than renounce them. A most wretched custom, assuredly, is our electioneering and scrambling for office. Concerning this also we find a fine thought in Plato: "Those who compete against one another," he says, "to see which of two candidates shall administer the government, are like sailors quarrelling as to which one of them shall do the steering." And he likewise lays down the rule that we should regard only those as adversaries who take up arms against the state, not those who strive to have the government administered according to their convictions. This was the spirit of the disagreement between Publius Africanus and Quintus Metellus: there was in it no trace of rancour.

Neither must we listen to those who think that one should indulge in violent anger against one's political enemies and imagine that such is the attitude of a great−spirited, brave man. For nothing is more commendable, nothing more becoming in a pre−eminently great man than courtesy and forbearance. Indeed, in a free people, where all enjoy equal rights before the law, we must school ourselves to affability and what is called "mental poise"; for if we are irritated when people intrude upon us at unseasonable hours or make unreasonable requests, we shall develop a sour, churlish temper, prejudicial to ourselves and offensive to others. And yet gentleness of spirit and forbearance are to be commended only with the understanding that strictness may be exercised for the good of the state; for without that, the government cannot be well administered. On the other hand, if punishment or correction must be administered, it need not be insulting; it ought to have regard to the welfare of the state, not to the personal satisfaction of the man who administers the punishment or reproof.

We should take care also that the punishment shall not be out of proportion to the offence, and that some shall not be chastised for the same fault for which others are not even called to account. In administering punishment it is above all necessary to allow no trace of anger. For if any one proceeds in a passion to inflict punishment, he will never observe that happy mean which lies between excess and defect. This doctrine of the mean is approved by the Peripatetics and wisely approved, if only they did not speak in praise of anger and tell us that it is a gift bestowed on us by Nature for a good purpose. But, in reality, anger is in every circumstance to be eradicated; and it is to be desired that they who administer the government should be like the laws, which are led to inflict punishment not by wrath but by justice.

XXVI. Again, when fortune smiles and the stream of life flows according to our wishes, let us diligently avoid all arrogance, haughtiness, and pride. For it is as much a sign of weakness to give way to one's feelings in success as it is in adversity. But it is a fine thing to keep an unruffled temper, an unchanging mien, and the same cast of countenance in every condition of life; this, history tells us, was characteristic of Socrates and no less of Gaius Laelius. Philip, king of Macedon, I observe, however surpassed by his son in achievements and fame, was superior to him in affability and refinement. Philip, accordingly, was always great; Alexander, often infamously bad. There seems to be sound advice, therefore, in this word of warning: "The higher we are placed, the more humbly should we walk." Panaetius tells us that Africanus, his pupil and friend, used to say: "As, when horses have become mettlesome and unmanageable on account of their frequent participation in battles, their owners put them in the hands of trainers to make them more tractable; so men, who through prosperity have become restive and over self−confident, ought to be put into the training−ring, so to speak, of reason and learning, that they may be brought to comprehend the frailty of human affairs and the fickleness of fortune." The greater our prosperity, moreover, the more should we seek the counsel of friends, and the greater the heed that should be given to their advice. Under such circumstances also we must beware of lending an ear to sycophants or allowing them to impose upon us with their flattery. For it is easy in this way to deceive ourselves, since we thus come to think

ourselves duly entitled to praise; and to this frame of mind a thousand de− lusions may be traced, when men are puffed up with conceit and expose themselves to ignominy and ridicule by committing the most egregious blunders. So much for this subject. To revert to the original question −− we must decide that the most important activities, those most indicative of a great spirit, are performed by the men who direct the affairs of nations; for such public activities have the widest scope and touch the lives of the most people. But even in the life of retirement there are and there have been many high−souled men who have been engaged in important inquiries or embarked on most important enterprises and yet kept themselves within the limits of their own affairs; or, taking a middle course between philosophers on the one hand and statesmen on the other, they were content with managing their own property −− not increasing it by any and every means nor debarring their kindred from the enjoyment of it, but rather, if ever there were need, sharing it with their friends and with the state. Only let it, in the first place, be honestly acquired, by the use of no dishonest or fraudulent means; let it, in the second place, increase by wisdom, industry, and thrift; and, finally, let it be made available for the use of as many as possible (if only they are worthy) and be at the service of generosity and beneficence rather than of sensuality and excess. By observing these rules, one may live in magnificence, dignity, and independence, and yet in honour, truth and charity toward all.

XXVII. We have next to discuss the one remaining division of moral rectitude. That is the one in which we find considerateness and self−control, which give, as it were, a sort of polish to life; it embraces also temperance, complete subjection of all the passions, and moderation in all things. Under this head is further included what, in Latin, may be called decorum (Propriety); for in Greek it is called rpf'rO. Such is its essential nature, that it is inseparable from moral goodness; for what is proper is morally right, and what is morally right is proper. The nature of the difference between morality and propriety can be more easily felt than expressed. For whatever propriety may be, it is manifested only when there is pre−existing moral rectitude. And so, not only in this division of moral rectitude which we have now to discuss but also in the three preceding divisions, it is clearly brought out what propriety is. For to employ reason and speech rationally, to do with careful consideration whatever one does, and in everything to discern the truth and to uphold it −− that is proper. To be mistaken, on the other hand, to miss the truth, to fall into error, to be led astray −− that is as improper as to be deranged and lose one's mind. And all things just are proper; all things unjust, like all things immoral, are improper. The relation of propriety to fortitude is similar. What is done in a manly and courageous spirit seems becoming to a man and proper; what is done in a contrary fashion is at once immoral and improper.

This propriety, therefore, of which I am speaking belongs to each division of moral rectitude; and its relation to the cardinal virtues is so close, that it is perfectly self−evident and does not require any abstruse process of reasoning to see it. For there is a certain element of propriety perceptible in every act of moral rectitude; and this can be separated from virtue theoretically better than it can be practically. As comeliness and beauty of person are inseparable from the notion of health, so this propriety of which we are speaking, while in fact completely blended with virtue, is mentally and theoretically distinguishable from it.

The classification of propriety, moreover, is twofold: we assume a general sort of propriety, which is found in moral goodness as a whole; then there is another propriety, subordinate to this, which belongs to the several divisions of moral goodness. The former is usually defined somewhat as follows: "Propriety is that which harmonizes with man's superiority in those respects in which his nature differs from that of the rest of the animal creation." And they so define the special type of propriety which is subordinate to the general notion, that they represent it to be that propriety which harmonizes with Nature, in the sense that it manifestly embraces temperance and self−control, together with a certain deportment such as becomes a gentleman.

XXVIII. That this is the common acceptation of propriety we may infer from that propriety which poets aim to secure. Concerning that, I have occasion to say more in another connection. Now, we say that the poets observe propriety, when every word or action is in accord with each individual character. For example, if Aeacus or Minos said. "Let them hate, if only they fear," or: "The father is himself his children's tomb," that would seem improper, because we are told that they were just men. But when Atreus speaks those lines, they call forth applause; for the sentiment is in keeping with the character. But it will rest with the poets to decide, according to the individual characters, what is proper for each; but to us Nature herself has assigned a character of surpassing excellence, far superior to that of all other living creatures, and in accordance with that we shall have to decide what propriety requires.

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. 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 be− tween 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.

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. Now we find that the essential activity of the spirit is twofold: one force is appetite (that is, pli, 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. XXIX. 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.

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. From all this −− to return to our sketch of duty −− we see that all the appetites must be controlled and calmed and that we must take infinite pains not to do anything from mere impulse or at random, without due consideration and care. For Nature has not brought us into the world to act as if we were created for play or jest, but rather for earnestness and for some more serious and important pursuits. We may, of course, indulge in sport and jest, but in the same way as we enjoy sleep or other relaxations, and only when we have satisfied the claims of our earnest, serious tasks. Further than that, the manner of jesting itself ought not to be extravagant or immoderate, but refined and witty. For as we do not grant our children unlimited licence to play, but only such freedom as is not incompatible with good conduct, so even in our jesting let the light of a pure character shine forth. There are, generally speaking, two sorts of jest: the one, coarse, rude, vicious, indecent; the other, refined, polite, clever, witty. With this latter sort not only our own Plautus and the Old Comedy of Athens, but also the books of Socratic philosophy abound; and we have many witty sayings of many men −− like those collected by old Cato under the title ofBons Mots (or Apophthegms) So the distinction between the elegant and the vulgar jest is an easy matter: the one kind, if well timed (for instance, in hours of mental relaxation), is becoming to the most dignified person; the other is unfit for any gentleman, if the subject is indecent and the words obscene. Then, too, certain bounds must be observed in our amusements and we must be careful not to carry things too far and, swept away by our passions, lapse into some shameful excess. Our Campus, however, and the amusements of the chase are examples of wholesome recreation.

XXX. But it is essential to every inquiry about duty that we keep before our eyes how far superior man is by

nature to cattle and other beasts: they have no thought except for sensual pleasure and this they are impelled by every instinct to seek; but man's mind is nurtured by study and meditation; he is always either investigating or doing, and he is captivated by the pleasure of seeing and hearing. Nay, even if a man is more than ordinarily inclined to sensual pleasures, provided, of course, that he be not quite on a level with the beasts of the field (for some people are men only in name,, not in fact) −− if, I say, he is a little too susceptible to the attractions of pleasure, he hides the fact, however much he may be caught in its toils, and for very shame conceals his appetite.

From this we see that sensual pleasure is quite unworthy of the dignity of man and that we ought to despise it and cast it from us; but if someone should be found who sets some value upon sensual gratification, he must keep strictly within the limits of moderate indulgence. One's physical comforts and wants, therefore, should be ordered according to the demands of health and strength, not according to the calls of pleasure. And if we will only bear in mind the superiority and dignity of our nature, we shall realize how wrong it is to abandon ourselves to excess and to live in luxury and voluptuousness, and how right it is to live in thrift, self−denial,simplicity, and sobriety.

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. Lucius Crassus and Lucius Philippus had a large fund of wit; Gaius Caesar, Lucius's son, had a still richer fund and employed it with more studied purpose. Contemporary with them, Marcus Scaurus and Marcus Drusus, the younger, were examples of unusual seriousness; Gaius Laelius, of unbounded jollity; while his intimate friend, Scipio, cherished more serious ideals and lived a more austere life. Among the Greeks, history tells us, Socrates was fascinating and witty, a genial conversationalist; he was what the Greeks call Flpcov in every conversation, pretending to need information and professing admiration for the wisdom of his companion. Pythagoras and Pericles, on the other hand, reached the heights of influence and power without any seasoning of mirthfulness. We read that Hannibal, among the Carthaginian generals, and Quintus Maximus, among our own, were shrewd and ready at concealing their plans, covering up their tracks, disguising their movements, laying stratagems, forestalling the enemy's designs. In these qualities the Greeks rank Themistocles and Jason of Pherae above all others. Especially crafty and shrewd was the device of Solon, who, to make his own life safer and at the same time to do a considerably larger service for his country, feigned insanity.

Then there are others, quite different from these, straightforward and open, who think that nothing should be done by underhand means or treachery. They are lovers of truth, haters of fraud. There are others still who will stoop to anything, truckle to anybody, if only they may gain their ends. Such, we saw, were Sulla and Marcus Crassus. The most crafty and most persevering man of this type was Lysander of Sparta, we are told; of the opposite type was Callicratidas, who succeeded Lysander as admiral of the fleet. So we find that another, no matter how eminent he may be, will condescend in social intercourse to make himself appear but a very ordinary person. Such graciousness of manner we have seen in the case of Catulus −− both father and son −− and also of Quintus Mucius Mancia. I have heard from my elders that Publius Scipio Nasica was another master of this art; but his father, on the other hand −− the man who punished Tiberius Gracchus for his nefarious undertakings −− had no such gracious manner in social intercourse [. . .], and because of that very fact he rose to greatness and fame. Countless other dissimilarities exist in natures and characters, and they are not in the least to be criticized.

XXXI. Everybody, however, must resolutely hold fast to his own peculiar gifts, in so far as they are peculiar only and not vicious, in order that propriety, which is the object of our inquiry, may the more easily be secured. For we must so act as not to oppose the universal laws of human nature, but, while safeguarding those, to follow the bent of our own particular nature; and even if other careers should be better and nobler, we may still regulate our own pursuits by the standard of our own nature. For it is of no avail to fight against one's nature or to aim at what is impossible of attainment. From this fact the nature of that propriety defined above comes into still clearer light, inasmuch as nothing is proper that "goes against the grain," as the saying is−that is, if it is in direct opposition to one's natural genius.

If there is any such thing as propriety at all, it can be nothing more than uniform consistency in the course of our life as a whole and all its individual actions. And this uniform consistency one could not maintain by copying

the personal traits of others and eliminating one's own. For as we ought to employ our mother−tongue, lest, like certain people who are continually dragging in Greek words, we draw well−deserved ridicule upon ourselves, so we ought not to introduce anything foreign into our actions or our life in general. Indeed, such diversity of character carries with it so great significance that suicide may be for one man a duty, for another [under the same circumstances] a crime. Did Marcus Cato find himself in one predicament, and were the others, who surrendered to Caesar in Africa, in another? And yet, perhaps, they would have been condemned, if they had taken their lives; for their mode of life had been less austere and their characters more pliable. But Cato had been endowed by nature with an austerity beyond belief, and he himself had strengthened it by unswerving consistency and had remained ever true to his purpose and fixed resolve; and it was for him to die rather than to look upon the face of a tyrant. How much Ulysses endured on those long wanderings, when he submitted to the service even of women (if Circe and Calypso may be called women) and strove in every word to be courteous and complaisant to all! And, arrived at home, he brooked even the insults of his men−servants and maidservants, in order to attain in the end the object of his desire. But Ajax, with the temper he is represented as having, would have chosen to meet death a thousand times rather that it is each man's duty to weigh well what are his own peculiar traits of character, to regulate these properly, and not to wish to try how another man's would suit him. For the more peculiarly his own a man's character is, the better it fits him. Everyone, therefore, should make a proper estimate of his own natural ability and show himself a critical judge of his own merits and defects; in this respect we should not let actors display more practical wisdom than we have. They select, not the best plays, but the ones best suited to their talents. Those who rely most upon the quality of their voice take the Epigoni and the Medus; those who place more stress upon the action choose the Melanippa and the Clytaemnestra; Rupilius, whom I remember, always played in the Antiope, Aesopus rarely in the Ajax. Shall a player have regard to this in choosing his role upon the stage, and a wise man fail to do so in selecting his part in life? We shall, therefore, work to the best advantage in that role to which we are best adapted. But if at some time stress of circumstances shall thrust us aside into some uncongenial part, we must devote to it all possible thought, practice, and pains, that we may be able to perform it, if not with propriety, at least with as little impropriety as possible; and we need not strive so hard to attain to points of excellence that have not been vouchsafed to us as to correct the faults we have.

XXXII. To the two above− mentioned characters is added a third, which some chance or some circumstance imposes, and a fourth also, which we assume by our own deliberate choice. Regal powers and military commands, nobility of birth and political office, wealth and influence, and their opposites depend upon chance and are, therefore, controlled by circumstances. But what role we ourselves may choose to sustain is decided by our own free choice. And so some turn to philosophy, others to the civil law, and still others to oratory, while in case of the virtues themselves one man prefers to excel in one, another in another.

They, whose fathers or forefathers have achieved distinction in some particular field, often strive to attain eminence in the same department of service: for example, Quintus, the son of Publius Mucius, in the law; Africanus, the son of Paulus, in the army. And to that distinction which they have severally inherited from their fathers some have added lustre of their own; for example, that same Africanus, who crowned his inherited military glory with his own eloquence. Timotheus, Conon's son, did the same: he proved himself not inferior to his father in military renown and added to that distinction the glory of culture and intellectual power. It happens sometimes, too, that a man declines to follow in the footsteps of his fathers and pursues a vocation of his own. And in such callings those very frequently achieve signal success who, though sprung from humble parentage, have set their aims high. All these questions, therefore, we ought to bear thoughtfully in mind, when we inquire into the nature of propriety; but above all we must decide who and what manner of men we wish to be and what calling in life we would follow; and this is the most difficult problem in the world. For it is in the years of early youth, when our judgement is most immature, that each of us decides that his calling in life shall be that to which he has taken a special liking. And thus he becomes engaged in some particular calling and career in life, before he is fit to decide intelligently what is best for him.

For we cannot all have the experience of Hercules, as we find it in the words of Prodicus in Xenophon; "When Hercules was just coming into youth's estate (the time which Nature has appointed unto every man for choosing the path of life on which he would enter), he went out into a desert place. And as he saw two paths, the path of Pleasure and the path of Virtue, he sat down and debated long and earnestly which one it were better for him to take." This might, perhaps, happen to a Hercules, "scion of the seed of Jove"; but it cannot well happen to us; for

we copy each the model he fancies, and we are constrained to adopt their pursuits and vocations. But usually, we are so imbued with the teachings of our parents, that we fall irresistibly into their manners and customs. Others drift with the current of popular opinion and make especial choice of those callings which the majority find most attractive. Some, however, as the result either of some happy fortune or of natural ability, enter upon the right path of life, without parental guidance.

XXXIII. There is one class of people that is very rarely met with: it is composed of those who are endowed with marked natural ability, or exceptional advantages of education and culture, or both, and who also have time to consider carefully what career in life they prefer to follow; and in this deliberation the decision must turn wholly upon each individual's natural bent. For we try to find out from each one's native disposition, as was said above, just what is proper for him; and this we require not only in case of each individual act but which still greater care must be given, In order that we may be true to ourselves throughout all our lives and not falter in the discharge of any duty. But since the most powerful influence in the choice of a career is exerted by Nature, and the next most powerful by Fortune, we must, of course, take account of them both in deciding upon our calling in life; but, of the two, Nature claims the more attention. For Nature is so much more stable and steadfast, that for Fortune to come into conflict with Nature seems like a combat between a mortal and a goddess. If, therefore, he has conformed his whole plan of life to the kind of nature that is his (that is, his better nature), let him go on with it consistently −− for that is the essence of Propriety unless, perchance, he should discover that he has made a mistake in choosing his life work. If this should happen (and it can easily happen), he must change his vocation and mode of life. If circumstances favour such change, it will be effected with greater ease and convenience. If not, it must be made gradually, step by step, just as, when friendships become no longer pleasing or desirable, it is more proper (so wise men think) to undo the bond little by little than to sever it at a stroke. And when we have once changed our calling in life, we must take all possible care to make it clear that we have done so with good reason. But whereas I said a moment ago that we have to follow in the steps of our fathers, let me make the following exceptions: first, we need not imitate their faults; second, we need not imitate certain other things, if our nature does not permit such imitation; for example, the son of the elder Africanus (that Scipio who adopted the Younger Africanus, the son of Paulus) could not on account of ill−health be so much like his father as Africanus had been like his. If, then, a man is unable to conduct cases at the bar or to hold the people spell−bound with his eloquence or to conduct wars, still it will be his duty to practise these other virtues, which are within his reach −− justice, good_faith, generosity, temperance, self−control −− that his deficiencies in other respects may be less conspicuous. The noblest heritage, however, that is handed down from fathers to children, and one more precious than any inherited wealth, is a reputation for virtue and worthy deeds; and to dishonour this must be branded as a sin and a shame. XXXIV. Since, too, the duties that properly belong to different times of life are not the same, but some belong to the young, others to those more advanced in years, a word must be said on this distinction also. It is, then, the duty of a young man to show deference to his elders and to attach himself to the best and most approved of them, so as to receive the benefit of their counsel and influence. For the inexperience of youth requires the practical wisdom of age to strengthen and direct it. And this time of life is above all to be protected against sensuality and trained to toil and endurance of both mind and body, so as to be strong for active duty in military and civil service. And even when they wish to relax their minds and give themselves up to enjoyment they should beware of excesses and bear in mind the rules of modesty. And this will be easier, if the young are not unwilling to have their elders join them even in their pleasures.

The old, on the other hand, should, it seems, have their physical labours reduced; their mental activi− ties should be actually increased. They should endeavour, too, by means of their counsel and practical wisdom to be of as much service as possible to their friends and to the young, and above all to the state. But there is nothing against which old age has to be more on its guard than against surrendering to feebleness and idleness, while luxury, a vice in any time of life, is in old age especially scandalous. But if excess in sensual indulgence is added to luxurious living, it is a twofold evil; for old age not only disgraces itself; it also serves to make the excesses of the young more shameless.

At this point it is not at all irrelevant to discuss the duties of magistrates, of private individuals, [of native citizens,] and of foreigners. It is, then, peculiarly the place of a magistrate to bear in mind that he represents the state and that it is his duty to uphold its honour and its dignity, to enforce the law, to dispense to all their constitutional rights, and to remember that all this has been committed to him as a sacred trust. The private

individual ought first, in private relations, to live on fair and equal terms with his fellow−citizens, with a spirit neither servile and grovelling nor yet domineering; and second, in matters pertaining to the state, to labour for her peace and honour; for such a man we are accustomed to esteem and call a good citizen.

As for the foreigner or the resident alien, it is his duty to attend strictly to his own concerns, not to pry into other people's business, and under no condition to meddle in the politics of a country not his own. In this way I think we shall have a fairly, clear view of our duties when the question arises what is proper and what is appropriate to each character, circumstance, and age. But there is nothing so essentially proper as to maintain consistency in th performance of every act and in the conception of every plan.

XXXV. But the propriety to which I refer shows itself also in every deed, in every word, even in every movement and attitude of the body. And in outward, visible propriety there are three elements −− beauty, tact, and taste; these conceptions are difficult to express in words, but it will be enough for my purpose if they are understood. In these three elements is included also our concern for the good opinion of those with whom and amongst whom we live. For these reasons I should like to say a few words about this kind of propriety also. First of all, Nature seems to have had a wonderful plan in the construction of our bodies. Our face and our figure generally, in so far as it has a comely appearance, she has placed in sight; but the parts of the body that are given us only to serve the needs of Nature and that would present an unsightly and unpleasant appearance she has covered up and concealed from view. Man's modesty has followed this careful contrivance of Nature's; all right−minded people keep out of sight what Nature has hidden and take pains to respond to Nature's demands as privately as possible; and in the case of those parts of the body which only serve Nature's needs, neither the parts nor the functions are called by their real names. To perform these functions −− if only it be done in private −− is nothing immoral; but to speak of them is indecent. And so neither public performance of those acts nor vulgar mention of them is free from indecency.

But we should give no heed to the Cynics (or to some Stoics who are practically Cynics) who censure and ridicule us for holding that the mere mention of some actions that are not immoral is shameful, while other things that are immoral we call by their real names. Robbery, fraud, and adultery, for example, are immoral in deed, but it is not indecent to name them. To beget children in wedlock is in deed morally right; to speak of it is indecent. And they assail modesty with a great many other arguments to the same purport. But as for us, let us follow Nature and shun everything that is offensive to our eyes or our ears. So, in standing or walking, in sitting or reclining, in our expression, our eyes, or the movements of our hands, let us preserve what we have called "propriety." In these matters we must avoid especially the two extremes −− our conduct and speech should not be effeminate and over−nice, on the one hand, nor coarse and boorish, on the other. And we surely must not admit that, while this rule applies to actors and orators, it is not binding upon us. As for stage−people, their custom, because of its traditional discipline, carries modesty to such a point that an actor would never step out upon the stage without a breech−cloth on, for fear he might make an improper exhibition, if by some accident certain parts of his person should happen to become exposed. And in our own custom grown sons do not bathe with their fathers, nor sons−in−law with their fathers−in−law. We must, therefore, keep to the path of this sort of modesty, especially when Nature is our teacher and guide.

XXXVI. Again, there are two orders of beauty: in the one, loveliness predominates; in the other, dignity; of these, we ought to regard loveliness as the attribute ofwoman, and dignity as the attribute of man. Therefore, let all finery not suitable to a man's dignity be kept off his person, and let him guard against the like fault in gesture and action. The manners taught in the palaestra, for example, are often rather objectionable, and the gestures of actors on the stage are not always free from affectation; but simple, unaffected manners are commendable in both instances . Now dignity of mien is also to be enhanced by a good complexion; the complexion is the result of physical exercise. We must besides present an appearance of neatness −− not too punctilious or exquisite, but just enough to avoid boorish and ill−bred slovenliness. We must follow the same principle in regard to dress. In this, as in most things, the best rule is the golden mean.

We must be careful, too, not to fall into a habit of listless sauntering in our gait, so as to look like carriers in festal processions, or of hurrying too fast, when time presses. If we do this, it puts us out of breath, our looks are changed, our features distorted; and all this is clear evidence of a lack of poise. But it is much more important that we succeed in keeping our mental operations in harmony with Nature's laws. And we shall not fall in this if we guard against violent excitement or depression, and if we keep our minds intent on the observance of propriety.

Our mental operations, moreover, are of two kinds: some have to do with thought, others with impulse. Thought is occupied chiefly with the discovery of truth; impulse prompts to action. We must be careful, therefore, to employ our thoughts on themes as elevating as possible and to keep our impulses under the control of reason. XXXVII. The power of speech in the attainment of propriety is great, and its function is twofold: the first is oratory; the second, conversation. Oratory is the kind of discourse to be employed in pleadings in court and speeches in popular assemblies and in the senate; conversation should find its natural place in social gatherings, in informal discussions, and in intercourse with friends; it should also seek admission at dinners. There are rules for oratory laid down by rhetoricians; there are none for conversation; and yet I do not know why there should not be. But where there are students to learn, teachers are found; there are, however, none who make conversation a subject of study, whereas pupils throng about the rhetoricians everywhere. And yet the same rules that we have for words and sentences in rhetoric will apply also to conversation. Now since we have the voice as the organ of speech, we should aim to secure two properties for it: that it be clear, and that it be musical. We must, of course, look to Nature for both gifts. But distinctness may be improved by practice; the musical qualities, by imitating those who speak with smooth and articulate enunciation. There masters of the Latin tongue. Their pronunciation was charming; their words were neither mouthed nor mumbled: they avoided both indistinctness and affectation; their voices were free from strain, yet neither faint nor shrill. More copious was the speech of Lucius Crassus and not less brilliant, but the reputation of the two Catuli for eloquence was fully equal to his. But in wit and humour Caesar, the elder Catulus's half− brother, surpassed them all: even at the bar he would with his conversational style defeat other advocates with their elaborate orations. If, therefore, we are aiming to secure propriety in every circumstance of life, we must master all these points.

Conversation, then, in which the Socratics are the best models, should have these qualities. It should be easy and not in the least dogmatic; it should have the spice of wit. And the one who engages in conversation should not debar others from participating in it, as if he were entering upon a private monopoly; but, as in other things, so in a general conversation he should think it not unfair for each to have his turn. He should observe, first and foremost, what the subject of conversation is. If it is grave, he should treat it with seriousness; if humorous, with wit. And above all, he should be on the watch that his conversation shall not betray some defect in his character. This is most likely to occur, when people in jest or in earnest take delight in making malicious and slanderous statements about the absent, on purpose to injure their reputations.

The subjects of conversation are usually affairs of the home or politics or the practice of the professions and learning. Accordingly, if the talk begins to drift off to other channels, pains should be taken to bring it back again to the matter in hand −− but with due consideration to the company present; for we are not all interested in the same things at all times or in the same degree. We must observe, too, how far the conversation is agreeable and, as it had a reason for its beginning, so there should be a point at which to close it tactfully.

XXXVIII. But as we have a most excellent rule for every phase of life, to avoid exhibitions of passion, that is, mental excitement that is excessive and uncontrolled by reason; so our conversation ought to be free from such emotions: let there be no exhibition of anger or inordinate desire, of indolence or indifference, or anything of the kind. We must also take the greatest care to show courtesy and consideration toward those with whom we converse. It may sometimes happen that there is need of administering reproof. On such occasions we should, perhaps, use a more emphatic tone of voice and more forcible and severe terms and even assume an appearance of being angry. But we shall have recourse to this sort of reproof, as we do to cautery and amputation, rarely and reluctantly −− never at all, unless it is unavoidable and no other remedy can be discovered. We may seem angry, but anger should be far from us; for in anger nothing right or judicious can be done. In most cases, we may apply a mild reproof, so combined, however, with earnestness, that, while severity is shown, offensive language is avoided. Nay more; we must show clearly that even that very harsh The right course, moreover, even in our differences with our bitterest enemies, is to maintain our dignity and to repress our anger, even though we are treated outrageously. For what is done under some degree of excitement cannot be done with perfect self− respect or the approval of those who witness it. It is bad taste also to talk about oneself −− especially if what one says is not true −− and, amid the derision of one's hearers, to play "TheBraggart Captain." XXXIX. But since I am investigating this subject in all its phases (at least, that is my purpose), I must discuss also what sort of house a man of rank and station should, in my opinion, have. Its prime object is serviceableness. To this the plan of the building should be adapted; and yet careful attention should be paid to its convenience and distinction. We have

heard that Gnaeus Octavius −− the first of that family to be elected consul −− distinguished himself by building upon the Palatine an attractive and imposing house. Everybody went to see it, and it was thought to have gained votes for the owner, a new man, in his canvass for the consulship. That house Scaurus demolished, and on its site he built an addition to his own house. Octavius, then, was the first of his family to bring the honour of a consulship to his house; Scaurus, thought the son of a very great and illustrious man, brought to the same house, when enlarged, not only defeat, but dis− grace and ruin. The truth is, a man's dignity may be enhanced by the house he lives in, but not wholly secured by it; the owner should bring honour to his house, not the house to its owner. And, as in everything else a man must have regard not for himself alone but for others also, so in the home of a distinguished man, in which numerous guests must be entertained and crowds of every sort of people received, care must be taken to have it spacious. But if it is not frequented by visitors, if it has an air of lonesomeness, a spacious palace often becomes a discredit to its owner. This is sure to be the case if at some other time, when it had a different owner, it used to be thronged. For it is unpleasant, when passers−by remark:
O good old house, alas! how different
The owner who now owneth thee!"
And in these times that may be said of many a house!

One must be careful, too, not to go beyond proper bounds in expense and display, especially if one is building for oneself. For much mischief is done in their way, if only in the example set. For many people imitate zealously the foibles of the great, particularly in this direction: for example, who copies the virtues of Lucius Lucullus, excellent man that he was? But how many there are who have copied the magnificence of his villas! Some limit should surely be set to this tendency and it should be reduced at least to a standard of moderation; and by that same standard of moderation the comforts and wants of life generally should be regulated. But enough on this part of my theme.

In entering upon any course of action, then, we must hold fast to three principles: first, that impulse shall obey reason; for there is no better way than this to secure the observance of duties; second, that we estimate carefully the importance of the object that we wish to accomplish, so that neither more nor less care and attention may be expended upon it than the case requires; the third principle is that we be careful to observe moderation in all that is essential to the outward appearance and dignity of a gentleman. Moreover, the best rule for securing this is strictly to observe that propriety which we have discussed above, and not to overstep it. Yet of these three principles, the one of prime importance is to keep impulse subservient to reason.

XL. Next, then, we must discuss orderliness of conduct and seasonableness of occasions. These two qualities are embraced in that science which the Greeks call ev'Tata −− not that ev'Tata which we translate with moderation [modestia], derived from moderate; but this is the ev'Tata by which we understand orderly conduct. And so, if we may call it also moderation, it is defined by the Stoics as follows: "Moderation is the science of disposing aright everything that is done or said." So the essence of orderliness and of right− placing, it seems, will be the same; for orderliness they define also as "the arrangement of things in their suitable and appropriate places." By "place of action," moreover, they mean seasonableness of circumstance; and the seasonable circumstance for an action is called in Greek CVKatpt'a, in Latin occasio (occasion). So it comes about that in this sense moderation, which we explain as I have indicated, is the science of doing the right thing at the right time.

A similar definition can be given for prudence, of which I have spoken in an early chapter. But in this part we are considering temperance and self−control and related virtues. Accordingly, the properties which, as we found, are peculiar to prudence were discussed in their proper place, while those are to be discussed now which are peculiar to these virtues of which we have for some time been speaking and which relate to considerateness and to approbation of our fellow− men.

Such orderliness of conduct is, therefore, to be observed, that everything in the conduct of our life shall balance and harmonize, as in a finished speech. For it is unbecoming and highly censurable, when upon a serious theme, to introduce such jests as are proper at a dinner, or any sort of loose talk. When Pericles was associated with the poet Sophocles as his colleague in command and they had met to confer about official business that concerned them both, a handsome boy chanced to pass and Sophocles said: "Look, Pericles; what a pretty boy!" How pertinent was Pericles's reply: "Hush, Sophocles, a general should keep not only his hands but his eyes under control." And yet, if Sophocles had made this same remark at a trial of athletes, he would have incurred no just

reprimand. So great is the significance of both place and circumstance. For example, if anyone, while on a journey or on a walk, should rehearse to himself a case which he is preparing to conduct in court, or if he should under similar circumstances apply his closest thought to some other subject, he would not be open to censure: but if he should do that same thing at a dinner, he would be thought ill−bred, because he ignored the proprieties of the occasion.

But flagrant breaches of good breeding like singing in the streets or any other gross misconduct, are easily apparent and do not call especially for admonition and instruction. But we must even more carefully avoid those seemingly trivial faults which pass unnoticed by the many. However slightly out of tune a harp or flute may be, the fault is still detected by a connoisseur; so we must be on the watch lest haply something in our life be out of tune −− nay, rather, far greater is the need for painstaking, inasmuch as harmony of actions is far better and far more important than harmony of sounds.

XLI. As, therefore, a musical ear detects even the slightest falsity of tone in a harp, so we, if we wish to be keen and careful observers of moral faults, shall often draw important conclusions from trifles. We observe others and from a glance of the eyes, from a contracting or relaxing of the brows, from an air of sadness, from an outburst of joy, from a laugh, from speech from silence, from a raising or lowering of the voice, and the like, we shall easily judge which of our actions is proper, and which is out of accord with duty and Nature. And, in the same manner, it is not a bad plan to judge of the nature of our every action by studying others, that so we may ourselves avoid anything that is unbecoming in them. For it happens somehow or other that we detect another's failings more readily than we do our own; and so in the school−room those pupils learn most easily to do better whose faults the masters mimic for the sake of correcting them.

Nor is it out of place in making a choice between duties involving a doubt, to consult men of learning or practical wisdom and to ascertain what their views are on any particular question of duty. For the majority usually drift as the current of their own natural inclinations carries them; and in deriving counsel from one of these, we have to see not only what our adviser says, but also what he thinks, and what his reasons are for thinking as he does. For, as painters and sculptors and even poets, too, wish to have their works reviewed by the public, in order that, if any point is generally criticized, it may be improved; and as they try to discover both by themselves and with the help of others what is wrong in their work; so through consulting the judgment of others we find that there are many things to be done and left undone, to be altered and improved.

But no rules need to be given about what is done in accordance with the established customs and conventions of a community; for these are in themselves rules; and no one ought to make the mistake of supposing that, because Socrates or Aristippus did or said something contrary to the manners and established customs of their city, he has a right to do the same; it was only by reason of their great and superhuman virtues that those famous men acquired this special privilege. But the Cynics' whole system of philosophy must be rejected, for it is inimical to moral sensibility, and without moral sensibility nothing can be upright, nothing morally good.

It is, furthermore, our duty to honour and reverence those whose lives are conspicuous for conduct in keeping with their high moral standards, and who, as true patriots, have rendered or are now rendering efficient service to their country, just as much as if they were invested with some civil or military authority; it is our duty also to show proper respect to old age, to yield precedence to magistrates, to make a distinction between a fellow−citizen and a foreigner, and, in the case of the foreigner himself, to discriminate according to whether he has come in an official or a private capacity. In a word, not to go into details, it is our duty to respect, defend, and maintain the common bonds of union and fellowship subsisting between all the members of the human race.

XLII. Now in regard to trades and other means of livelihood, which ones are to be considered becoming to a gentleman and which ones are vulgar, we have been taught, in general, as follows. First, those means of livelihood are rejected as undesirable which incur people's ill−will, as those of tax−gatherers and usurers. Unbecoming to a gentleman, too, and vulgar are the means of livelihood of all hired workmen whom we pay for mere manual labour, not for artistic skill; for in their case the very wage they receive is a pledge of their slavery. Vulgar we must consider those also who buy from wholesale merchants to retail immediately; for they would get no profits without a great deal of downright lying; and verily, there is no action that is meaner than misrepresentation. And all mechanics are engaged in vulgar trades; for no workshop can have anything liberal about it. Least respectable of all are those trades which cater for sensual pleasures:
Fishmongers, butchers, cooks, and poulterers,

And fishermen,

as Terence says. Add to these, if you please, the perfumers, dancers, and the whole corps de ballet.

But the professions in which either a higher degree of intelligence is required or from which no small benefit to society is derived −− medicine and architecture, for example, and teaching −− these are proper for those whose social position they become. Trade, if it is on a small scale, is to be considered vulgar; but if wholesale and on a large scale, importing large quantities from all parts of the world and distributing to many without misrepresentation, it is not to be greatly disparaged. Nay, it even seems to deserve the highest respect, if those who are engaged in it, satiated, or rather, I should say, satisfied with the fortunes they have made, make their way from the port to a country estate, as they have often made it from the sea into port. But of all the occupations by which gain is secured, none is better than agriculture, none more profitable, none more delightful, none more becoming to a freeman. But since I have discussed this quite fully in my Cato Major, you will find there the material that applies to this point.

XLIII. Now, I think I have explained fully enough how moral duties are derived from the four divisions of moral rectitude. But between those very actions which are morally right, a conflict and comparison may frequently arise, as to which of two actions is morally better −− a point overlooked by Panaetius. For, since all moral rectitude springs from four sources (one of which is prudence; the second, social instinct; the third, courage; the fourth, tem a The ludus talarius was a kind of low variety show, with loose songs and dances and bad music. perance), it is often necessary in deciding a question of duty that these virtues be weighed against one another.

My view, therefore, is that those duties are closer to Nature which depend upon the social instinct than those which depend upon knowledge; and this view can be confirmed by the following argument: suppose that a wise man should be vouchsafed such a life that, with an abundance of everything pouring in upon him, he might in perfect peace study and ponder over everything that is worth knowing, still, if the solitude were so complete that he could never see a human being, he would die. And then, the foremost of all virtues is wisdom −at the Greeks call O−Gota; for by prudence, which they call opo'vqo−we understand something else, namely, the practical knowledge of things to be sought for and of things to be avoided. Again, that wisdom which I have given the foremost place is the knowledge of things human and divine, which is concerned also with the bonds of union between gods and men and the relations of man to man. If wisdom is the most important of the virtues, as it certainly is, it necessarily follows that that duty which is connected with the social obligation is the most important duty. and service is better than mere theoretical_knowledge, for the study and knowledge of the universe would somehow be lame and defective, were no practical results to follow. Such results, moreover, are best seen in the safeguarding of human interests. It is essential, then, to human society; and it should, therefore, be ranked above speculative knowledge.

Upon this all the best men agree, as they prove by their conduct. For who is so absorbed in the investigation and study of creation, but that, even though he were working and pondering over tasks never so much worth mastering and even though he thought he could number the stars and measure the length and breadth of the universe, he would drop all those problems and cast them aside, if word were suddenly brought to him of some critical peril to his country, which he could relieve or repel? And he would do the same to further the interests of parent or friend or to save him from danger.

From all this we conclude that the duties prescribed by justice must be given precedence over the pursuit of knowledge and the duties imposed by it; for the former concern the welfare of our fellow−men; and nothing ought to be more sacred in men's eyes than that. XLIV. And yet scholars, whose whole life and interests have been devoted to the pursuit of knowledge, have not, after all, failed to contribute to the advantages and blessings of mankind. For they have trained many to be better citizens and to render larger service to their country. So, for example, the Pythagorean Lysis taught Epaminondas of Thebes; Plato, Dion of Syracuse; and many, many others. As for me myself, whatever service I have rendered to my country −− if, indeed, I have rendered any −− I came to my task trained and equipped for it by my teachers and what they taught me. And not only while present in the flesh memorials of their learning they continue the same service after they are dead. For they have overlooked no point that has a bearing upon laws, customs or political science; in fact, they seem to have devoted their retirement to the benefit of us who are engaged in public business. The principal thing done, therefore, by those

very devotees of the pursuits of learning and science is to apply their own practical wisdom and insight to the service of humanity. And for that reason also much speaking (if only it contain wisdom) is better than speculation never so profound without speech; for mere speculation is self−centred, while speech extends its benefits to those with whom we are united by the bonds of society.

And again, as swarms of bees do not gather for the sake of making honeycomb but make the honeycomb because they are gregarious by nature, so human beings −− and to a much higher degree −− exercise their skill together in action and thought because they are naturally gregarious. And so, if that virtue which centres in the safeguarding of human interests, that is, in the maintenance of human society, were not to accompany the pursuit of knowledge, that knowledge would seem isolated and barren of results. In the same way, courage [Fortitude], if unrestrained by the uniting bonds of society, would be but a sort of brutality and savagery. Hence it follows that the claims of human society and the bonds that unite men together take precedence of the pursuit of speculative knowledge.

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.

XLV. The following question should, perhaps, be asked: whether this social instinct, which is the deepest feeling in our nature, is always to have precedence over temperance and moderation also. I think not. For there are some acts either so repulsive or so wicked, that a wise man would not commit them, even to save his country. Posidonius has made a large collection of them; but some of them are so shocking, so indecent, that it seems immoral even to mention them. The wise man, therefore, will not think of doing any such thing for the sake of his country; no more will his country consent to have it done for her. But the problem is the more easily disposed of because the occasion cannot arise when it could be to the state's interest to have the wise man do any of those things.

This, then, may be regarded as settled: in choosing between conflicting duties, that class takes precedence which is demanded by the interests of human society. [And this is the natural sequence; for discreet action will presuppose learning and practical wisdom; it follows, therefore, that discreet action is of more value than wise (but inactive) speculation.] So much must suffice for this topic. For, in its essence, it has been made so clear, that in determining a question of duty it is not difficult to see which duty is to be preferred to any other. Moreover, even in the social relations themselves there are gradations of duty so well defined that it can easily be seen which duty takes precedence of any other: our first duty is to the immortal gods; our second, to country; our third, to parents; and so on, in a descending scale, to the rest.

From this brief discussion, then, it can be understood that people are often in doubt not only whether an action is morally right or wrong, but also, when a choice is offered between two moral actions, which one is morally better. This point, as I remarked above, has been overlooked by Panaetius. But let us now pass on to what remains.

BOOK II. EXPEDIENCY

I believe, Marcus, my son, that I have fully explained in the preceding book how duties are derived from moral rectitude, or rather from each of virtue's four divisions. My next step is to trace out those kinds of duty which have to do with the comforts of life, with the means of acquiring the things that people enjoy, with influence, and with wealth. [In this connection, the question is, as I said: what is expedient, and what is inexpedient; and of several expedients, which is of more and which of most importance.] These questions I shall proceed to discuss, after I have said a few words in vindication of my present purpose and my principles of philosophy.

Although my books have aroused in not a few men the desire not only to read but to write, yet I sometimes fear that what we term philosophy is distasteful to certain worthy gentlemen, and that they wonder that I devote so much time and attention to it. Now, as long as the state was administered by the men to whose care she had voluntarily entrusted herself, I devoted all my effort and thought to her. But when everything passed under the absolute control of a despot and there was no longer any room for statesmanship or authority of mine; and finally when I had lost the friends who had been associated with me in the task of serving the interests of the state, and who were men of the highest standing, I did not resign myself to grief, by which I should have been overwhelmed, had I not struggled against it; neither, on the other hand, did I surrender myself to a life of sensual pleasure unbecoming to a philosopher.

I would that the government had stood fast in the position it had begun to assume and had not fallen'into the hands of men who desired not so much to reform as to abolish the constitution. For then, in the first place, I should now be devoting my energies more to public speaking than to writing as I used to do when the republic stood; and in the second place, I should be committing to written form not these present essays but my public speeches, as I often formerly did. But when the republic, to which all my care and thought and effort used to be devoted, was no more, then, of course, my voice was silenced in the forum and in the senate. And since my mind could not be wholly idle, I thought, as I had been well−read along these lines of thought from my early youth, that the most honourable way for me to forget my sorrows would be by turning to philosophy. As a young man, I had devoted a great deal of time to philosophy as a discipline; but after I began to fill the high offices of state and devoted myself heart and soul to the public service, there was only so much time for philosophical studies as was left over from the claims of my friends and o the state; all of this was spent in reading; I had no leisure for writing. II. Therefore, amid all the present most awful calamities I yet flatter myself that I have won this good out of evil −− that I may commit to written form matters not at all familiar to our countrymen but still very much worth their knowing. For what, in the name of heaven, is more to be desired than wisdom? What is more to be prized? What is better for a man, what more worthy of his nature? Those who seek after it are called philosophers; and philosophy is nothing else, if one will translate the word into our idiom, than "the love of wisdom." Wisdom, morever, as the word has been defined by the philosophers of old, is "the knowledge of things human and divine and of the causes by which those things are controlled." And if the man lives who would belittle the study of philosophy, I quite fail to see what in the world he would see fit to praise. For if we are looking for mental enjoyment and relaxation, what pleasure can be compared with the pursuits of those who are always studying out something that will tend toward and effectively promote a good and happy life? Or, if regard is had for strength of character and virtue, then this is the method by which we can attain to those qualities, or there is none at all. And to say that there is no "method" for securing the highest blessings, when none even of the least important concerns is without its method, is the language of people who talk without due reflection and blunder in matters of the utmost importance. Furthermore, if there is really a way to learn virtue, where shall one look for it, when one has turned aside from this field of learning? Now, when I am advocating the study of philosophy, I usually discuss this subject at greater length, as I have done in another of my books. For the present I meant only to explain why, deprived of the tasks of public service, I have devoted myself to this particular pursuit.

But people raise other objections against me −− and that, too, philosophers and scholars −− asking whether I think I am quite consistent in my conduct −− for although our school maintains that nothing can be known for certain, yet, they urge, I make a habit of presenting my opinions on all sorts of subjects and at this very moment

am trying to formulate rules of duty. But I wish that they had a proper understanding of our position. For we Academicians are not men whose minds wander in uncertainty and never know what principles to adopt. For what sort of mental habit, or rather what sort of life would that be which should dispense with all rules for reasoning or even for living? Not so with us; but, as other schools maintain that some things are certain, others uncertain, we, differing with them, say that some things are probable, others improbable.

What, then, is to hinder me from accepting what seems to me to be probable, while rejecting what seems to be improbable, and from shunning the presumption of dogmatism, while keeping clear of that recklessness of assertion which is as far as possible removed from true wisdom? And as to the fact that our school argues against everything, that is only because we could not get a clear view of what is "probable," unless a comparative estimate were made of all the arguments on both sides. But this subject has been, I think, quite fully set forth in my "Academics." And although, my dear Cicero, you are a student of that most ancient and celebrated school of philosophy, with Cratippus as your master −− and he deserves to be classed with the founders of that illustrious sect −− still I wish our school, which is closely related to yours, not to be unknown to you. Let us now proceed to the task in hand.

III. Five principles, accordingly, have been laid down for the pursuance of duty: two of them have to do with propriety and moral rectitude; two, with the external conveniences of life −− means, wealth, influence; the fifth, with the proper choice, if ever the four first mentioned seem to be in conflict. The division treating of moral rectitude, then, has been completed, and this is the part with which I desire you to be most familiar. The principle with which we are now dealing is that one which is called Expediency. The usage of this word has been corrupted and perverted and has gradually come to the point where, separating moral rectitude from expediency, it is accepted that a thing may be morally right without being expedient, and expedient without being morally right. No more pernicious doctrine than this could be introduced into human life.

There are, to be sure, philosophers of the very highest reputation who distinguish theoretically between these three conceptions, although they are indissolubly blended together; and they do this, I assume, on moral, conscientious principles. [For whatever is just, they hold, is also expedient; and, in like manner, whatever is morally right is also just. It follows, then, that whatever is morally right is also expedient.) Those who fail to comprehend that theory do often, in their admiration for shrewd and clever men, take craftiness for wisdom. But they must be disabused of this error and their way of thinking must be wholly converted to the hope and conviction that it is only by moral character and righteousness, not by dishonesty and craftiness, that they may attain to the objects of their desires.

Of the things, then, that are essential to the sustenance of human life, some are inanimate (gold and silver, for example, the fruits of the earth, and so forth), and some are animate and have their own peculiar instincts and appetites. Of these again some are rational, others irrational. Horses, oxen, and the other cattle, [bees,] whose labour contributes more or less to the service and subsistence of man, are not endowed with reason; of rational beings two divisions are made−gods and men. Worship and purity of character will win the favour of the gods; and next to the gods, and a close second to them, men can be most helpful to men.

The same classification may likewise be made of the things that are injurious and hurtful. But, as people think that the gods bring us no harm, they decide (leaving the gods out of the question) that men are most hurtful to men. As for mutual helpfulness, those very things which we have called inanimate are for the most part themselves produced by man's labours; we should not have them without the application of manual labour and skill nor could we enjoy them without the intervention of man. And so with many other things: for without man's industry there could have been no provisions for health, no navigation, no agriculture, no ingathering or storing of the fruits of the field or other kinds of produce. Then, too, there would surely be no exportation of our superfluous commodities or importation of those we lack, did not men perform these services. By the same process of reasoning, without the labour of man's hands, the stone needful for our use would not be quarried from the earth, nor would "iron, copper, gold, and silver, hidden far within," be mined. IV. And how could houses ever have been provided in the first place for the human race, to keep out the rigours of the cold and alleviate the discomforts of the heat; or how could the ravages of furious tempest or of earthquake or of time upon them afterward have been repaired, had not the bonds of social life taught men in such events to look to their fellow−men for help? Think of the aqueducts, canals, irrigation works, breakwaters, artificial harbours; how should we have these without the work of man? From these and many other illustrations it is obvious that we could not in any way, without the

work of man's hands, have received the profits and the benefits accruing from inanimate things. Finally, of what profit or service could animals be, without the cooperation of man? For it was men who were the foremost in discovering what use could be made of each beast; and to−day, if it were not for man's labour, we could neither feed them nor break them in nor take care of them nor yet secure the profits from them in due season. By man, too, noxious beasts are destroyed, and those that can be of use are captured. Why should I recount the multitude of arts without which life would not be worth living at all? For how would the sick be healed? What pleasure would the hale enjoy? What comforts should we have, if there were not so many arts to master to our wants? In all these respects the civilized life of man is far removed from the standard of the comforts and wants of the lower animals. And, without the association of men, cities could not have been built or peopled. In consequence of city life, laws and customs were established, and then came the equitable distribution of private rights and a definite social system. Upon these institutions followed a more humane spirit and consideration for others, with the result that life was better supplied with all it requires, and by giving and receiving, by mutual exchange of commodities and conveniences, we succeeded in meeting all our wants. V. I have dwelt longer on this point than was necessary. For who is there to whom those facts which Panaetius narrates at great length are not self− evident −− namely, that no one, either as a general in war or as a statesman at home, could have accomplished great things for the benefit of the state, without the hearty co− operation of other men? He cites the deeds of Themistocles, Pericles, Cyrus, Agesilaus, Alexander, who, he says, could not have achieved so great success without the suuport of other men. He calls in witnesses, whom he does not need, to prove a fact that no one questions. And yet, as, on the one hand, we secure great advantages through the sympathetic cooperation of our fellow−men; so, on the other, there is no curse so terrible but it is brought down by man upon man. There is a book by Dicaearchus on "The Destruction of Human Life." He was a famous and eloquent Peripatetic, and he gathered together all the other causes of destruction −− floods, epidemics, famines, and sudden incursions of wild animals in myriads, by whose assaults, he informs us, whole tribes of men have been wiped out. And then he proceeds to show by way of comparison how many more men have been destroyed by the assaults of men −− that is, by wars or revolutions −than by any and all other sorts of calamity. Since, therefore, there can be no doubt on this point, that man is the source of both the greatest help and the greatest harm to man, I set it down as the peculiar function of virtue to win the hearts of men and to attach them to one's own service. And so those benefits that human life derives from inanimate objects and from the employment and use of animals are ascribed to the industrial arts; the cooperation of men, on the other hand, prompt and ready for the advancement of our interests, is secured through wisdom and virtue [in men of superior ability]. And, indeed, virtue in general may be said to consist almost wholly in three properties; the first is, the ability to perceive what in any given instance is true and real, what its relations are, its consequences, and its causes; the second is, the ability to restrain the passions (which the Greeks call ra'oq) and make the impulse's (p,uat) obedient to reason; and the third is, the skill to treat with consideration and wisdom those with whom we are associated, in order that we may through their cooperation have our natural wants supplied in full and overflowing measure, that we may ward of any impending trouble, avenge ourselves upon those who have attempted to injure us, and visit them with such retribution as justice and humanity will permit.

VI. I shall presently discuss the means by which we can gain the ability to win and hold the affections of our fellow− men; but I must say a few words by way of preface. Who fails to comprehend the enormous, two−fold power of Fortune for weal and for woe? When we enjoy her favouring breeze, we are waited over to the wished−for haven; when she blows against us, we are dashed to destruction. Fortune herself, then, does send those other less usual calamities, arising, first, from inanimate Nature −− hurricanes, storms, shipwrecks, catastrophes, conflagrations; second, from wild beasts −− kicks, bites, and attacks. But these, as I have said, are comparatively rare.

But think, on the one side, of the destruction of armies (three lately, and many others at many different times), the loss of generals (of a very able and eminent commander recently), the hatred of the masses, too, and the banishment that as a consequence frequently comes to men of eminent services, their degradation and voluntary exile; think, on the other hand, of the successes, the civil and military honours, and the victories, −− though all these contain an element of chance, still they cannot be brought about, whether for good or for ill, without the influence and the cooperation of our fellow−men. With this understanding of the influence of Fortune, I may proceed to explain how we can win. the affectionate cooperation of our fellows and enlist it in our service. And if the discussion of this point is unduly prolonged, let the length be compared with the importance of the object in

view. It will then, perhaps, seem even too short.

Whenever, then, people bestow anything upon a fellow−man to raise his estate or his dignity, it may be from any one of several motives: it may be out of good−will, when for some reason they are fond of him; it may be from esteem, if they look up to his worth and think him deserving of the most splendid fortune a man can have; they may have confidence in him and think that they are thus acting for their own interests; or they may fear his power; they may, on the contrary, hope for some favour −− as, for example, when princes or demagogues bestow gifts of money; or, finally, they may be moved by the promise of payment or reward. This last is, I admit, the meanest and most sordid motive of all, both for those who are swayed by it and for those who venture to resort to it. For things are in a bad way, when that which should be obtained by merit is attempted by money. But since recourse to this kind of support is sometimes indispensable, I shall explain how it should be employed; but first I shall discuss those qualities which are more closely allied to merit. Now, it is by various motives that people are led to submit to another's authority and power: they may be influenced by good−will; by gratitude for generous favours conferred upon them; by the eminence of that other's social position or by the hope that their submission will turn to their own account; by fear that they may be compelled perforce to submit; they may be captivated by the hope of gifts of money and by liberal promises; or, finally, they may be bribed with money, as we have frequently seen in our own country.

VII. But, of all motives, none is better adapted to secure influence and hold it fast than love; nothing is more foreign to that end than fear. For Ennius says admirably: Whom they fear they hate. And whom one hates, one hopes to see him dead. And we recently discovered, if it was not known before, that no amount of power can withstand the hatred of the many. The death of this tyrant, whose yoke the state endured under the constraint of armed force and whom it still obeys more humbly than ever, though he is dead, illustrates the deadly effects of popular hatred; and the same lesson is taught by the similar fate of all other despots, of whom practically no one has ever escaped such a death. For fear is but a poor safeguard of lasting power; while affection, on the other hand, may be trusted to keep it safe for ever.

But those who keep subjects in check by force would of course have to employ severity −− masters, for example, toward their servants, when these cannot be held in control in any other way. But those who in a free state deliberately put themselves in a position to be feared are the maddest of the mad. For let the laws be never so much overborne by some one individual's power, let the spirit of freedom be never so intimidated, still sooner or later they assert themselves either through unvoiced public sentiment, or through secret ballots disposing of some high office of state. Freedom suppressed and again regained bites with keener fangs than freedom never endangered. Let us, then, embrace this policy, which appeals to every heart and is the strongest support not only of security but also of influence and power −namely, to banish fear and cleave to love. And thus we shall most easily secure success both in private and in public life. Furthermore, those who wish to be feared must inevitably be afraid of those whom they intimidate. What, for instance, shall we think of the elder Dionysius? With what tormenting fears he used to be racked! For through fear of the barber's razor he used to have his hair singed off with a glowing coal. In what state of mind do we fancy Alexander of Pherae lived? We read in history that he dearly loved his wife Thebe; and yet, whenever he went from the banquet−hall to her in her chamber, he used to order a barbarian −− one, too, tattooed like a Thracian, as the records state −− to go before him with a drawn sword; and he used to send ahead some of his bodyguard to pry into the lady's caskets and to search and see whether some weapon were not concealed in her wardrobe. Unhappy man! To think a barbarian, a branded slave, more faithful than his own wife! Nor was he mistaken. For he was murdered by her own hand, because she suspected him of infidelity. And indeed no power is strong enough to be last− ing if it labours under the weight of fear. Witness Phalaris, whose cruelty is notorious beyond that of all others. He was slain, not treacherously (like that Alexander whom I named but now), not by a few conspirators (like that tyrant of ours), but the whole population of Agrigentum rose against him with one accord. Again, did not the Macedonians abandon Demetrius and march over as one man to Pyrrhus? And again, when the Spartans exercised their supremacy tyrannically, did not practically all the allies desert them and view their disaster at Leuctra, as idle spectators? VIII. I prefer in this connection to draw my illustrations from foreign history rather than from our own. Let me add, however, that as long as the empire of the Roman People maintained itself by acts of service, not of oppression, wars were waged in the interest of our allies or to safeguard our supremacy; the end of our wars was marked by acts of clemency or by only a necessary degree of severity; the senate was a haven of refuge for kings, tribes, and nations; and the

highest ambition of our magistrates and generals was to defend our provinces and allies with justice and honour. And so our government could be called more accurately a protectorate of the world than a dominion. This policy and practice we had begun gradually to modify even before Sulla's time; but since his victory we have departed from it altogether. For the time had gone by when any oppression of the allies could appear wrong, seeing that atrocities so outrageous were committed against Roman citizens. In Sulla's case, therefore, an unrighteous victory disgraced a righteous cause. For when he had planted his spear and was selling under the hammer in the forum the property of men who were patriots and men of wealth and, at least, Roman citizens, he had the effrontery to announce that "he was selling his spoils." After him came one who, in an unholy cause, made an even more shameful use of victory; for he did not stop at confiscating the property of individual citizens, but actually embraced whole provinces and countries in one common ban of ruin. And so, when foreign nations had been oppressed and ruined, we have seen a model of Marseilles carried in a triumphal procession, to serve as proof to the world that the supremacy of the people had been forfeited; and that triumph we saw celebrated over a city without whose help our generals have never gained a triumph for their wars beyond the Alps. I might mention many other outrages against our allies, if the sun had ever beheld anything more infamous than this particular one. Justly, therefore, are we being punished. For if we had not allowed the crimes of many to go unpunished, so great licence would never have centred in one individual. His estate descended by inheritance to but a few indi−viduals, his ambitions to many scoundrels. And never will the seed and occasion of civil war be wanting, so long as villains remember that bloodstained spear and hope to see another. As Publius Sulla wielded that spear, when his kinsman was dictator, so again thirty−six years later he did not shrink from a still more criminal spear. And still another Sulla, who was a mere clerk under the former dictatorship, was under the later one a city quaestor. From this, one would realize that, if such rewards are offered, civil wars will never cease to be. And so in Rome only the walls of her houses remain standing −− and even they wait now in fear of the most unspeakable crimes −− but our republic we have lost for ever. But to return to my subject: it is while we have preferred to be the object of fear rather than of love and affection, that all these misfortunes have fallen upon us. And if such retribution could overtake the Roman People for their injustice and tyranny, what ought private individuals to expect? And since it is manifest that the power of good−will is so great and that of fear is so weak, it remains for us to discuss by what means we can most readily win the affection, linked with honour and confidence, which we desire. But we do not all feel this need to the same extent; for it must be determined in conformity with each individual's vocation in life whether it is essential for him to have the affection of many or whether the love of a few will suffice. Let this then be settled as the first and absolute essential −that we have the devotion of friends, affectionate and loving, who value our worth. For in just this one point there is but little difference between the greatest and the ordinary man; and friendship is to be cultivated almost equally by both.

All men do not, perhaps, stand equally in need of political honour, fame and the good−will of their fellow−citizens; nevertheless, if these honours come to a man, they help in many ways, and especially in the acquisition of friends. IX. But friendship has been discussed in another book of mine, entitled "Laelius." Let us now take up the discussion of Glory, although I have published two books on that subject also. Still, let us touch briefly on it here, since it is of very great help in the conduct of more important business. The highest, truest glory depends upon the following three things: the affection, the confidence, and the mingled admiration and esteem of the people. Such sentiments, if I may speak plainly and concisely, are awakened in the masses in the same way as in individuals. But there is also another avenue of approach to the masses, by which we can, as it were, steal into the hearts of all at once.

But of the three above−named requisites, let us look first at good− will and the rules for securing it. Good−will is won principally through kind services; next to that, it is elicited by the will to do a kind service, even though nothing happen to come of it. Then, too, the love of people generally is powerfully attracted by a man's mere name and reputation for generosity, kindness, justice, honour, and all those virtues that belong to gentleness of character and affability of manner. And because that very quality which we term moral goodness and propriety is pleasing to us by and of itself and touches all our hearts both by its inward essence and its outward aspect and shines forth with most lustre through those virtues named above, we are, therefore, compelled by Nature herself to love those in whom we believe those virtues to reside. Now these are only the most powerful motives to love −− not all of them; there may be some minor ones besides.

Secondly, the command of confidence can be secured on two conditions: if people think us possessed of

practical wisdom combined with a sense of justice. For we have confidence in those who we think have more understanding than ourselves, who, we believe, have better insight into the future, and who, when an emergency arises and a crisis comes, can clear away the diffculties and reach a safe decision according to the exigencies of the occasion; for that kind of wisdom the world accounts genuine and practical. But confidence is reposed in men who are just and true −− that is, good men −− on the definite assumption that their characters admit of no suspicion of dishonesty or wrong−doing. And so we believe that it is perfectly safe to entrust our lives, our fortunes, and our children to their care.

Of these two qualities, then, justice has the greater power to inspire confidence; for even without the aid of wisdom, it has considerable weight; but wisdom without justice is of no avail to inspire confidence; for take from a man his reputation for probity, and the more shrewd and clever he is, the more hated and mistrusted he becomes. Therefore, justice combined with practical wisdom will command all the confidence we can desire; justice without wisdom will be able to do much; wisdom without justice will be of no avail at all.

X. But I am afraid someone may wonder why I am now separating the virtues −− as if it were possible for anyone to be just who is not at the same time wise; for it is agreed upon among all philosophers, and I myself have often argued, that he who has one virtue has them all. The explanation of my apparent inconsistency is that the precision of speech we employ, when abstract truth is critically investigated in philosophic discussion, is one thing; and that employed, when we are adapting our language entirely to popular thinking, is another. And therefore I am speaking here in the popular sense, when I call some men brave, others good, and still others wise; for in dealing with popular conceptions we must employ familiar words in their common acceptation; and this was the practice of Panaetius likewise But let us return to the subject.

The third, then, of the three conditions I name as essential to glory is that we be accounted worthy of the esteem and admiration of our fellow−men. While people admire in general everything that is great or better than they expect, they admire in particular the good qualities that they find unexpectedly in individuals. And so they reverence and extol with the highest praises those men in whom they see certain pre−eminent and extraordinary talents; and they look down with contempt upon those who they think have no ability, no spirit, no energy. For they do not despise all those of whom they think ill. For some men they consider unscrupulous, slanderous fraudulent, and dangerous; they do not despise them, it may be; but they do think ill of them. And therefore, as I said before, those are despised who are "of no use to themselves or their neighbours," as the saying is, who are idle, lazy, and indifferent.

On the other hand, those are regarded with admiration who are thought to excel others in ability and to be free from all dishonour and also from those vices which others do not easily resist. For sensual pleasure, a most seductive mistress, turns the hearts of the greater part of humanity away from virtue; and when the fiery trial of affliction draws near, most people are terrified beyond measure. Life and death, wealth and want affect all men most powerfully. But when men, with a spirit great and exalted, can look down upon such outward circumstances, whether prosperous or adverse, and when some noble and virtuous purpose, presented to their minds, converts them wholly to itself and carries them away in its pursuit, who then could fail to admire in them the splendour and beauty of virtue? XI. As, then, this superiority of mind to such externals inspires great admiration, so justice, above all, on the basis of which alone men are called "good men," seems to people generally a quite marvellous virtue −− and not without good reason; for no one can be just who fears death or pain or exile or poverty, or who values their opposites above equity. And people admire especially the man who is uninfluenced by money; and if a man has proved himself in this direction, they think him tried as by fire. Those three requisites, therefore, which were presupposed as the means of obtaining glory, are all secured by justice: good−will, for it seeks to be of help to the greatest number; confidence, for the same reason; and admiration, because it scorns and cares nothing for those things, with a consuming passion for which most people are carried away.

Now, in my opinion at least, every walk and vocation in life calls for human co−operation −− first and above all, in order that one may have friends with whom to enjoy social intercourse. And this is not easy, unless he is looked upon as a good man. So, even to a man who shuns society and to one who spends his life in the country a reputation for justice is essential −− even more have no defence to protect them and so will be the victims of many kinds of wrong. So also to buyers and sellers, to employers and employed, and to those who are engaged in commercial dealings generally, justice is indispensable for the conduct o business. Its importance is so great, that not even those who live by wickedness and crime can get on without some small element of justice. For if a

robber takes anything by force or by fraud from another member of the gang, he loses his standing even in a band of robbers; and if the one called the "Pirate Captain" should not divide the plunder impartially, he would be either deserted or murdered by his comrades. Why, they say that robbers even have a code of laws to observe and obey. And so, because of his impartial division of booty, Bardulis, the Illyrian bandit, of whom we read in Theopompus, acquired great power, Viriatlius, of Lusitania, much greater. He actually defied even our armies and generals. But Gaius Laelius −− the one surnamed "the Wise" −− in his praetorship crushed his power, reduced him to terms, and so checked his intrepid daring, that he left to his successors an easy conquest. Since, therefore, the efficacy of justice is so great that it strengthens and augments the power even of robbers, how great do we think its power will be in a constitutional government with its laws and courts? XII. Now it seems to me, at least, that not only among the Medes, as Herodotus tells us, but also among our own ancestors, men of high moral character were made kings in order that the people might enjoy justice. For, as the masses in their helplessness were oppressed by the strong, they appealed for protection to some one man who was conspicuous for his virtue; and, as he shielded the weaker classes from wrong, he managed by establishing equitable conditions to hold the higher and the lower classes in an equality of right. The reason for making constitutional laws was the same as that for making kings. For what people have always sought is equality of rights before the law. For rights that were not open to all alike would be no rights. If the people secured their end at the hands of one just and good man, they were satisfied with that; but when such was not their good fortune, laws were invented, to speak to all men at all times in one and the same voice. This, then, is obvious: nations used to select for their rulers those men whose reputation for justice was high in the eyes of the people. If in addition they were also thought wise, there was nothing that men did not think they could secure under such leadership. Justice is, therefore, in every way to be cultivated and maintained, both for its own sake (for otherwise it would not be justice) and for the enhancement of personal honour and glory. But as there is a method not only of acquiring money but also of investing it so as to yield an income to meet our continuously recurring expenses −− both for the necessities and for the more refined comforts of life −− so there must be a method of gaining glory and turning it to account. And yet, as Socrates used to express it so admirably, "the nearest way to glory −− a short cut, as it were −− is to strive to be what you wish to be thought to be." For if anyone thinks that he can win lasting glory by pretence, by empty show, deep root and spreads its branches wide; but all pretences soon fall to the ground like fragile flowers, and nothing counterfeit can be lasting. There are very many witnesses to both facts; but, for brevity's sake: I shall confine myself to one family: Tiberius Gracchus, Publius's son, will be held in honour as long as the memory of Rome shall endure; but his sons were not approved by patriots while they lived, and since they are dead they are numbered among those whose murder was justifiable. XIII. If, therefore, anyone wishes to win true glory, let him discharge the duties required by justice. And what they are has been set forth in the course of the preceding book.

(XIII.) But, although the very essence of the problem is that we actually be what we wish to be thought to be, still some rules may be laid down to enable us most easily to secure the reputation of being what we are. For, if anyone in his early youth has the responsibility of living up to a distinguished name acquired either by inheritance from his father (as, I think, my dear Cicero, is your good fortune) or by some chance or happy combination of circumstances, the eyes of the world are turned upon him; his life and character are scrutinized; and, as if he moved in a blaze of light, not a word and not a deed of his can be kept a secret. Those, on the other hand, whose humble and obscure origin has kept them unknown to the world in their early years ought, as soon as they approach young manhood, to set a high ideal before their eyes and to strive with unswerving zeal towards its realization. This they will do with the better heart, because that time of life is accustomed to find favour rather than to meet with opposition. Well, then, the first thing to recommend to a young man in his quest for glory is that he try to win it, if he can, in a military career. Among our forefathers many distinguished themselves as soldiers; for warfare was almost continuous then. The period of your own youth, however, has coincided with that war in which the one side was too prolific in crime, the other in failure. And yet, when Pompey placed you in command of a cavalry squadron in this war, you won the applause of that great man and of the army for your skill in riding and spear− throwing and for endurance of all the hardships of the soldier's life. But that credit accorded to you came to nothing along with the fall of the republic. The subject of this discussion, however, is not your personal history, but the general theme. Let us, therefore, proceed to the sequel. As, then, in everything else brain− work is far more important than mere hand−work, so those objects which we strive to attain through intellect and reason gain for us a higher degree of gratitude than those which we strive to gain by physical strength. The best

recommendation, then, that a young man can have to popular esteem proceeds from self−restraint, filial affection, and devotion to kinsfolk. Next to that, young men win recognition most easily and most favourably, if they attach themselves to men who are at once wise and renowned as well as patriotic counsellors in public affairs. And if they associate constantly with such men, they inspire in the public the expectation that they will be like them, seeing that they have themselves selected them for imitation. His frequent visits to the home of Publius Mucius assisted young Publius Rutilius to gain a reputation for integrity of character and for ability as a jurisconsult. Not so, however, Lucius Crassus; for, though he was a mere boy, he looked to no one else for assistance, but by his own unaided ability he won for himself in that brilliant and famous prosecution a splendid reputation as an orator. And at an age when young men are accustomed with their school exercises to win applause as students of oratory, this Roman Demosthenes, Lucius Crassus, was already proving himself in the law−courts a master of the art which he might even then have been studyng at home with credit to himself. XIV. But as the classification of discourse is a twofold one −− conversation, on the one side; oratory, on the other −− there can be no doubt that of the two this debating power (for that is what we mean by eloquence) counts for more toward the attainment of glory; and yet, it is not easy to say how far an affable and courteous manner in conversation may go toward winning the affections. We have, for instance, the letters of Philip to Alexander, of Antipater to Cassander, and of Antigonus to Philip the Younger. The authors of these letters were, as we are informed, three of the wisest men in history; and in them they instruct their sons to woo the hearts of the populace to affection by words of kindness and to keep their soldiers loyal by a winning address. But the speech that is delivered in a debate before an assembly often stirs the hearts of thousands at once; for the eloquent and judicious speaker is received with high admiration, and his hearers think him understanding and wise beyond all others. And, if his speech have also dignity combined with moderation, he will be admired beyond all measure, especially if these qualities are found in a young man.

But while there are occasions of many kinds that call for eloquence, and while many young men in our republic have obtained distinction by their speeches in the courts, in the popular assemblies, and in the senate, yet it is the speeches before our courts that excite the highest admiration. The classification of forensic speeches also is a twofold one: they are divided into arguments for the prosecution and arguments for the defence. And while the side of the defence is more honourable, still that of the prosecution also has very often established a reputation. I spoke of Crassus a moment ago; Marcus Antonius, when a youth, had the same success. A prosecution brought the eloquence of Publius Sulpicius into favourable notice, when he brought an action against Gaius Norbanus, a seditious and dangerous citizen. But this should not be done often −− never, in fact, except in the interest of the state (as in the cases of those above mentioned) or to avenge wrongs (as the two Luculli, for example, did) or for the protection of our provincials (as I did in the defence of the Sicilians, or Julius in the prosecution of Albucius in behalf of the Sardinians). The activity of Lucius Fufius in the impeachment of Manius Aquilius is likewise famous. This sort of work, then, may be done once in a lifetime, or at all events not often. But if it shall be required of anyone to conduct more frequent prosecutions, let him do it as a service to his country; for it is no disgrace to be often employed in the prosecution of her enemies. And yet a limit should be set even to that. For it requires a heartless man, it seems, or rather one who is well− nigh inhuman, to be arraigning one person after another on capital charges. It is not only fraught with danger to the prosecutor himself, but is damaging to his reputation, to allow himself to be called a prosecutor. Such was the effect of this epithet upon Marcus Brutus, the scion of a very noble family and the son of that Brutus who was an eminent authority in the civil law.

Again, the following rule of duty is to be carefully observed: never prefer a capital charge against any person who may be innocent. For that cannot possibly be done without making oneself a criminal. For what is so unnatural as to turn to the ruin and destruction of good men the eloquence bestowed by Nature for the safety and protection of our fellowmen? And yet, while we should never prosecute the innocent, we need not have scruples against undertaking on occasion the defence of a guilty person, provided he be not infamously depraved and wicked. For people expect it; custom sanctions it; humanity also accepts it. It is always the business of the judge in a trial to find out the truth; it is sometimes the business of the advocate to maintain what is plausible, even if it be not strictly true, though I should not venture to say this, especially in an ethical treatise, if it were not also the position of Panaetius, that strictest of Stoics. Then, too, briefs for the defence are most likely to bring glory and popularity to the pleader, and all the more so, if ever it falls to him to lend his aid to one who seems to be

oppressed and persecuted by the influence of someone in power. This I have done on many other occasions; and once in particular, in my younger days, I defended Sextus Roscius of Ameria against the power of Lucius Sulla when he was acting the tyrant. The speech is published, as you know.

XV. Now that I have set forth the moral duties of a young man, in so far as they may be exerted for the attainment of glory, I must next in order discuss kindness and generosity. The manner of showing it is twofold: kindness is shown to the needy either by personal service, or by gifts of money. The latter way is the easier, especially for a rich man; but the former is nobler and more dignified and more becoming to a strong and eminent man. For, although both ways alike betray a generous wish to oblige, still in the one case the favour makes a draft upon one's bank account, in the other upon one's personal energy; and the bounty which is drawn from one's material substance tends to exhaust the very fountain of liberality. Liberality is thus forestalled by liberality: for the more people one has helped with gifts of money, the fewer one can help. But if people are generous and kind in the way of personal service −− that is, with their ability and personal effort −− various advantages arise: first, the more people they assist, the more helpers they will have in works of kindness; and second, by acquiring the habit of kindness they are better prepared and in better training, as it were, for bestowing favours upon many. In one of his letters Philip takes his son Alexander sharply to task for trying by gifts of Money to secure the good−will of the Macedonians: "What in the mischief induced you to entertain such a hope," he says, "as that those men would be loyal subjects to you whom you had corrupted with money? Or are you trying to do what you can to lead the Macedonians to expect that you will be not their king but their steward and purveyor?" "Steward and purveyor" was well said, because it was degrading for a prince; better still, when he called the gift of money "corruption." For the recipient goes from bad to worse and is made all the more ready to be constantly looking for one bribe after another. It was to his son that Philip gave this lesson; but let us all take it diligently to heart. That liberality, therefore, which consists in personal service and effort is more honourable, has wider application, and can benefit more people. There can be no doubt about that. Nevertheless, we should sometimes make gifts of money; and this kind of liberality is not to be discouraged altogether. We must often distribute from our purse to the worthy poor, but we must do so with discretion and moderation. For many have squandered their patrimony by indiscriminate giving. But what is worse folly than to do the thing you like in such a way that you can no longer do it at all? Then, too, lavish giving leads to robbery; for when through over−giving men begin to be impoverished, they are constrained to lay their hands on the property of others. And so, when men aim to be kind for the sake of winning good−will, the affection they gain from the object of their gifts is not so great as the hatred they incur from those whom they despoil.

One's purse, then, should not be closed so tightly that a generous impulse should be observed and that limit should be determined by our means. We ought, in a word, to remember the phrase, which, through being repeated so very often by our countrymen, has come to be a common proverb: "Bounty has no bottom." For indeed what limit can there be, when those who have been accustomed to receive gifts claim what they have been in the habit of getting, and those who have not wish for the same bounty? XVI. There are, in general, two classes of those who give largely: the one class is the lavish, the other the generous. The lavish are those who squander their money on public banquets, doles of meat among the people, gladiatorial shows, magnificent games, and wild−beast fights −− vanities of which but a brief recollection will remain, or none at all.

The generous, on the other hand, are those who employ their own means to ransom captives from brigands, or who assume their friends' debts or help in providing dowries for their daughters, or assist them in acquiring property or increasing what they have. And so I wonder what Theophrastus could have been thinking about when he wrote his book on "Wealth." It contains much that is fine; but his position is absurd, when he praises at great length the magnificent appointments of the popular games, and it is in the means for indulging in such expenditures that he finds the highest privilege of wealth. But to me the privilege it gives for the exercise of generosity, of which I have given a few illustrations:. "If people in time of siege," he says, "are required to pay a mina for a pint of water, this seems to us at first beyond belief, and all are amazed; but, when they think about it, they make allowances for it on the plea of necessity. But in the matter of this enormous waste and unlimited expenditure we are not very greatly astonished, and that, too, though by it no extreme need is relieved, no dignity is enhanced, and the very gratification of the populace is but for a brief, passing moment; such pleasure as it is, too, is confined to the most frivolous, and even in these the very memory of their enjoyment dies as soon as the moment of gratification is past." His conclusion, too, is excellent: "This sort of amusement pleases children, silly

women, slaves, and the servile free; but a serious−minded man who weighs such matters with sound judgment cannot possibly approve of them." And yet I realize that in our country, even in the good old times, it had become a settled custom to expect magnificent entertainments from the very best men in their year of aedileship. So both Publius Crassus, who was not merely surnamed "The Rich" but was rich in fact, gave splendid games in his aedileship; and a little later Lucius Crassus (with Quintus Mucius, the most unpretentious man in the world, as his colleague) gave most magnificent entertainments in his aedileship. Then came Gaius Claudius, the son of Appius, and, after him, many others−the Luculli, Hortensius, and Silanus. Publius Lentulus, however, in the year of my consulship, eclipsed all that had gone before him, and Scaurus emulated him. And my friend Pompey's exhibitions in his second consulship were the most magnificent of all. And so you see what I think about all this sort of thing.
XVII. Still we should avoid any suspicion of penuriousness. Mamercus was a very wealthy man, and his refusal of the aedileship was the cause of his defeat for the consulship. If, therefore, such entertainment is demanded by the people, men of right judgment must at least consent to furnish it, even if they do not like the idea. But in so doing they should keep within their means, as I myself did. They should likewise afford such entertainment, if gifts of money to the people are to be the means of securing on some occasion some more important or more useful object. Thus Orestes recently won great honour by his public dinners given in the streets, on the pretext of their being a tithe−offering. Neither did anybody find fault with Marcus Scius for supplying grain to the people at an as the peck at a time when the market−price was prohibitive; for he thus succeeded in disarming the bitter and deep−seated prejudice of the people against him at an outlay neither very great nor discreditable to him in view of the fact tha he was aedile at the time. But the highest honour recently fell to my friend Milo, who bought a band of gladiators for the sake of the country, whose preservation then depended upon my recall from exile, and with them put down the desperate schemes, the reign of terror, of Publius Clodius. The justification for gifts of money, therefore, is either necessity or expediency. And, in making them even in such cases, the rule of the golden mean is best. To be sure, Lucius Philippus, the son of Quintus, a man of great ability and unusual renown, used to make it his boast that without giving any entertainments he had risen to all the positions looked upon as the highest within the gift of the state. Cotta could say the same, and Curio. I, too, may make this boast my own −− to a certain extent; for in comparison with the eminence of the offices to which I was unanimously elected at the earliest legal age −− and this was not the good fortune of any one of those just mentioned −− the outlay in my aedileship was very inconsiderable.

Again, the expenditure of money is better justified when it is made for walls, docks, harbours, aqueducts, and all those works which are of service to the community. There is, to be sure, more of present satisfaction in what is handed out, like cash down; nevertheless public improvements win us greater gratitude with posterity. Out of respect for Pompey's memory I am rather diffident about expressing any criticism of theatres, colonnades, and new temples; and yet the greatest philosophers do not approve of them −− our Panaetius himself, for example, whom I am following, not slavishly translating, in these books; so, too, Demetrius of Phalerum, who denounces Pericles, the foremost man of Greece, for throwing away so much money on the magnificent, far−famed Propylaea. But this whole theme is discussed at length in my books on "The Republic." To conclude, the whole system of public bounties in such extravagant amount is intrinsically wrong; but it may under certain circumstances be necessary to make them; even then they must be proportioned to our ability and regulated by the golden mean.

XVIII. Now, as touching that second division of gifts of money, those which are prompted by a spirit of generosity, we ought to look at different cases differently. The case of the man who is overwhelmed by misfortune is different from that of the one who is seeking to better his condition, though he suffers from no actual distress. It will be the duty of charity to incline more to the unfortunate, unless, perchance, they deserve their misfortune. But of course we ought by no means to withhold our assistance altogether from those who wish for aid, not to save them from utter ruin but to enable them to reach a higher degree of fortune. But, in selecting worthy cases, we ought to use judgment and discretion. For, as Ennius says so admirably, Good deeds misplaced, methinks, are evil deeds.

Furthermore, the favour conferred upon a man who is good and grateful finds its reward, in such a case, not only in his own good−will but in that of others. For, when generosity is not indiscriminate giving, it wins most gratitude and people praise it with more enthusiasm, because goodness of heart in a man of high station becomes the common refuge of everybody. Pains must, therefore, be taken to benefit as many as possible with such

kindnesses that the memory of them shall be handed down to children and to children's children, so that they too may not be ungrateful. For all men detest ingratitude and look upon the sin of it as a wrong committed against themselves also, because it discourages generosity; and they regard the ingrate as the common foe of all the poor. Ransoming prisoners from servitude and relieving the poor is a form of charity that is a service to the state as well as to the individual. And we find in one of Crassus's orations the full proof given that such beneficence used to be the common practice of our order. This form of charity, then, I much prefer to the lavish expenditure of money for public exhibitions. The former is suited to men of worth and dignity, the latter to those shallow flatterers, if I may call them so, who tickle with idle pleasure, so to speak, the fickle fancy of the rabble.

It will, moreover, befit a gentleman to be at the same time liberal in giving and not inconsiderate in exacting his dues, but in every business relation −− in buying or selling, in hiring or letting, in relations arising out of adjoining houses and lands −− to be fair, reasonable, often freely yielding much of his own right, and keeping out of litigation as far as his interests will permit and perhaps even a little farther. For it is not only generous occasionally to abate a little of one's rightful claims, but it is sometimes even advantageous. We should, however, have a care for our personal property, for it is discreditable to let it run through our fingers; but we must guard it in such a way that there shall be no suspicion of meanness or avarice. For the greatest privilege of wealth is, beyond all peradventure, the opportunity it affords for doing good, without sacrificing one's fortune. Hospitality also is a theme of Theophrastus's praise, and rightly so. For, as it seems to me at least, it is most proper that the homes of distinguished men should be open to distinguished guests. And it is to the credit of our country also that men from abroad do not fail to find hospitable entertainment of this kind in our city. It is, moreover, a very great advantage, too, for those who wish to obtain a powerful political influence by honourable means to be able through their social relations with their guests to enjoy popularity and to exert influence abroad. For an instance of extraordinary hospitality, Theophrastus writes that at Athens Cimon was hospitable even to the Laciads, the people of his own deme; for he instructed his bailiffs to that end and gave them orders that every attention should be shown to any Laciad who should ever call at his country home. XIX. Again, the kindnesses shown not by gifts of money but by personal service are bestowed sometimes upon the community at large, sometimes upon individual citizens. To protect a man in his legal rights [to assist him with counsel,] and to serve as many as possible with that sort of knowledge tends greatly to increase one's influence and popularity. Thus, among the many admirable ideas of our ancestors was the high respect they always accorded to the study and interpretation of the excellent body of our civil law. And down to the present unsettled times the foremost men of the state have kept this profession exclusively in their own hands; but now the prestige of legal learning has departed along with offices of honour and positions of signity; ana this is the more deplorable, because it has come to pass in the lifetime of a man who in knowledge of the law would easily have surpassed all his predecessors, while in honour he is their peer. Service such as this, then, finds many to appreciate it and is calculated to bind people closely to us by our good services.

Closely connected with this profession, furthermore, is the gift of eloquence; it is at once more popular and more distinguished. For what is better than eloquence to awaken the admiration of one's hearers or the hopes of the distressed or the gratitude of those whom it has protected? It was to eloquence, therefore, that our fathers assigned the foremost rank among the civil professions. The door of opportunity for generous patronage to others, then, is wide open to the orator whose heart is in his work and who follows the custom of our forefathers in undertaking the defence of many clients without reluctance and without compensation.

My subject suggests that at this point I express once more my regret at the decadence, not to say the utter extinction, of eloquence; and I should do so, did I not fear that people would think that I were complaining on my own account. We see, nevertheless, what orators have lost their lives and how few of any promise are left, how far fewer there are who have ability, and how many there are who have nothing but presumption. But though not all −− no, not even many −− can be learned in the law or, eloquent as pleaders, still anybody may be of service to many by canvassing in their support for appointments, by witnessing to their character before juries and magistrates, by looking out for the interests of one and another, and by soliciting for them the aid of jurisconsults or of advocates. Those who perform such services win the most gratitude and find a most extensive sphere for their activities.

Of course, those who pursue such a course do not need to be warned (for offend others. For oftentimes they hurt those whom they ought not or those whom it is inexpedient to offend. If they do it inadvertently, it is

carelessness; if designedly, inconsiderateness. A man must apologize also, to the best of his ability, if he has involuntarily hurt anyone's feelings, and explain why what he has done was unavoidable and why he could not have done otherwise; and he must by future services and kind offices atone for the apparent offence.

XX. Now in rendering helpful service to people, we usually consider either their character or their circumstances. And so it is an easy remark, and one commonly made, to say that in investing kindnesses we look not to people's outward circumstances, but to their character. The phrase is admirable! But who is there, pray, that does not in performing a service set the favour of a rich and influential man above the cause of a poor, though most worthy, person? For, as a rule, our will is more inclined to the one from whom we expect a prompter and speedier return. But we should observe more carefully how the matter really stands: the poor man of whom we spoke cannot return a favour in kind, of course, but if he is a good man he can do it at least in thankfulness of heart. As someone has happily said, "A man has not repaid money, if he still has it; if he has repaid it, he has ceased to have it. But a man still has the sense of favour, if he has returned the favour; and if he has the sense of the favour, he has repaid it." On conferred a favour by accepting one, however great and they even suspect that a claim is thereby set up against them or that something is expected in return. Nay more, it is bitter as death to them to have accepted a patron or to be called clients. Your man of slender means, on the other hand, feels that whatever is done for him is done out of regard for himself and not for his outward circumstances. Hence he strives to show himself grateful not only to the one who has obliged him in the past but also to those from whom he expects similar favours in the future −− and he needs the help of many; and his own service, if he happens to render any in return, he does not exaggerate, but he actually depreciates it. This fact, furthermore, should not be overlooked −− that, if one defends a wealthy favourite of fortune, the favour does not extend further than to the man himself or, possibly, to his children. But, if one defends a man who is poor but honest and upright, all the lowly who are not dishonest −− and there is a large proportion of that sort among the people −− look upon such an advocate as a tower of defence raised up for them. I think, therefore, that kindness to the good is a better investment than kindness to the favourites of fortune. We must, of course, put forth every effort to oblige all sorts and conditions of men, if we can. But if it comes to a conflict of duty on this point, we must, I should say, follow the advice of Themistocles: when someone asked his advice whether he should give his daughter in marriage to a man who was poor but honest or to one who was rich but less esteemed, he said: "For my part, I prefer a man without money to money without a man." But the moral sense of to−day is demoralized and depraved by our worshi of wealth. Of what concern to any one of us is the size of another man's fortune? It is, perhaps, an advantage to its possessor; but not always even that. But suppose it is; he may, to be sure, have more money to spend; but how is he any the better man for that? Still, if he is a good man, as well as a rich one, let not his riches be a hindrance to his being aided, if only they are not the motive to it; but in conferring favours our decision should depend entirely upon a man's character, not on his wealth. The supreme rule, then, in the matter of kindnesses to be rendered by personal service is never to take up a case in opposition to the right nor in defence of the wrong. For the foundation of enduring reputation and fame is justice, and without justice there can be nothing worthy of praise. XXI. Now, since we have finished the discussion of that kind of helpful services which concern individuals, we must next take up those which touch the whole body politic and the state. Of these public services, some are of such a nature that they concern the whole body of citizens; others, that they affect individuals only. And these latter are the more productive of gratitude. If possible, we should by all means attend to both kinds of service; but we must take care in protecting the interests of individuals that what we do for them shall be beneficial, or at least not prejudicial, to thestate. Gaius Gracchus inaugurated largesses of grain on an extensive scale; this had a tendency to exhaust the exchequer. Marcus Octavius inaugurated a moderate dole; this was both practicable for the state and necessary for the commons; it was, therefore, a blessing both to the citizens and to the state.

The man in an administrative office, however, must make it his first care that everyone shall have what belongs to him and that private citizens suffer no invasion of their property rights by act of the state. It was a ruinous policy that Philippus proposed when in his tribuneship he introduced his agrarian bill. However, when his law was rejected, he took his defeat with good grace and displayed extraordinary moderation. But in his public speeches on the measure he often played the demagogue, and that time viciously, when he said that "there were not in the state two thousand people who owned any property." That speech deserves unqualified condemnation, for it favoured an equal distribution of property; and what more ruinous policy than that could be conceived? For

the chief purpose in the establishment of constitutional state and municipal governments was that individual property rights might be secured. For, although it was by Nature's guidance that men were drawn together into cornmunities, it was in the hope of safeguarding their possessions that they sought the protection of cities.

The administration should also put forth every effort to prevent the levying of a property tax, and to this end precautions should be taken long in advance. Such a tax was often levied in the times of our forefathers on account of the depleted state of their treasury and their incessant wars. But, if any state (I say "any," for I would rather speak in general terms than forebode evils to our own; however, I am not discussing our own state but states in general) −− if any state ever has to face a crisis requiring the imposition of such a burden, every effort must be made to let all the people realize that they must bow to the inevitable, if they wish to be saved. And it will also be the duty of those who direct the affairs of the state to take measures that there shall be an abundance of the necessities of life. It is needless to discuss the ordinary ways and means; for the duty is self− evident; it is necessary only to mention the matter.

But the chief thing in all public administration and public service is to avoid even the slightest suspicion of self−seeking. "I would," says Gaius Pontius, the Samnite, "that fortune had withheld my appearance until a time when the Romans began to accept bribes, and that I had been born in those days! I should then have suffered them to hold their supremacy no longer." Aye, but he would have had many generations to wait; for this plague has only recently infected our nation. And so I rejoice that Pontius lived then instead of now, seeing that he was so mighty a man! It is not yet a hundred and ten years since the enactment of Lucius Piso's bill to punish extortion; there had been no such law before. But afterward came so many laws, each more stringent than the other, so many men were accused and so many convicted, so horrible a war a was stirred up on account of the fear of what our courts would do to still others, so frightful was the pillaging and plundering of the allies when the laws and courts were suppressed, that now we find ourselves strong not in our own strength but in the weakness of others.

XXII. Panaetius praises Africanus for his integrity in public life. Why should he not? But Africanus had other and greater virtues. The boast of official integrity belongs not to that man alone but also to his times. When Paulus got possession of all the wealth of Macedon −− and it was enormous −− he brought into our treasury so much money that the spoils of a single general did away with the need for a tax on property in Rome for all time to come. But to his own house he brought nothing save the glory of an immortal name. Africanus emulated his father's example and was none the richer for his overthrow of Carthage. And what shall we say of Lucius Mummius, his colleague in the censorship? Was he one penny the richer when he had destroyed to its foundations the richest of cities? He preferred to adorn Italy rather than his own house. And yet by the adornment of Italy his own house was, as it seems to me, still more splendidly adorned.

There is, then, to bring the discussion back to the point from which it digressed, no vice more offensive than avarice, especially in men who stand foremost and hold the helm of state. For to exploit the state for selfish profit is not only immoral; it is criminal, infamous. And so the oracle, which the Pythian Apollo uttered, that "Sparta should not fall from any other cause than avarice," seems to be a prophecy not to the Lacedaemonians alone, but to all wealthy nations as well. They who direct the affairs of state, then, can win the good−will of the masses by no other means more easily than by self−restraint and self−denial. But they who pose as friends of the people, and who for that reason either attempt to have agrarian laws passed, in order that the occupants may be driven out of their homes, or propose that money loaned should be remitted to the borrowers, are undermining the foundations of the connnonwealth: first of all, they are destroying harmony, which cannot exist when money is taken away from one party and bestowed upon another; and second, they do away with equity, which is utterly subverted, if the rights of property are not respected. For, as I said above, it is the peculiar function of the state and the city to guarantee to every man the free and undisturbed control of his own particular property.

And yet, when it comes to measures so ruinous to public welfare, they do not gain even that popularity which they anticipate. For he who has been robbed of his property is their enemy; he to whom it has been turned over actually pretends that he had no wish to take it; and most of all, when his debts are cancelled, the debtor conceals his joy, for fear that he may be thought to have been insolvent; whereas the victim of the wrong both remembers it and shows his resentment openly. Thus even though they to whom property has been wrongfully awarded be more in number than they from whom it has been unjustly taken, they do not for that reason have more influence; for in such matters influence is measured not by numbers but by weight. And how is it fair that a man who never had any property should take possession of lands that had been occupied for many years or even generations, and

that he who had them before should lose possession of them? XXIII. Now, it was on account of just this sort of wrong− doing that the Spartans banished their ephor Lysander, and put their king Agis to death −− an act without precedent in the history of Sparta. From that time on −− and for the same reason −− disssensions so serious ensued that tyrants arose, the nobles were sent into exile, and the state, though most admirably constituted, crumbled to pieces. Nor did it fall alone, but by the contagion of the ills that starting in Lacedaemon, spread widely and more widely, it dragged the rest of Greece down to ruin. What shall we say of our own Gracchi, the sons of that famous Tiberius Gracchus and grandsons of Africanus? Was it not strife over the agrarian issue that caused their downfall and death? Aratus of Sicyon, on the other hand, is justly praised. When his city had been kept for fifty in the power of its tyrants, he came over from Argos to Sicyon, secretly entered the city and took it by surprise; he fell suddenly upon the tyrant Nicocles, recalled from banishment six hundred exiles who had been the wealthiest men of the city, and by his coming made his country free. But he found great difficulty in the matter of property and its occupancy; for he considered it most unjust, on the one hand, that those men should be left in want whom he had restored and of whose property others had taken possession; and he thought it hardly fair, on the other hand, that tenure of fifty years' standing should be disturbed. For in the course of that long period many of those estates had passed into innocent hands by right of inheritance, many by purchase, many by dower. He therefore decided that it would be wrong either to take the property away from the present incumbents or to let them keep it without compensation to its former possessors. So, when he had come to the conclusion that he must have money to meet the situation, he announced that he meant to make a trip to Alexandria and gave orders that matters should remain as they were until his return. And so he went in haste to his friend Ptolemy, then upon the throne, the second king after the founding of Alexandria. To him he explained that he wished to restore constitutional liberty to his country and presented his case to him. And, being a man of the highest standing, he easily secured from that wealthy king assistance in the form of a large sum of money. And, when he had returned with this to Sicyon, he called into counsel with him fifteen of the foremost men of the city. With them he investigated the cases both of those who were holding possession of other people's property and of those who had lost theirs. And he managed by a valuation of the properties to persuade some that it was more desirable to accept money and surrender their present holdings; others he convinced that it was more to their interest to take a fair price in cash for their lost estates than to try to recover possession of what had been their own. As a result, harmony was preserved, and all parties went their way without a word of complaint.

A great statesman, and worthy to have been born in our commonwealth! That is the right way to deal with one's fellow− citizens, and not, as we have already witnessed on two occasions, to plant the spear in the forum and knock down the property of citizens under the auctioneer's hammer. But yon Greek, like a wise and excellent man, thought that he must look out for the welfare of all. And this is the highest statesmanship and the soundest wisdom on the part of a good citizen, not to divide the interests of the citizens but to unite all on the basis of impartial justice. "Let them live in their neighbour's house rent−free." Why so? In order that, when I have bought, built, kept up, and spent my money upon a place, you may without my consent enjoy what belongs to me? What else is that but to rob one man of what belongs to him and to give to another what does not belong to him? And what is the meaning of an abolition of debts, except that you buy a farm with my money; that you have the farm, and I have not my money? XXIV. We must, therefore, take measures that there shall be no indebtedness of a nature to endanger the public safety. It is a menace that can be averted in many ways; but should a serious debt be incurred, we are not to allow the rich to lose their property, while the debtors profit by what is their neighbour's. For there is nothing that upholds a government more powerfully han its credit; and it can have no credit, unless the payment of debts is enforced by law. Never were measures for the repudiation of debts more strenuously agitated than in my consulship. Men of every sort and rank attempted with arms and armies to force the project through. But I opposed them with such energy that this plague was wholly eradicated from the body politic. Indebtedness was never greater; debts were never liquidated more easily or more fully; for the hope of defrauding the creditor was cut off and payment was enforced by law. But the present victor, though vanquished then, still carried out his old design, when it was no longer of any personal advantage to him. So great was his passion for wrongdoing that the very doing of wrong was a joy to him for its own sake even when there was no motive for it.

Those, then, whose office it is to look after the interests of the state will refrain from that form of liberality which robs one man to enrich another. Above all, they will use their best endeavours that everyone shall be protected in the possession of his own property by the fair administration of the law and the courts, that the poorer

classes shall not be oppressed because of their helplessness, and that envy shall not stand in the way of the rich, to prevent them from keeping or recovering possession of what justly belongs to them; they must strive, too, by whatever means they can, in peace or in war, to advance the state in power, in territory, and in revenues. Such service calls for great men; it was commonly rendered in the days of our ancestors; if men will perform duties such as these, they will win popularity and glory for themselves and at the same time render eminent service to the state.

Now, in this list of rules touching expediency, Antipater of Tyre, a Stoic philosopher who recently died at Athens, claims that two points were overlooked by Panaetius −− the care of health and of property. I presume that the eminent philosopher overlooked these two items because they present no difficulty. At all events they are expedient. Although they are a matter of course, I will still say a few words on the subject. Individual health is preserved by studying one's own constitution, by observing what is good or bad for one, by constant self−control in supplying physical wants and comforts (but only to the extent necessary to self−preservation), by forgoing sensual pleasures, and finally, by the professional skill of those to whose science these matters belong.

As for property, it is a duty to make money, but only by honourable means; it is a duty also to save it and increase it by care and thrift. These principles Xenophon, a pupil of Socrates, has set forth most happily in his book entitled "Oeconomicus." When I was about your present age, I translated it from the Greek into Latin. But this whole subject of acquiring money, investing money (I wish I could include also spending money), is more profitably discussed by certain worthy gentlemen on "Change" than could be done by any philosophers of any school. For all that, we must take cognizance of them for they come fitly under the head of expediency, and that is the subject of the present book.

XXV. But it is often necessary to weigh one expediency against another; −− for this, as I stated, is a fourth point overlooked by Panaetius. For not only are physical advantages regularly compared with outward advantages [and outward, with physical], but physical advantages are compared with one another, and outward with outward. Physical advantages are compared with outward advantages in some such way as this: one may ask whether it is more desirable to have health than wealth; [external advantages with physical, thus: whether it is better to have wealth than extraordinary bodily strength;] while the physical advantages may be weighed against one another, so that good health is preferred to sensual pleasure, strength to agility. Outward advantages also may be weighed against one another: glory, for example, may be preferred to riches, an income derived from city property to one derived from the farm. To this class of comparisons belongs that famous saying of old Cato's: when he was asked what was the most profitable feature of an estate, he replied: "Raising cattle successfully." What next to that? "Raising cattle with fair success." And next? "Raising cattle with but slight success." And fourth? "Raising crops." And when his questioner said, "How about money −− lending?" Cato replied: "How about murder?" From this as well as from many other incidents we ought to realize that expediencies have often to be weighed against one another and that it is proper for us to add this fourth division in the discussion of moral duty. Let us now pass on to the remaining problem.

BOOK III. THE CONFLICT BETWEEN THE RIGHT AND THE EXPEDIENT

I. Cato, who was of about the same years, Marcus, my son, as that Publius Scipio who first bore the surname of Africanus, has given us the statement that Scipio used to say that he was never less idle than when he had nothing to do and never less lonely than when he was alone. An admirable sentiment, in truth, and becoming to a great and wise man. It shows that even in his leisure hours his thoughts were occupied with public business and that he used to commune with himself when alone; and so not only was he never unoccupied, but he sometimes had no need for company. The two conditions, then, that prompt others to idleness −− leisure and solitude −− only spurred him on. I wish I could say the same of myself and say it truly. But if by imitation I cannot attain to such excellence of character, in aspiration, at all events, I approach it as nearly as I can; for as I am kept by force of armed treason away from practical politics and from my practice at the bar, I am now leading a life of leisure. For that reason I have left the city and, wandering in the country from place to place, I am often alone.

But I should not compare this leisure of mine with that of Africanus, nor this solitude with his. For he, to find leisure from his splendid services to his country, used to take a vacation now and then and to retreat from the assemblies and the throngs of men into solitude, as, into a haven of rest. But my leisure is forced upon me by want of public business, not prompted by any desire for repose. For now that the senate has been abolished ana the courts have been closed, what is there, in keeping with my self−respect, that I can do either in the senate chamber or in the forum? So, although I once lived amid throngs of people and in the greatest publicity, I am now shunning the sight of the miscreants with whom the world abounds and withdrawing from the public eye as far as I may, and I am often alone. But I have learned from philosophers that among evils one ought not only to choose the least, but also to extract even from these any element of good that they may contain. For that reason, I am turning my leisure to account −− though it is not such repose as the man should be entitled to who once brought the state repose from civil strife −− and I am not letting this solitude, which necessity and not my will imposes on me, find me idle.

And yet, in my judgment, Africanus earned the higher praise. For no literary monuments of his genius have been published, we have no work produced in his leisure hours, no product of his solitude. From this fact we may safely infer that, because of the activity of his mind and the study of those problems to which he used to direct his thought, he was never unoccupied, never lonely. But I have not strength of mind enough by means of silent meditation to forget my solitude; and so I have turned all my attention and endeavour to this kind of literary work. I have, accordingly, written more in this short time since the downfall of the republic than I did in the course of many years, while the republic stood.

II. But, my dear Cicero, while the whole field of philosophy is fertile and productive and no portion of it barren and waste, still no part is richer or more fruitful than that which deals with moral duties; for from these are derived the rules for leading a consistent and moral life. And therefore, although you are, as I trust, diligently studying and profiting by these precepts under the direction of our friend Cratippus, the foremost philosopher of the present age, I still think it well that your ears should be dinned with such precepts from every side and that if it could be, they should hear nothing else.

These precepts must be laid to heart by all who look forward to a career of honour, and I am inclined to think that no one needs them more than you. For you will have to fulfil the eager anticipation that you will imitate my industry, the confident expectation that you will emulate my course of political honours, and the hope that you will, perhaps, rival my name and fame. You have, besides, incurred a heavy responsibility on account of Athens and Cratippus: for, since you have come to them for the purchase, as it were, of a store of liberal culture, it would be a great discredit to you to return empty−handed, thereby disgracing the high reputation of the city and of your master. Therefore, put forth the best mental effort of which you are capable; work as hard as you can (if learning is work rather than pleasure); do your very best to succeed; and do not, when I have put all the necessary means at your disposal, allow it to be said that you have failed to do your part. But enough of this. For I have written again and again for your encouragement. Let us now return to the remaining section of our subject as outlined. Panaetius, then, has given us what is unquestionably the most thorough discussion of moral duties that we have, and I have followed him in the main −but with slight modifications. He classifies under three general heads the ethical problems which people are accustomed to consider and weigh: first, the question whether the matter in

hand is morally right or morally wrong; second, whether it is expedient or inexpedient; third, how a decision ought to be reached, in case that which has the appearance of being morally right clashes with that which seems to be expedient. He has treated the first two heads at length in three books; but, while he has stated that he meant to discuss the third head in its proper turn, he has never fulfilled his promise. And I wonder the more at this, because Posidonius, a pupil of his, records that Panaetius was still alive thirty years after he published those three books. And I am surprised that Posidonius has but briefly touched upon this subject in certain memoirs of his, and especially, as he states that there is no other topic in the whole range of philosophy so essentially important as this. Now, I cannot possibly accept the view of those who say that that point was not overlooked but purposely omitted by Panaetius, and that it was not one that ever needed discussion, because there never can be such a thing as a conflict between expediency and moral rectitude. But with regard to this assertion, the one point may admit of doubt −− whether that question which is third in but the other point is not open to debate −− that it was included in Panaetius's plan but left unwritten. For, if a writer has finished two divisions of a threefold subject, the third must necessarily remain for him to do. Besides, he promises at the close of the third book that he will discuss this division also in its proper turn. We have also in Posidonius a competent witness to the fact. He writes in one of his letters that Publius Rutilius Rufus, who also was a pupil of Panaetius's, used to say that "as no painter had been found to complete that part of the Venus of Cos which Apelles had left unfinished (for the beauty of her face made hopeless any attempt adequately to represent the rest of the figure), so no one, because of the surpassing excellence of what Panaetius did complete, would venture to supply what he had left undone." III. In regard to Panaetius's real intentions, therefore, no doubt can be entertained. But whether he was or was not justified in adding this third division to the inquiry about duty may, perhaps, be a matter for debate. For whether moral goodness is the only good, as the Stoics believe, or whether, as your Peripatetics think, moral goodness is in so far the highest good that everything else gathered together into the opposing scale would have scarcely the slightest weight, it is beyond question that expediency can never conflict with moral rectitude. And so, we have heard, Socrates used to pronounce a curse upon those who first drew a conceptual distinction between things naturally inseparable. With this doctrine the Stoics are in agreement in so far as they maintain that if anything is morally right, it is expedient, and if anything is not morally right, it is not expedient.

But if Panaetius were the sort of man to say that virtue is worth cultivating only because it is productive of advantage, as do certain philosophers who measure the desirableness of things by the standard of pleasure or of absence of pain, he might argue that expediency sometimes clashes with moral rectitude. But since he is a man who judges that the morally right is the only good, and that those things which come in conflict with it have only the appearance of expediency and cannot make life any better by their presence nor any worse by their absence, it follows that he ought not to have raised a question involving the weighing of what seems expedient against what is morally right. 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. 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. But that duty which those same Stoics call "right" is perfect and absolute and "satisfies all the numbers," as that same school says, and is attainable by none except the wise man. On the other hand, when some act is performed in which we see "mean" duties manifested, that is generally regarded as fully perfect, for the reason that the common crowd does not, as a rule, comprehend how far it falls short of real perfection; but, as far as their comprehension does go, they think there is no deficiency. This same thing ordinarily occurs in the estimation of poems, paintings, and a great many other works of art: ordinary people enjoy and praise things that do not deserve praise. The reason for this, I suppose, is that those productions have some point of excellence which catches the fancy of the uneducated, because these have not the ability to discover the points of weakness in any particular piece of work before them. And so, when they are instructed by experts, they readily abandon their former opinion. IV. The performance of the duties, then, which I am discussing in

these books, is called by the Stoics a sort of second−grade moral goodness, not the peculiar property of their wise men, but shared by them with all mankind. Accordingly, such duties appeal to all men who have a natural disposition to virtue. And when the two Decii or the two Scipios are mentioned as "brave men" or Fabricius is called "the just," it is not at all that the former are quoted as perfect models of courage or the latter as a perfect model of justice, as if we had in one of them the ideal "wise man." For no one of them was wise in the sense in which we wish to have "wise" understood; neither were Marcus Cato and Gaius Laelius wise, though they were so considered and were surnamed "the wise." Not even the famous Seven were "wise." But because of their constant observance of "mean" duties they bore a certain semblance and likeness to wise men.

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. So much for those who have won a reputation for being good men by their careful observance of duty.

Those, on the other hand, who measure everything by a standard of profits and personal advantage and refuse to have these outweighed by considerations of moral rectitude are accustomed, in considering any qestion, to weigh the morally right against what they think the expedient; good men are not. And so I believe that when Panaetius stated that people were accustomed to hesitate to do such weighing, he meant precisely what he said −− merely that "such was their custom," not that such was their duty. And he gave it no approval; for it is most immoral to think more highly of the apparently, expdient than of the morally right, or even to set these over against each other and to hesitate to choose between them. What, then, is it that may sometimes give room for a doubt and seem to call for consideration? It is, I believe, when a question arises as to the char− acter of an action under consideration. For it often happens, owing to exceptional circumstances, that what is accustomed under ordinary circumstances to be considered morally wrong is found not to be morally wrong. For the sake of illustration, let us assume some particular case that admits of wider application −− what more atrocious crime can there be than to kill a fellow−man, and especially an intimate friend? But if anyone kills a tyrant −− be he never so intimate a friend −− he has not laden his soul with guilt, has he? The Roman People, at all events, are not of that opinion; for of all glorious deeds they hold such an one to be the most noble. Has expediency, then, prevailed over moral rectitude? Not at all; moral rectitude has gone hand in hand with expediency. Some general rule, therefore, should be laid down to enable us to decide without error, whenever what we call the expedient seems to clash with what we feel to be morally right; and, if we follow that rule in comparing courses of conduct, we shall never swerve from the path of duty. That rule, moreover, shall be in perfect harmony with the Stoics' system and doctrines. It is their teachings that I am following in these books, and for these problems, if conducted by those who consider whatever is morally right also expedient and nothing expedient that is not at the same time morally right, will be more illuminating than if conducted by those who think that something not expedient may be morally right and that something not morally right may be expedient. But our New Academy allows us wide liberty, so that it is within my right to defend any theory that presents itself to me as most probable. But to return to my rule.

V. Well then, for a man to take something from his neighbour and to profit by his neighbour's loss is more contrary to Nature than is death or poverty or pain or anything else that can affect either our person or our property. For, in the first place, injustice is fatal to social life and fellowship between man and man. For, if we are so disposed that each, to gain some personal profit, will defraud or injure his neighbour, then those bonds of human society, which are most in accord with Nature's laws, must of necessity be broken. Suppose, by way of comparison, that each one of our bodily members should conceive this idea and imagine that it could be strong and well if it should draw off to itself the health and strength of its neighbouring member, the whole body would necessarily be enfeebled and die; so, if each one of us should seize upon the property of his neighbours and take from each whatever he could appropriate to his own use, the bonds of human society must inevitably be annihilated. For, without any conflict with Nature's laws, it is granted that everybody may prefer to secure for himself rather than for his neighbour what is essential for the conduct of life; but Nature's laws do forbid us to increase our means, wealth, and resources by despoiling others.

But this principle is established not by Nature's laws alone (that is, by the common rules of equity), but also by the statutes of particular communities, in accordance with which in individual states the public interests are maintained. In all these it is with one accord ordained that no man shall be allowed for the sake of his own advantage to injure his neighbour. For it is to this that the laws have regard; this is their intent, that the bonds of union between citizens should not be impaired; and any attempt to destroy these bonds is repressed by the penalty of death, exile, imprisonment, or fine. Again, this principle follows much more effectually directly from the Reason which is in Nature, which is the law of gods and men. If anyone will hearken to that voice (and all will hearken to it who wish to live in accord with Nature's laws), he will never be guilty of coveting anything that is his neighbour's or of appropriating to himself what he has taken from his neighbour. Then, too, loftiness and greatness of spirit, and courtesy, justice, and generosity are much more in harmony with Nature than are selfish pleasure, riches, and life itself; but it requires a great and lofty spirit to despise these latter and count them as naught, when one weighs them over against the common weal. [But for anyone to rob his neighbour for his own profit is more contrary to Nature than death, pain, and the like.] In like manner it is more in accord with Nature to emulate the great Hercules and undergo the greatest toil and trouble for the sake of aiding or saving the world, if possible, than to live in seclusion, not only free from all care, but revelling in pleasures and abounding in wealth, while excelling others also in beauty and strength. Thus Hercules denied himself and underwent toil and tribulation for the world, and, out of gratitude for his services, popular belief has given him a place in the council of the gods. The better and more noble, therefore, the character with which a man is endowed, the more does he prefer the life of service to the life of pleasure. Whence it follows that man, if he is obedient to Nature, cannot do harm to his fellow−man. Finally, if a man wrongs his neighbour to gain some advantage for himself he must either imagine that he is not acting in defiance of Nature or he must believe that death, poverty, pain, or even the loss of children, kinsmen, or friends, is more to be shunned than an act of injustice against another. If he thinks he is not violating the laws of Nature, when he wrongs his fellow−men, how is one to argue with the individual who takes away from man all that makes him man? But if he belleves that, while such a course should be avoided, the other alternatives are much worse −− namely, death, poverty, pain −− he is mistaken in thinking that any ills affecting either his person or his property are more serious than those affecting his soul. VI. This, then, ought to be the chief end of all men, to make the interest of each individual and of the whole body politic identical. For, if the individual appropriates to selfish ends what should be devoted to the common good, all human fellowship will be destroyed. And further, if Nature ordains that one man shall desire to promote the interests of a fellow−man, whoever he may be, just because he is a fellow−man, then it follows, in accordance with that same Nature, that there are interests that all men have in common. And, if this is true, we are all subject to one and the same law of Nature; and, if this also is true, we are certainly forbidden by Nature's law to wrong our neighbour. Now the first assumption is true; therefore the conclusion is likewise true. For that is an absurd position which is taken by some people, who say that they will not rob a parent or a brother for their own gain, but that their relation to the rest of their fellow−citizens is quite another thing. Such people contend in essence that they are bound to their fellow−citizens by no mutual obligations, social ties, or common interests. This attitude demolishes the whole structure of civil society. Others again who say that regard should be had for the rights of fellow−citizens, but not of foreigners, would destroy the universal brotherhood of mankind; and, when this is annihilated, kindness, generosity, goodness, and justice must utterly perish; and those who work all this destruction must be considered as wickedly rebelling against the immortal gods. For they uproot the fellowship which the gods have established between human beings, and the closest bond of this fellowship is the conviction that it is more repugnant to Nature for man to rob a fellow−man for his own gain than to endure all possible loss, whether to his property or to his person . . . or even to his very soul−so far as these losses are not concerned with justice; a for this virtue is the sovereign mistress and queen of all the virtues.

But, perhaps, someone may say: "Well, then, suppose a wise man were starving to death, might he not take the bread of some perfectly useless member of society?" [Not at all; for my life is not more precious to me than that temper of soul which would keep me from doing wrong to anybody for my own advantage.] "Or again; supposing a righteous man were in a position to rob the cruel and inhuman tyrant, Phalaris of clothing, might he not do it to keep himself from freezing to death?" These cases are very easy to decide. 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. 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 of which I am so fond of dwelling.

As for the case of Phalaris, a decision is quite simple: we have no ties of fellowship with a tyrant, but rather the bitterest feud; and it is not opposed to Nature to rob, if one can, a man whom it is morally right to kill; −nay, all that pestilent and abominable race should be exterminated from human society. And this may be done by proper measures; for, as certain members are amputated, if they show signs themselves of being bloodless and virtually lifeless and thus jeopardize the health of the other parts of the body, so those fierce and savage monsters in human form should be cut off from what may be called the common body of humanity. Of this sort are all those problems in which we have to determine what moral duty is, as it varies with varying circumstances.

VII. It is subjects of this sort that I believe Panaetius would have followed up, had not some accident or business interfered with his design. For the elucidation of these very questions there are in his former books rules in plenty, from which one can learn what should be avoided because of its immorality and what does not have to be avoided for the reason that it is not immoral at all. We are now putting the capstone, as it were, upon our structure, which is unfinished, to be sure, but still almost completed; and, as mathematicians make a practice of not demonstrating every proposition, but require that certain axioms be assumed as true, in order more easily to explain their meaning, so, my dear Cicero, I ask you to assume with me, if you can, that nothing is worth the seeking for its own sake except what is morally right. But if Cratippus does not permit this assumption, you will still grant this at least −− that what is morally right is the object most worth the seeking for its own sake. Either alternative is sufficient for my purposes; first the one and then the other seems to me the more probable,, and, besides these, there is no other alternative that seems probable at all.

In the first place, I must undertake the defence of Panaetius on this point; for he has said, not that the truly expedient could under certain circumstances clash with the morally right (for he could not have said that conscientiously), but only that what seemed expedient could do so. For he often bears witness to the fact that nothing is really expedient that is not at the same time morally right, and nothing morally right that is not at the same time expedient; and he says that no greater curse has ever assailed human life than the doctrine of those who have separated these two conceptions. And so he introduced an apparent, not a real, conflict between them, not to the end that we should under certain circumstances give the expedient preference over the moral, but that, in case they ever should get in each other's way, we might decide between them without uncertainty. This part, therefore, which was passed over by Panaetius, I will carry to completion without any auxiliaries, but fighting my own battle, as the saying is. For, of all that has been worked out on this line since the time of Panaetius, nothing that has come into my hands is at all satisfactory to me.

VIII. Now when we meet with expediency in some specious form or other, we cannot help being influenced by it. But if upon closer inspection one sees that there is some immorality connected with what presents the appearance of expediency, then one is not necessarily to sacrifice expediency but to recognize that there can be no expediency where there is immorality. But if there is nothing so repugnant to Nature as immorality (for Nature demands right and harmony and consistency and abbors their opposites), and if nothing is so thoroughly in accord with Nature as expediency, then surely expediency and immorality cannot coexist in one and the same object. Again: if we are born for moral rectitude and if that is either the only thing worth seeking, as Zeno thought, or at least to be esteemed as infinitely outweighing everything else, as Aristotle holds, then it necessarily follows that the morally right is either the sole good or the supreme good. Now, that which is good is certainly expedient; consequently, that which is morally right is also expedient.

Thus it is the error of men who are not strictly upright to seize upon something that seems to be expedient and

straightway to dissociate that from the question of moral right. To this error the assassin's dagger, the poisoned cup, the forged wills owe their origin; this gives rise to theft, embezzlement of public funds, exploitation and plundering of provincials and citizens; this engenders also the lust for excessive wealth, for despotic power, and finally for making oneself king even in the midst of a free people; and anything more atrocious or repulsive than such a passion cannot be conceived. For with a false perspective they see the material rewards but not the punishment −I do not mean the penalty of the law, which they often escape, but the heaviest penalty of all, their own demoralization. Away, then, with questioners of this sort (for their whole tribe is wicked and ungodly), who stop to consider whether to pursue the course which they see is morally right or to stain their hands with what they know is crime. For there is guilt in their very deliberation, even though they never reach the performance of the deed itself. Those actions, therefore, should not be considered at all, the mere consideration of which is itself morally wrong. Furthermore, in any such consideration we must banish any vain hope and thought that our action may be covered up and kept secret. For if we have only made some real progress in the study of philosophy, we ought to be quite convinced that, even though we may escape the eyes of gods and men, we must still do nothing that savours of greed or of injustice, of lust or of intemperance. IX. By way of illustrating this truth Plato introduces the familiar story of Gyges: Once upon a time the earth opened in consequence of heavy rains; Gyges went down into the chasm and saw, so the story goes, a horse of bronze; in its side was a door. On opening this door he saw the body of a dead man of enormous size with a gold ring upon his finger. He removed this and put it on his own hand and then repaired to an assembly of the shepherds, for he was a shepherd of the king. As often as he turned the bezel of the ring inwards toward the palm of his hand, he became invisible to everyone, while he himself saw everything; but as often as he turned it back to its proper position, he became visible again. And so, with the advantage which the ring gave him, he debauched the queen, and with her assistance he murdered his royal master and removed all those who he thought stood in his way, without anyone's being able to detect him in his crimes. Thus, by virtue of the ring, he shortly rose to be king of Lydia. Now, suppose a wise man had just such a ring, he would not imagine that he was free to do wrongly any more than if he did not have it; for good men aim to secure not secrecy but the right.

And yet on this point certain philosophers, who are not at all vicious but who are not very discerning, declare that the story related by Plato is fictitious and imaginary. As if he affirmed that it was actually true or even possible! But the force of the illustration of the ring is this: if nobody were to know or even to suspect the truth, when you do anything to gain riches or power or sovereignty or sensual gratification −− if your act should be hidden for ever from the knowledge of gods and men, would you do it? The condition, they say, is impossible. Of course it is. But my question is, if that were possible which they declare to be impossible, what, pray, would one do? They press their point with right boorish obstinacy, they assert that it is impossible and insist upon it; they refuse to see the meaning of my words, "if possible." For when we ask what they would do, if they could escape detection, we are not asking whether they can escape detection; but we put them as it were upon the rack: should they answer that, if impunity were assured, they would do what was most to their selfish interest, that would be a confession that they are criminally minded; should they say that they would not do so they would be granting that all things in and of themselves immoral should be avoided. But let us now return to our theme.

X. Many cases oftentimes arise to perplex our minds with a specious appearance of expediency: the question raised in these cases is not whether moral rectitude is to be sacrificed to some considerable advantage (for that would of course be wrong), but whether the apparent advantage can be secured without moral wrong. When Brutus deposed his colleague Collatinus from the consular office, his treatment of him might have been thought unjust; for Collatinus had been his associate, and had helped him with word and deed in driving out the royal family. But when the leading men of the state had determined that all the kindred of Superbus and the very name of the Tarquins and every reminder of the monarchy should be obliterated, then the course that was expedient −− namely, to serve the country's interests −− was so pre−eminently right, that it was even Collatinus's own duty to acquiesce in its justice. And so expediency gained the day because of its moral rightness; for without moral rectitude there could have been no possible expediency. Not so in the case of the king who founded the city: it was the specious appearance of expediency that actuated him; and when he decided that it was more expedient for him to reign alone than to share the throne with another, he slew his brother. He threw to the winds his brotherly affection and his human feelings, to secure what seemed to him −− but was not −expedient; and yet in defence of his deed he offered the excuse about his wall −− a specious show of moral rectitude, neither reasonable nor

adequate at all. He committed a crime, therefore, with due respect to him let me say so, be he Quirinus or Romulus. And yet we are not required to sacrifice our own interest and surrender to others what we need for ourselves, but each one should consider his own interests, as far as he may without injury to his neighbour's. "When a man enters the foot− race," says Chrysippus with his usual aptness, "it is his duty to put forth all his strength and strive with all his might to win; but he ought never with his foot to trip, or with his hand to foul a competitor. Thus in the stadium of life, it is not unfair for anyone to seek to obtain what is needful for his own advantage, but he has no right to wrest it from his neighbour." It is in the case of friendships, however, that men's conceptions of duty are most confused; for it is a breach of duty either to fail to do for a friend what one rightly can do, or to do for him what is not right. But for our guidance in all such cases we have a rule that is short and easy to master: apparent advantages −− political preferment, riches, sensual pleasures, and the like −− should never be preferred to the obligations of friendship. But an upright man will, never for a friend's sake do anything in violation of his country's interests or his oath or his sacred honour, not even if he sits as judge in a friend's case; for he lays aside the role of friend when he assumes that of judge. Only so far will he make concessions to friendship, that he will prefer his friend's side to be the juster one and that he will set the time for presenting his case, as far as the laws will allow, to suit his friend's convenience But when he comes to pronounce the verdict under oath, he should remember that he has God as his witness −− that is, as I understand it, his own conscience, than which God himself has bestowed upon man nothing more divine. From this point of view it is a fine custom that we have inherited from our forefathers (if we were only true to it now), to appear to the juror with this formula −− "to do what he can consistently with his sacred honour." This form of appeal is in keeping with what I said a moment ago would be morally right for a judge to concede to friend. For supposing that we were bound to everything that our friends desired, such relations would have to be accounted not friendships but conspiracies. But I am speaking here of ordinary friendships; for among men who are ideally wise and perfect such situations cannot arise. They say that Damon and Phintias, of the Pythagorean school, enjoyed such ideally perfect friendship, that when the tyrant Dionysius had appointed a day for the executing of one of them, and the one who had been condemned to death requested a few days' respite for the purpose of putting his loved ones in the care of friends, the other became surety for his appearance, with the understanding that his friend did not return, he himself should be put to death. And when the friend returned on the day appointed, the tyrant in admiration for their faithfulness begged that they would enrol him as a third partner in their friendship. moral rectitude prevail; and when in friendship requests are submitted that are not morally right, let conscience and scrupulous regard for the right take precedence of the obligations of friendship. In this way we shall arrive at a proper choice between conflicting duties −− the subject of this part of our investigation. XI. Through a specious appearance of expediency wrong is very often committed in transactions between state and state, as by our own country in the destruction of Corinth. A more cruel wrong was perpetrated by the Athenians in decreeing that the Aeginetans, whose strength lay in their navy, should have their thumbs cut off. This seemed to be expedient; for Aegina was too grave a menace, as it was close to the Piraeus. But no cruelty can be expedient; for cruelty is most abhorrent to human nature, whose lead we ought to follow. They, too, do wrong who would debar foreigners from enjoying the advantages of their city and would exclude them from its borders, as was done by Pennus in the time of our fathers, and in recent times by Papius. It may not be right, of course, for one who is not a citizen to exercise the rights and privileges of citizenship; and the law on this point was secured by two of our wisest consuls, Crassus and Scaevola. Still, to debar foreigners from enjoying the advantages of the city is altogether contrary to the laws of humanity. There are splendid examples in history where the apparent expediency of the state has been set at naught out of regard for moral rectitude. Our own country has many instances to offer throughout her history, and especially in the Second Punic War, when news came of the disaster at Cannae, Rome displayed a loftier courage than ever she did in success; never a trace of faint−heartedness, never a mention of making terms. The influence of moral right is so potent, at it eclipses the specious appearance of expediency.

When the Athenians could in no way stem the tide of the Persian invasion and determined to abandon their city, bestow their wives and children in safety at Troezen, embark upon their ships, and fight on the sea for the freedom of Greece, a man named Cyrsilus proposed that they should stay at home and open the gates of their city to Xerxes. They stoned him to death for it. And yet he was working for what he thought was expediency; but it was not −− not at all, for it clashed with moral rectitude. After the victorious close of that war with Persia, Themistocles announced in the Assembly that he had a plan for the welfare of the state, but that it was not politic

to let it be generally known. He requested the people to appoint someone with whom he might discuss it. They appointed Aristides. Themistocles confided to him that the Spartan fleet, which had been hauled up on shore at Gytheum, could be secretly set on fire; this done, the Spartan power would inevitably be crushed. When Aristides heard the plan, he came into the Assembly amid the eager expectation of all and reported that the plan proposed by Themistocles was in the highest degree expedient, but anything but morally right. The result was that the Athenians concluded that what was not morally ri whole proposition without even listening to it. Their attitude was better than ours; for we let pirates go scot free, while we make our allies pay tribute. XII. Let it be set down as an established principle, then, that what is morally wrong can never be expedient −− not even when one secures by means of it that which one thinks expedient; for the mere act of thinking a course expedient, when it is morally wrong, is demoralizing. But, as I said above, cases often arise in which expediency may seem to clash with moral rectitude; and so we should examine carefully and see whether their conflict is inevitable or whether they may be reconciled. The following are problems of this sort: suppose, for example, a time of dearth and famine at Rhodes, with provisions at fabulous prices; and suppose that an honest man has imported a large cargo of grain from Alexandria and that to his certain knowledge also several other importers have set sail from Alexandria, and that on the voyage he has sighted their vessels laden with grain and bound for Rhodes; is he to report the fact to the Rhodians or is he to keep his own counsel and sell his own stock at the highest market price? I am assuming the case of a virtuous, upright man, and I am raising the question how a man would think and reason who would not conceal the facts from the Rhodians if he thought that it was immoral to do so, but who might be in doubt whether such silence would really be immoral.

In deciding cases of this kind Diogenes of Babylonia, a great and highly esteemed Stoic, consistently holds one view; his pupil Antipater, a most profound scholar, holds another. According to Antipater all the facts should be disclosed, that the buyer may not be uninformed of any detail that the seller knows; according to Diogenes the seller should declare any defects in his wares, in so far as such a course is prescribed by the common law of the land; but for the rest, since he has goods to sell, he may try to sell them to the best possible advantage, provided he is guilty of no misrepresentation. "I have imported my stock," Diogenes's merchant will say; "I have offered it for sale; I sell at a price no higher than my competitors −− perhaps even lower, when the market is overstocked. Who is wronged?" "What say you?" comes Antipater's argument on the other side; "it is your duty to consider the interests of your fellow− men and to serve society; you were brought into the world under these conditions and have these inborn principles which you are in duty bound to obey and follow, that your interest shall be the interest of the community and conversely that the interest of the community shall be your interest as well; will you, in view of all these facts, conceal from your fellow− men what relief in plenteous supplies is close at hand for them?" "It is one thing to conceal," Diogenes will perhaps reply; not to reveal is quite a different thing. At this present moment I am not concealing from you, even if I am not revealing to you, the nature of gods or the highest good; and to know these secrets would be of more advantage to you than to know that the price of wheat was down. But I am under no obligation to tell you everything that it may be to your interest to be told." "Yea," Antipater will say, "but you are, as you must admit, if you will only bethink you of the bonds of fellowship forged by Nature and existing between man and man." "I do not forget them," the other will reply: but do you mean to say that those bonds of fellowship are such that there is no such thing as private property? If that is the case, we should not sell anything at all, but freely give everything away." XIII. In this whole discussion, you see, no one says, "However wrong morally this or that may be, still, since it is expedient, I will do it"; but the one side asserts that a given act is expedient, without being morally wrong, while the other insists that the act should not be done, because it is morally wrong. Suppose again that an honest man is offering a house for sale on account of certain undesirable features of which he himself is aware but which nobody else knows; suppose it is unsanitary, but has the reputation of being healthful; suppose it is not generally known that vermin are to be found in all the bedrooms; suppose, finally, that it is built of unsound timber and likely to collapse, but that no one knows about it except the owner; if the vendor does not tell the purchaser these facts but sells him the house for far more than he could reasonably have expected to get for it, I ask whether his transaction is unjust or dishonourable.

"Yes," says Antipater, "it is; for to allow a purchaser to be hasty in closing a deal and through mistake worse than refusing to set a man on his way: it is deliberately leading a man astray." "Can you say," answers Diogenes, "that he compelled you to purchase, when he did not even advise it? He advertised for sale what he did not like; you bought what you did like. If people are not considered guilty of swindling when they place upon their

placards FOR SALE: A FINE VILLA, WELL BUILT, even when it is neither good nor properly built, still less guilty are they who say nothing in praise of their house. For there the purchaser may exercise his own judgment, what fraud can there be on the part of the vendor? But if, again, not all that is expressly stated has to be made good, do you think a man is bound to make good what has not been said? What, pray, would be more stupid than for a vendor to recount all the faults in the article he is offering for sale? And what would be so absurd as for an auctioneer to cry, at the owner's bidding, 'Here is an unsanitary house for sale'?" In this way, then, in certain doubtful cases moral rectitude is defended on the one side, while on the other side the case of expediency is so presented as to make it appear not only morally right to do what seems expedient, but even morally wrong not to do it. This is the contradiction that seems often to arise between the expedient and the morally right. But I must give my decision in these two cases; for I did not propound them merely to raise the questions, but to offer a solution. I think, then, that it was the duty of that grain−dealer not to keep back the facts from the Rhodians, and of this vendor of the house to deal in the same way with his purchaser. The fact is that merely holding one's peace about a thing does not constitute concealment, but concealment consists in trying for your own profit to keep others from finding out something that you know, when it is for their interest to know it. And who fails to discern what manner of concealment that is and what sort of person would be guilty of it? At all events he would be no candid or sincere or straightforward or upright or honest man, but rather one who is shifty, sly, artful, shrewd, underhand, cunning, one grown old in fraud and subtlety. Is it not inexpedient to subject oneself to all these terms of reproach and many more besides? XIV. If, then, they are to be blamed who suppress the truth, what are we to think of those who actually state what is false? Gaius Canius, a Roman knight, a man of considerable wit and literary culture, once went to Syracuse for a vacation, as he himself used to say, and not for business. He gave out that he had a mind to purchase a little country seat, where he could invite his friends and enjoy himself, uninterrupted by troublesome visitors. When this fact was spread abroad, one Pythius, a banker of Syracuse, informed him that he had such an estate; that it was not for sale, however, but Canius might make himself at home there, if he pleased; and at the same time he invited him to the estate to dinner next day. Canius accepted. Then Pythius, who, as might be expected of a moneylender, could command favours of all classes, called the fishermen together and asked them to do their fishing the next day out in front of his villa, and told them what he wished them to do. Canius came to dinner at fleet of boats before their eyes; each fisherman brought in in turn the catch that he had made; and the fishes were deposited at the feet of Pythius.

"Pray, Pythius," said Canius thereupon, "what does this mean? −− all these fish? −− all these boats?" "No wonder," answered Pythius; "this is where all the fish in Syracuse are; here is where the fresh water comes from; the fishermen cannot get along without this estate." Inflamed with desire for it, Canius insisted upon Pythius's selling it to him. At first he demurred. To make a long story short, Canius gained his point. The man was rich, and, in his desire to own the country seat, he paid for it all that Pythius asked; and he bought the entire equipment, too. Pythius entered the amount upon his ledger and completed the transfer. The next day Canius invited his friends; he came early himself. Not so much as a thole−pin was in sight. He asked his next−door neighbour whether it was a fishermen's holiday, for not a sign of them did he see. "Not so far as I know," said he; "but none are in the habit of fishing here. And so I could not make out what was the matter yesterday." Canius was furious; but what could he do? For not yet had my colleague and friend, Gaius Aquilius, introduced the establshed form to apply to criminal fraud. When asked what he meant by "criminal fraud," as specified in these forms, he could reply: "Pretending one thing and practising another" −− a very felicitous definition, as one might expect from an expert in making them. Pythius, therefore, and all others who do one thing while they pretend another are faithless, dishonest, and unprincipled scoundrels. No act of theirs can be expedient, when what they do is tainted with so many vices.

XV. But if Aquilius's definition is correct, pretence and concealment should be done away with in all departments of our daily life. Then an honest man will not be guilty of either pretence or concealment in order to buy or to sell to better advantage. Besides, your "criminal fraud" had previously been prohibited by the statutes: the penalty in the matter of trusteeships, for example, is fixed by the Twelve Tables; for the defrauding of minors, by the Praetorian law. The same prohibition is effective, without statutory enactment, in equity cases, in which it is added that the decision shall be "as good_faith requires." In all other cases in equity, moreover, the following phrases are most noteworthy: in a case calling for arbitration in the matter of a wife's dowry: what is "the fairer is the better"; in a suit for the restoration of a trust: "honest dealing, as between honest parties." Pray, then, can there

be any element of fraud in what is adjusted for the "better and fairer"? Or can anything fraudulent or unprincipled be done, when "honest dealing between honest parties" is stipulated? But "criminal fraud," as Aquilius says, consists in false pretence. We must, therefore, keep misrepresentation entirely out of business transactions: the seller will not engage a bogus bidder to run prices up nor the buyer one to bid low against himself to keep them down; and each, if they come to naming a price, will state once for all what he will give or take. Why, when Quintus Scaevola, the son of Publius Scaevola, asked that the price of a farm that he desired to purchase be definitely named and the vendor named it, he replied that he considered it worth more, and paid him , sesterces over and above what he asked. No one could say that this was not the act of an honest man; but people do say that it was not the act of a worldly−wise man, any more than if he had sold for a smaller amount than he could have commanded. Here, then, is that mischievous idea −− the world accounting some men upright, others wise; and it is this fact that gives Ennius occasion to say:
In vain is the wise man wise, who cannot benefit himself.

And Ennius is quite right, if only he and I were agreed upon the meaning of "benefit." Now I observe that Hecaton of Rhodes, a pupil of Panaetius, says in his books on "Moral Duty" dedicated to Quintus Tubero that "it is a wise man's duty to take care of his private interests, at the same time doing nothing contrary to the civil customs, laws, and institutions. But that depends on our purpose in seeking prosperity; for we do not aim to be rich for ourselves alone but for our children, relatives, friends, and, above all, for our country. For the private fortunes of individuals are the wealth of the state." Hecaton could not for a moment approve of Scaevola's act, which I cited a moment ago; for he openly avows that he will abstain from doing for his own profit only what the law expressly forbids. Such a man do not enter; or, if he only is a good man who helps all he can, and harms no one, it will certainly be no easy matter for us to find the good man as thus defined. To conclude, then, it is never expedient to do wrong, because wrong is always immoral; and it is always expedient to be good, because goodness is always moral. XVI. In the laws pertaining to the sale of real property it is stipulated in our civil code that when a transfer of any real estate is made, all its defects shall be declared as far as they are known to the vendor. According to the laws of the Twelve Tables it used to be sufficient that such faults as had been expressly declared should be made good and that for any flaws which the vendor expressly denied, when questioned, he should be assessed double damages. A like penalty for failure to make such declaration also has now been secured by our jurisconsults: they have decided that any defect in a piece of real estate, if known to the vendor but not expressly stated, must be made good by him. For example, the augurs were proposing to take observations from the citadel and they ordered Tiberius Claudius Centumalus, who owned a house upon the Caelian Hill, to pull down such parts of the building as obstructed the augurs' view by reason of their height. Claudius at once advertised his block for sale, and Publius Calpurnius Lanarius bought it. The same notice was served also upon him. And so, when Calpurnius had pulled down those parts of the building and discovered that Claudius had advertised it for sale only after the augurs had ordered them to be pulled down, he summoned the former owner before a court of equity to decide "what indemnity the owner was under obligation 'in good faith' to pay and deliver to him." The verdict was pronounced by Marcus Cato, the father of our Cato (for as other men receive a distinguishing name from their fathers, so he who bestowed upon the world so bright a luminary must have his distinguishing name from his son); he, as I was saying, was presiding judge and pronounced the verdict that "since the augurs' mandate was known to the vendor at the time of making the transfer and since he had not made it known, he was bound to make good the purchaser's loss." With this verdict he established the principle that it was essential to good faith that any defect known to the vendor must be made known to the purchaser. If his decision was right, our grain−dealer and the vendor of the unsanitary house did not do right to suppress the facts in those cases. But the civil code cannot be made to include all cases where facts are thus suppressed; but those cases which it does include are summarily dealt with. Marcus Marius Gratidianus, a kinsman of ours, sold back to Gaius Sergius Orata the house which he himself had bought a few years before from that same Orata. It was subject to an encumbrance, but Marius had said nothing about this fact in stating the terms of sale. The case was carried to the courts. Crassus was counsel for Orata; Antonius was retained by Gratidianus. Crassus pleaded the letter of the law that "the vendor was bound to make good the defect, for he had not declared it, although he was aware of it "; Antonius laid stress upon the equity of the case, leading that, "inasmuch as the defect in question had not been unknown to Sergius (for it was the same house that he had sold to Marius), no declaration of it was

needed, and in purchasing it back he had not been imposed upon, for he knew to what legal liability his purchase was subject. What is the purpose of these illustrations? To let you see that our forefathers did not countenance sharp practice. XVII. 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? 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. 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.

For how weighty are the words: "That I be not deceived and defrauded through you and my confidence in you"! How precious are these "As between honest people there ought to be honest dealing, and no deception "! But who are "honest people," and what is "honest dealing" −− these are serious questions. It was Quintus Scaevola, the pontifex maximus, who used to attach the greatest importance to all questions of arbitration to which the formula was appended " as good faith requires "; and he held that the expression "good faith" had a very extensive application, for it was employed in trusteeships and partnerships, in trusts and commissions, in buying and selling, in hiring and letting −− in a word, in all the transactions on which the social relations of daily life depend; in these he said, it required a judge of great ability to decide the extent of each individual's obligation to the other, especially when the counter−claims were admissible in most cases.

Away, then, with sharp practice and trickery, which desires, of course, to pass for wisdom, but is far from it and totally unlike it. For the function of wisdom is to discriminate between good and evil; whereas, inasmuch as all things morally wrong are evil, trickery prefers the evil to the good. It is not only in the case of real estate transfers that the civil law, based upon a natural feeling for the right, punishes trickery and deception, but also in the sale of slaves every form of deception on the vendor's part is disallowed. For by the aediles' ruling the vendor is answerable for any deficiency in the slave he sells, for he is supposed to know if his slave is sound, or if he is a runaway, or a thief. The case of those who have just come into the possession of slaves by inheritance is different. From this we come to realize that since Nature is the source of right, it is not in accord with Nature that anyone should take advantage of his neighbour's ignorance. And no greater curse in life can be found than knavery that wears the mask of wisdom. Thence come those countless cases in which the expedient seems to conflict with the right. For how few will be found who can refrain from wrong−doing, if assured of the power to keep it an absolute secret and to run no risk of punishment! XVIII. Let us put our principle to the test, if you please, and see if it holds good in those instances in which, perhaps, the world in general finds no wrong; for in this connection we do not need to discuss cut− throats, poisoners, forgers of wills, thieves, and embezzlers of public moneys, who should be repressed not by lectures and discussions of philosophers, but by chains and prison walls; but let us study here the conduct of those who have the reputation of being honest men. Certain individuals brought from Greece to Rome a forged will, purporting to be that of the wealthy, the more easily to procure validity for it, they made joint−heirs with themselves two of the most influential men of the day, Marcus Crassus and Quintus Hortensius. Although these men suspected that the will was a forgery, still, as they were conscious of no personal guilt in the matter, they did not spurn the miserable boon procured through the crime of others. What shall we say, then? Is this excuse competent to acquit them of guilt? I cannot think so, although I loved the one while he lived, and do not hate the other now that he is dead. Be that as it may, Basilus had in fact desired that his nephew Marcus Satrius should bear his name and inherit his property, (I refer to the Satrius who is the present patron of Picenum and the Sabine country −− and oh, what a shameful stigma it is upon the times!) And therefore it was not

right that two of the leading citizens of Rome should take the estate and Satrius succeed to nothing except his uncle's name. For if he does wrong who does not ward off and repel injury when he can −− as I explained in the course of the First Book −− what is to be thought of the man who not only does not try to prevent wrong, but actually aids and abets it? For my part, I do not believe that even genuine legacies are moral, if they are sought after by designing flatteries and by attentions hypocritical rather than sincere. And yet in such cases there are times when one course is likely to appear expedient and another morally right. The appearance is deceptive; for our standard is the same for expediency and for moral rectitude. And the man who does not accept the truth of this will be capable of any sort of dishonesty, any sort of crime. For if he reasons, "That is, to be sure, the right course, but this course brings advantage," he will not hesitate in his mistaken judgment to divorce two conceptions that Nature has made one; and that spirit opens the door to all sorts of dishonesty, wrong−doing, and crime. XIX. Suppose, then, that a good man had such power that at a snap of his fingers his name could steal into rich men's wills, he would not avail himself of that power −− no, not even though he could be perfectly sure that no one would ever suspect it. Suppose, on the other hand, that one were to offer a Marcus Crassus the power, by the mere snapping, of his fingers, to get himself named as heir, when he was not really an heir, he would, I warrant you, dance in the forum. But the righteous man, the one whom we feel to be a good man, would never rob anyone of anything to enrich himself. If anybody is astonished at this doctrine, let him confess that he does not know what a good man is. If, on the ether hand, anyone should desire to unfold the idea of a good man which lies wrapped up in his own mind, he would then at once make it clear to himself that a good man is one who helps all whom he can and harms nobody, unless provoked by wrong. What shall we say, then? Would he not be doing harm who by a kind of magic spell should succeed in displacing the real heirs to an estate and pushing himself into their place? "Well," someone may say, "is he not to do what is expedient, what is advantageous to himself?" Nay, verily; he should rather be brought to realize that nothing that is unjust is either advantageous or expedient; if he does not learn this lesson, it will never be possible for him to be a "good man." When I was a boy, I used to hear my father tell that Gaius Fimbria, an ex−consul, was judge in a case of Marcus Lutatius Pinthia, a Roman knight of irreproachable character. On that occasion Pinthia had laid a wager to be forfeited "if he did not prove in court that he was a good man." Fimbria declared that he would never render a decision in such a case, for fear that he might either rob a reputable man of his good name, if he decided against him, or be thought to have pronounced someone a good man, when such a character is, as he said, established by the performance of countless duties and the possession of praiseworthy qualities without number. To this type of good man, then, known not only to a Socrates but even to a Fimbria, nothing can possibly seem expedient that is not morally right. Such a man, therefore, will never venture to think −− to say nothing of doing −− anything that he would not dare openly to proclaim. Is it not a shame that philosophers should be in doubt about moral questions on which even peasants have no doubts at all? For it is with peasants that the proverb, already trite with age, originated: when they praise a man's honour and honesty, they say, "he is a man with whom you can safely play at odd and even in the dark." What is the point of the proverb but this −that what is not proper brings no advantage, even if you can gain your end without anyone's being able to convict you of wrong? Do you not see that in the light of this proverb no excuse is availilble either for the Gyges of the story or for the man who I assumed a moment ago could with a snap of his fingers sweep together everybody's inheritance at once? For as the morally wrong cannot by any possibility be made morally right, however successfully it may be covered up, so what is not morally right cannot be made expedient, for Nature refuses and resists. XX. "But stay," someone will object, "when the prize is very great, there is excuse for doing wrong." Gaius Marius had been left in obscurity for more than six whole years after his praetorship and had scarcely the remotest hope of gaining the consulship. It looked as if he would never even be a candidate for that office. He was now a lieutenant under Quintus Metellus, who sent him on a furlough to Rome. There before the Roman People he accused his own general, an eminent man and one of our first citizens, of purposely protracting the war and declared that if they would make him consul, he would within a short time deliver Jugurtha alive or dead into the hands of the Roman People. And so he was elected consul, it is true, but he was a traitor to his own good faith and to justice; for by a false charge he subjected to popular disfavour an exemplary and highly respected citizen, and that too, although he was his lieutenant and under leave of absence from him.

Even our kinsman Gratidianus failed on one occa− sion to perform what would be a good man's duty: in his praetorship the tribunes of the people summoned the college of praetors to council, in order to adopt by joint

resolution a standard of value for our currency; for at that time the value of money was so fluctuating that no one could tell how much he was worth. In joint session they drafted an ordinance, defining the penalty and the method of procedure in cases of violation of the ordinance, and agreed that they should all appear together upon the rostra in the afternoon to publish it. And while all the rest withdrew, some in one direction, some in another, Marius (Gratidianus) went straight from the council−chamber to the rostra and published individually what had been drawn up by all together. And that coup, if you care to know, brought him vast honour; in every street statues of him were erected; before these incense and candles burned. In a word, no one ever enjoyed greater popularity with the masses.

It is such cases as these that sometimes perplex us in our consideration, when the point in which justice is violated does not seem so very significant, but the consequences of such slight transgression seem exceedingly important. For example, it was not so very wrong morally, in the eyes of Marius, to over−reach his colleagues and the tribunes in turning to himself alone all the credit with the people; but to secure by that means his election to the consulship, which was then the goal of his ambition, seemed very greatly to his interest. But for all cases we have one rule, with which I desire you to be perfectly familiar: that which seems expedient must not be morally wrong; or, if it is morally wrong, it must not seem expedient. What follows? Can we account either the great Marius or our Marius Gratidianus a good man? Work out your own ideas and sift your thoughts so as to see what conception and idea of a good man they contain. Pray, tell me, does it coincide with the character of your good man to lie for his own proflt, to slander, to overreach, to deceive? Nay, verily; anything but that! Is there, then, any object of such value or any advantage so worth the winning that, to gain it, one should sacrifice the name of a "good man" and the lustre of his reputation? What is there that your so−called expediency can bring to you that will compensate for what it can take away, if it steals from you the name of a "good man" and causes you to lose your sense of honour and justice? For what difference does it make whether a man is actually transformed into a beast or whether, keeping the outward appearance of a man, he has the savage nature of a beast within? XXI. Again, when people disregard everything that is morally right and true, if only they may secure power thereby, are they not pursuing the same course as he a who wished to have as a father−in−law the man by whose effrontery he might gain power for himself? He thought it advantageous to secure supreme power while the odium of it fell upon another; and he failed to see how unjust to his country this was, and how wrong morally. But the father−in−law himself used to have continually upon his lips the Greek verses from the Phoenissae, which I will reproduce as well as I can −awkwardly, it may be, but still so that the meaning can be understood: [Off−] BOOK III xxi. If wrong may e'er be right, for a throne's sake Were wrong most right:−be God in all else feared! Our tyrant deserved his death for having made an exception of the one thing that was the blackest crime of all. Why do we gather instances of petty crime −− legacies criminally obtained and fraudulent buying and selling? Behold, here you have a man who was ambitious to be king of the Roman People and master of the whole world; and he achieved it! The man who maintains that such an ambition is morally right is a madman; for he justifies the destruction of law and liberty and thinks their hideous and detestable suppression glorious. But if anyone agrees that it is not morally right to be kind in a state that once was free and that ought to be free now, and yet imagines that it is advantageous for him who can reach that position, with what remonstrance or rather with what appeal should I try to tear him away from so strange a delusion? For, oh ye immortal gods! can the most horrible and hideous of all murders −− that of fatherland −bring advantage to anybody, even though he who has committed such a crime receives from his enslaved fellow−citizens the title of "Father of his Country"? Expediency, therefore, must be measured by the standard of moral rectitude, and in such a way, too, that these two words shall seem in sound only to be different but in real meaning to be one and the same.

What greater advantage one could have, according to the standard of popular opinion, than to be a king, I do not know; when, however, I begin to bring the question back to the standard of truth, then I find nothing more disadvantageous for one who has risen to that height by injustice. For can occasions for worry anxiety, fear by day and by night, and a life all beset with plots and perils be of advantage to anybody? Thrones have many foes and friends untrue, but few devoted friends, says Accius. But of what sort of throne was he speaking? Why, one that was held by right, handed down from Tantalus and Pelops. Aye, but how many more foes, think you, had that king who with the Roman People's army brought the Roman People themselves into subjection and compelled a state that not only had been free but had been mistress of the world to be his slave? What stains do you think he had upon his conscience, what scars upon his heart? But whose life can be advantageous to himself, if that life is

his on the condition that the man who takes it shall be held in undying gratitude and glory? But if these things which seem so very advantageous are not advantageous because they are full of shame and moral wrong, we ought to be quite convinced that nothing can be expedient that is not morally right.

XXII. And yet this very question has been decided on many occasions before and since; but in the war with Pyrrhus the decision rendered by Gaius Fabricius, in his second consulship, and by our senate was particularly striking. Without provocation King Pyrrhus had declared war upon the Roman People; the struggle was against a generous and poweful prince, and the supremacy of power was the prize; a deserter came over from him to the camp of Fabricius and promised, if Fabricius would assure him of a reward, to return to the camp of Pyrrhus as secretly as he had come, administer poison to the king, and bring about his death. Fabricius saw to it that this fellow was taken back to Pyrrhus; and his action was commended by the senate. And yet, if the mere show of expediency and the popular conception of it are all we want, this one deserter would have put an end to that wasting war and to a formidable foe of our supremacy; but it would have been a lasting shame and disgrace to us to have overcome not by valour but by crime the man with whom we had a contest for glory.

Which course, then, was more expedient for Fabricius, who was to our city what Aristides was to Athens, or for our senate, who never divorced expediency from honour −− to contend against the enemy with the sword or with poison? If supremacy is to be sought for the sake of glory, crime should be excluded, for there can be no glory in crime; but if it is power for its own sake that is sought, whatever the price, it cannot be expedient if it is linked with shame. That well−known measure, therefore, introduced by Philippus, the son of Quintus, was not expedient. With the authority of the senate, Lucius Sulla had exempted from taxation certain states upon receipt of a lump sum of money from them. Philippus proposed that they should again be reduced to the condition of tributary states, without repayment on our part of the money that they had paid for their exemption. And the senate accepted his proposal. Shame upon our government! The pirates' sense of can be expedient? Furthermore, can hatred and shame be expedient for any government? For government ought to be founded upon fair fame and the loyalty of allies. On this point I often disagreed even with my friend Cato; it seemed to me that he was too rigorous in his watchful care over the claims of the treasury and the revenues; he refused everything that the farmers of the revenue asked for and much that the allies desired; whereas, as I insisted, it was our duty to be generous to the allies and to treat the publicans as we were accustomed individually to treat our tenants −− and all the more, because harmony between the orders was essential to the welfare if the republic. Curio, too, was wrong, when he pleaded that the demands of the people beyond the Po were just, but never failed to add, "Let expediency prevail." He ought rather to have proved that the claims were not just, because they were not expedient for the republic, than to have admitted that they were just, when, as he maintained, they were not expedient.

XXIII. The sixth book of Hecaton's "Moral Duties" is full of questions like the following: "Is it consistent with a good man's duty to let his slaves go hungry when provisions are at famine price?" Hecaton gives the argument on both sides of the question; but still in the end it is by the standard of expediency, as he conceives it, rather than by one of human feeling, that he decides the question of duty. Then he raises this question: supposing a man had to throw part of his cargo overboard in a storm, should he prefer to sacrifice a high−priced horse or a cheap and worthless slave? In this case regard for his property interest inclines him one way, human feeling the other. "Suppose that a foolish man has seized hold of a plank from a sinking ship, shall a wise man wrest it away from him if he can?" "No," says Hecaton; "for that would be unjust." "But how about the owner of the ship? Shall he take the plank away because it belongs to him?" "Not at all; no more than he would be willing when far out at sea to throw a passenger overboard on the ground that the ship was his. For until they reach the place for which the ship is chartered, she belongs to the passengers, not to the owner." "Again; suppose there were two to be saved from the sinking ship −− both of them wise men −− and only one small plank, should both seize it to save themselves? Or should one give give place to the other?" "Why, of course, one should give place to the other, but that other must be the one whose life is more valuable either for his own sake or for that of his country." "But what if these considerations are of equal weight in both?" "Then there will be no contest, but one will give place to the other, as if the point were decided by lot or at a game of odd and even." "Again, suppose a father were robbing temples or making underground passages to the treasury, should a son inform the officers of it?" "Nay; that were a crime; rather should he defend his father, in case he were indicted." "Aye, verily; but it is to our country's interest to have citizens who are loyal to their parents." "But once more −− if the father attempts to make himself king, or to betray his country, shall the son hold his peace?" "Nay, verily; he will plead with his father not

to do so. If that accomplishes nothing, he will take him to task; he will even threaten; and in the end, if things point to the destruction of the state, he will sacrifice his father to the safety of his country." Again he raises the question: "If a wise man should inadvertently accept counterfeit money for good, will he offer it as genuine in payment of a debt after he discovers his mistake?" Diogenes says, "Yes," Antipater, "No," and I agree with him. If a man knowingly offers for sale wine that is spoiling, ought he to tell his customers? Diogenes thinks that it is not required; Antipater holds that an honest man would do so. These are like so many points of the law disputed among the Stoics. "In selling a slave, should his faults be declared −− not those only which he seller is bound by the civil law to declare or have the slave returned to him, but also the fact that he is untruthful, or disposed to ramble. or steal, or get drunk?" The one thinks such faults should be declared, the other does not.

"If a man thinks that he is selling brass, when he is actually selling gold. should an upright man inform him that his stuff is gold, or go on buying for one shilling what is worth a thousand?" It is clear enough by this time what my views are on these questions, and what are the grounds of dispute between the above−named philosophers. XXIV. The question arises also whether agreements and promises must always be kept, "when," in the language of the praetors' edicts, "they have not been secured through force or criminal fraud." If one man gives another a remedy for the dropsy. with the stipulation that, if he is cured by it, he shall never make use of it again; suppose the patient's health is restored by the use of it, but some years later he contracts the same disease once more; and suppose he cannot secure from the man with whom he made the agreement permission to use the remedy again, what should he do? That is the question. Since the man is unfeeling in refusing the request, and since no harm could be done to him by his friend's using the remedy, the sick man is justified in doing what he can for his own life and health. Again: suppose that a millionaire is making some wise man his heir and leaving him in his will a hundred million sesterces; and suppose that he has asked the wise man, before he enters upon his inheritance, to dance publicly in broad daylight in the forum; and suppose that the wise man has given his promise to do so, because the rich man would not leave him his fortune on any other condition; should he keep his promise or not? I wish he had made no such promise; that, I think, would have been in keeping with his dignity. But, seeing that he has made it, it will be morally better for him, if he believes it morally wrong to dance in the forum, to break his promise and refuse to accept his inheritance rather than to keep his promise and accept it −− unless, perhaps, he contributes the money to the state to meet some grave crisis. In that case, to BOOK III. xxiv−xxv. promote thereby the interests of one's country, it would not be morally wrong even to dance, if you please, in the forum. XXV. No more binding are those promises which are inexpedient for the persons themselves to whom they have been given. To go back to the realm of story, the sun−god promised his son Phaethon to do for him whatever he should wish. His wish was to be allowed to ride in his father's chariot. It was granted. And before he came back to the ground he was consumed by a stroke of lightning. How much better had it been, if in this the the father's promise had not been kept. And what of that promise, the fulfilment of which Theseus required from Neptune? When Neptune offered him three wishes, he wished for the death of his son Hippolytus, because the father was suspicious of the son's relations with his step−mother. And when this wish was granted, Theseus was overwhelmed with grief. And once more; when Agamemnon had vowed to Diana the most beautiful creature born that year within his realm, he was brought to sacrifice Iphigenia; for in that year nothing was born more beautiful than she. He ought to have broken his vow rather than commit so horrible a crime. Promises are, therefore, sometimes not to be kept; and trusts are not always to be restored. Suppose that a person leaves his sword with you when he is in his right mind, and demands it back in a fit of insanity; it would be criminal to restore it to him; it would be your duty not to do so. Again, suppose that a man who has entrusted money to you proposes to make war upon your common country, should you restore the trust? I believe you should not; for you would be acting against the state, which ought to be the dearest thing in the world to you. Thus there are many things which in and of themselves seem morally right, but which under certain circumstances prove to be not morally right: to keep a promise, to abide by an agreement, to restore a trust may, with a change of expediency, cease to be morally right. With this I think I have said enough about those actions which masquerade as expedient under the guise of prudence, while they are really contrary to justice.

Since, however, in Book One we derived moral duties from the four sources of moral rectitude, let us continue the same fourfold division here in pointing out how hostile to virtue are those courses of conduct which seem to be, but really are not, expedient. We have discussed wisdom, which cunning seeks to counterfeit, and likewise justice, which is always expedient. There remain for our discussion two divisions of moral rectitude, the one of

which is discernible in the greatness and pre−eminence of a superior soul, the other, in the shaping and regulation of it by temperance and self−control.

XXVI. Ulysses thought his ruse expedient, as the tragic poets, at least, have represented him. In Homer, our most reliable authority, no such suspicion is cast upon him; but the tragedies charge him with trying to escape a soldier's service by feigning madness. The trick was not morally right, but, someone may perhaps say, "It was expedient for him to keep his throne and live at ease in Ithaca with parents, wife, and son. Do you think that there is any glory in facing daily toil and danger that can be compared with a life of such tranquillity?" Nay; I think that tranquillity at such a price is to be despised and rejected; for if it is not morally right, neither is it expedient. For what do you think would have been said of Ulysses, if he had persisted in that pretended madness, seeing that, notwithstanding his deeds of heroism in the war, he was nevertheless upbraided by Ajax thus:
'Twas he himself who first proposed the oath; ye all Do know; yet he alone of all his vow did break;

He feigned persistently that he was mad, that thus He might not have to join the host. And had not then Palamedes, shrewd and wise, his tricky impudence Unmasked, he had evaded e'en for aye his vow.

Nay, for him it had been better to battle not only with the enemy but also with the waves, as he did, than to desert Greece when she was united for waging the war against the barbarians. But let us leave illustrations both from story and from foreign lands and turn to real events in our own history. Marcus Atilius Regulus in his second consulship was taken prisoner in Africa by the stratagem of Xanthippus, a Spartan general serving under the command of Hannibal's father Hamilcar. He was sent to the senate on parole, sworn to return to Carthage himself, if certain noble prisoners of war were not restored to the Carthaginians. When he came to Rome, he could not fail to see the specious appearance of expediency, but he decided that it was unreal, as the outcome proves. His apparent interest was to remain in his own country, to stay at home with his wife and children, and to retain his rank and dignity as an ex−consul, regarding the defeat which he had suffered as a misfortune that might come to anyone in the game of war. Who says that this was not expedient? Who, think you? Greatness of soul and courage say that it was not. XXVII. Can you ask for more competent authorities? The denial comes from those virtues, for it is characteristic of them to await nothing with fear, to rise superior to all the vicissitudes of earthly life, and to count nothing intolerable that can befall a human being. What, then, did he do? He came into the senate and stated his mission; but he refused to give his own vote on the question; for, he held, he was not a member of the senate so long as he was bound by the oath sworn to his enemies. And more than that, he said −− "What a foolish fellow," someone will say, "to oppose his own best interests" he said that it was not expedient that the prisoners should be returned; for they were young men and gallant officers, while he was already bowed with age. And when his counsel prevailed, the prisoners were retained and he himself returned to Carthage; affection for his country and his family failed to hold him back. And even then he was not ignorant of the fact that he was going to a most cruel enemy and to exquisite torture.

"But," you will say, "it was foolish of him not only not to advocate the exchange of prisoners but even to plead against such action!" How was it foolish? Was it so, even if his policy was for the good of the state? Nay; can what is inexpedient for the state be expedient for any individual citizen? XXVIII. People overturn the fundamental principles established by Nature, when they divorce expediency from moral rectitude. For we all seek to obtain what is to us expedient; we are irresistibly drawn toward it, and we cannot possibly be otherwise. For who is there that would turn his back upon what is to him expedient? Or rather, who is there that does not exert himself to the utmost to secure it? But because we cannot discover it anywhere except in good report, propriety, and moral rectitude, we look upon these three for that reason as the first and the highest objects of endeavour, while what we term expediency we account not so much an ornament to our dignity as a necessary incident to living. "What significance, then," someone will say, "do we attach to an oath? It is not that we fear the wrath of Jove, is it? Not at all; it is the universally accepted view of all philosophers that God is never angry, never hurtful. This is the doctrine not only of those who teach that God is Himsel free from troubling cares and that He imposes no trouble upon others, but also of those who believe that God is ever working and ever directing His world. Furthermore, suppose Jupiter had been wroth, what greater injury could He have inflicted upon Regulus than Regulus brought upon himself? Religious scruple, therefore, had no such preponderance as to outweigh so great expediency." "Or was he afraid that his act would be morally wrong? As to that, first of all, the proverb says, 'Of evils choose the least.' Did that moral wrong then, really involve as great an evil as did that

awful torture? And secondly, there are the lines of Accius:
Thyestes. Hast thou broke thy faith?
Atreus. None have I given; none give I ever to the faithless.

Although this sentiment is put into the mouth of a wicked king, still it is illuminating in its correctness." Their third argument is this: just as we maintain that some things seem expedient but are not, so they maintain, some things seem morally right but are not. "For example," they contend, "in this very case it seems morally right for Regulus to have returned to torture for the sake of being true to his oath. But it proves not to be morally right, because what an enemy extorted by force ought not to have been binding." As their concluding argument, they add: whatever is highly expedient may prove to be morally right, even if it did not seem so in advance. These are in substance the arguments raised against the conduct of Regulus. Let us consider them each in turn.

XXIX. "He need not have been afraid that Jupiter in anger would inflict injury upon him; he is not wont to be angry or hurtful." This argument, at all events, has no more weight against Regulus's conduct than it has against the keeping of any other oath. But in taking an oath it is our duty to consider not what one may have to fear in case of violation but wherein its obligation lies: an oath is an assurance backed by religious sanctity; and a solemn promise given, as before God as one's witness, is to be sacredly kept. For the question no longer concerns the wrath of the gods (for there is no such thing) but the obligations of justice and good faith. For, as Ennius says so admirably:
Gracious Good Faith, on wings upborne; thou oath in Jupiter's great name!
Whoever, therefore, violates his oath violates Good Faith; and, as we find it stated in Cato's speech, our forefathers chose that she should dwell upon the Capitol "neighbour to Jupiter Supreme and Best." "But," objection was further made, "even if Jupiter had been angry, he could not have inflicted greater injury upon Regulus than Regulus brought upon himself." Quite true, if there is no evil except pain. But philosopbers of the bighest authority assure us that pain is not only not the supreme evil but no evil at all. And pray do not disparage Regulus, as no unimportant witness−nay, I am rather inclined to think he was the very best witness−− that is, shall one "choose moral wrong rather than misfortune," or is there any evil greater than moral wrong? For if physical deformity excites a certain amount of aversion, how offensive ought the deformity and hideousness of a demoralized soul to seem! Therefore, those who discuss these problems with more rigour make bold to say that moral wrong is the only evil, while those who treat them with more laxity do not hesitate to call it the supreme evil. Once more, they quote the sentiment:
"None have I given, none give I ever to the faithless."

It was proper for the poet to say that, because, when he was working out his Atreus, he had to make the words fit the character. But if they mean to adopt it as a principle, that a pledge given to the faithless is no pledge, let them look to it that it be not a mere loophole for perjury that they seek. Furthermore, we have laws regulating warfare, and fidelity to an oath must often be observed in dealings with an enemy: for an oath sworn with the clear understanding in one's own mind that it should be performed must be kept; but if there is no such understanding, it does not count as perjury if one does not perform the vow. For example, suppose that one does not deliver the amount agreed upon with pirates as the price of one's life, that would be accounted no deception −− not even if one should fail to deliver the ransom after having sworn to do so; for a pirate is not included in the number of lawful enemies, but is word nor any oath mutually binding. For swearing to what is false is not necessarily perjury, but to take an oath "upon your conscience," as it is expressed in our legal formulas, and then fail to perform it, that is perjury. For Euripides aptly says: "My tongue has sworn; the mind I have has sworn no oath." But Regulus had no right to confound by perjury the terms and covenants of war made with an enemy. For the war was being carried on with a legitimate, declared enemy; and to regulate our dealings with such an enemy, we have our whole fetial code as well as many other laws that are binding in common between nations. Were this not the case, the senate would never have delivered up illustrious men of ours in chains to the enemy. XXX. And yet that very thing happened. Titus Veturius and Spurius Postumius in their second consulship lost the battle at the Caudine Forks, and our legions were sent under the yoke. And because they made peace with the Samnites, those generals were delivered up to them, for they had made the peace without the approval of the people and senate. And Tiberius Numicius and Quintus Maelius, tribunes of the people, were delivered up at the same time, because

it was with their sanction that the peace had been concluded. This was done in order that the peace with the Samnites might be annulled. And Postumius, the very man whose delivery was in question, was the proposer and advocate of the said delivery. Many years later, Gaius Mancinus had a similar experience: he advocated the bill, introduced in accordance with a decree of the senate by Lucius Furius and Sextus Atilius, that he should be delivered up to the Numantines, with whom he had made a treaty without authorization from the senate; and when the bill was passed, he was delivered up to the enemy. His action was more honourable than Quintus Pompey's. Pompey's situation was identical with his, and yet at his own entreaty the bill was rejected. In this latter case, apparent expediency prevailed over moral rectitude; in the former cases, the false semblance of expediency was overbalanced by the weight of moral rectitude.

"But," they argued against Regulus, "an oath extorted by force ought not to have been binding." As if force could be brought to bear upon a brave man! " Why, then, did he make the journey to the senate, especially when he intended to plead against the surrender of the prisoners of war?" Therein you are criticizing what is the noblest feature of his conduct. For he was not content to stand upon his own Judement but took up the case, in order that the judgment might be that of the senate; and had it not been for the weight of his pleading, the prisoners would certainly have been restored to the Carthaginians; and in that case, Regulus would have remained safe at home in his country. But because he thought this not expedient for his country, he believed that it was therefore morally right for him to declare his conviction and to suffer for it. When they argued also that what is highly expedient may prove to be morally right, they ought rather to say not that it "may prove to be" but that it actually is morally right. For nothing can be expedient which is not at the same time morally right; neither can a thing be morally right just because it is expedient, but it is expedient because it is morally right. From the many splendid examples in history therefore, we could not easily point to one either more praiseworthy or more heroic than the conduct of Regulus. XXXI. But of all that is thus praiseworthy in the conduct of Regulus, this one feature above all others calls for our admiration: it was he who offered the motion that the prisoners of war be retained. For the fact of his returning may seem admirable to us, nowadays, but in those times he could not have done otherwise. That merit, therefore, belongs to the age, not to the man. For our ancestors were of the opinion that no bond was more effective in guaranteeing good faith than an oath. That is, clearly proved by the laws of the Twelve Tables, by the "sacred" laws, by the treaties in which good faith is pledged even to the enemy, by the investigations made by the censors and the penalties, imposed by them; for there were no cases in which they used to render more rigorous decisions than in cases of violation of an oath.

Marcus Pomponius, a tribune of the people, brought an indictment against Lucius Manlius, Aulus's son, for having extended the term of his dictatorship a few days beyond its expiration. He further charged him with having banished his own son Titus (afterward surnamed Torquatus) from all companionship with his was then a young man, heard that his father was in trouble on his account, he hastened to Rome −− so the story goes −− and at daybreak presented himself at the house of Pomponius. The visitor was announced to Pomponius. Inasmuch as he thought that the son in his anger meant to bring him some new evidence to use against the father, he arose from his bed, asked all who were present to leave the room, and sent word to the young man to come in. Upon entering, he at once drew a sword and swore that he would kill the tribune on the spot, if he did not swear an oath to withdraw the suit against his father. Constrained by the terror of the situation, Pomponius gave his oath. He reported the matter to the people, explaining why he was obliged to drop the prosecution, and withdrew his suit against Manlius. Such was the regard for the sanctity of an oath in those days. And that lad was the Titus Manlius who in the battle on the Anio killed the Gaul by whom he had been challenged to single combat, pulled off his torque and thus won his surname. And in his third consulship he routed the Latins and put them to flight in the battle on the Veseris. He was one of the greatest of the great, and one who, while more than generous toward his father, could yet be bitterly severe toward his son.

XXXII. Now, as Regulus deserves praise for being true to his oath, so those ten whom Hannibal sent to the senate on parole after the battle of Cannae deserve censure, if it is true that they did not return; for they were sworn to return to the camp which bad fallen into the hands of the Carthaginians, if they did not succeed in negotiating an exchange of prisoners. Historians are not in agreement in regard to the facts. Polybius, one of the very best authorities, states that of the ten eminent nobles who were sent at that time, nine returned when their mission failed at the hands of the senate. But one of the ten, who, a little while after leaving the camp, had gone back on the pretext that he had forgotten something or other, remained behind at Rome; he explained that by his

return to the camp he was released from the obligation of his oath. He was wrong; for deceit does not remove the guilt of perjury −− it merely aggravates it. His cunning that impudently tried to masquerade as prudence was, therefore, only folly. And so the senate ordered that the cunning scoundrel should be taken back to Hannibal in chains.

But the most significant part of the story is this: the eight thousand prisoners in Hannibal's hands were not men that he had taken in the battle or that had escaped in the peril of their lives, but men that the consuls Paulus and Varro had left behind in camp. Though these might have been ransomed by a small sum of money, the senate voted not to redeem them, in order that our soldiers might have the lesson planted in their hearts that they must either conquer or die. When Hannibal heard this news, according to that same writer, he lost heart completely, because the senate and the people of Rome displayed courage so lofty in a time of disaster. Thus apparent expediency is outweighed when placed in the balance against moral rectitude.

Gaius Acilius, on the other hand, the author of a history of Rome in the camp to release themselves thus from the obligation of their oath, and that they were branded by the censors with every mark of disgrace. Let this be the conclusion of this topic. For it must be perfectly apparent that acts that are done with a cowardly, craven, abject, broken spirit, as the act of Regulus would have been if he had supported in regard to the prisoners a measure that seemed to be advantageous for him personally, but disadvantageous for the state, or if he had consented to remain at home −− that such acts are not expedient, because they are shameful, dishonourable, and immoral.

XXXIII. We have still left our fourth division comprising propriety, moderation, temperance, self−restraint, self−control. Can anything be expedient, then, which is contrary to such a chorus of virtues? And yet the Cyrenaics, adherents of the school of Aristippus, and the philosophers who bear the name of Anniceris find all good to consist in pleasure and consider virtue praiseworthy only because it is productive of pleasure. Now that these schools are out of date, Epicurus has come into vogue −− an advocate and supporter of practically the same doctrine. Against such a philosophy we must fight it out "with horse and foot," as the saying is, if our purpose is to defend and maintain our standard of moral rectitude.

For if, as we find it in the writings of Metrodorus, not only expediency but happiness in life depends wholly upon a sound physical constitution and the reasonable expectation that it will always remain sound, then that expediency −− and, what is more, the highest expediency, as they estimate it −will assuredly clash with moral rectitude. For first of all, what position will wisdom occupy in that system? The position of collector of pleasures from every possible source? What a sorry state of servitude for a virtue −− to be pandering to sensual pleasure! And what will be the function of wisdom? To make skilful choice between sensual pleasures? Granted that there may be nothing more pleasant, what can be conceived more degrading for wisdom than such a role? Then again, if anyone hold that pain is the supreme evil, what place in his philosophy has fortitude, which is but indifference to toil and pain? For, however many passages there are in which Epicurus speaks right manfully of pain, we must nevertheless consider not what he says, but what it is consistent for a man to say who has defined the good in terms of pleasure and evil in terms of pain. And further, if I should listen to him, I should find that in many passages he has a great deal to say about temperance and self− control; but "the water will not run," as they say. For how can he commend self−control and yet posit pleasure as the supreme good? For self−control is the foe of the passions, and the passions are the handmaids of pleasure. And yet when it comes to these three cardinal virtues, those philosophers shift and turn as best they can, and not without cleverness. They admit wisdom into their system as the knowledge that provides pleasures and banishes pain; they clear the way for fortitude also in some way to fit in with their doctrines, when they teach that it is a rational means for looking with indifference upon death and for enduring pain. They bring even temperance in −− not very easily, to be sure, but still as best they can; for they hold that the height of pleasure is found in the absence of pain. Justice totters or rather, I should say, lies already prostrate; so also with all those virtues which are discernible in social life and the fellowship of human society. For neither goodness nor generosity nor courtesy can exist, any more than friendship can, if they are not sought of and for themselves, but are cultivated only for the sake of sensual pleasure or personal advantage. Let us now recapitulate briefly.

As I have shown that such expediency as is opposed to moral rectitude is no expedieney, so I maintain that any and all sensual pleasure is opposed to moral rectitude. And therefore Calliphon and Dinomachus, in my judgment, deserve the greater condemnation; they imagined that they should settle the controversy by coupling pleasure with moral rectitude; as well yoke a man with a beast! But moral rectitude does not accept such a union;

she abhors it, spurns it. Why, the supreme good, which ought to be simple, cannot be a compound and mixture of absolutely contradictory qualities. But this theory I have discussed more fully in another connection; for the subject is a large one. Now for the matter before us. We have, then, fully discussed the problem how a question is to be decided, if ever that which seems to be expediency clashes with moral rectitude. But if, on the other hand, the assertion is made that pleasure admits of a show of expediency also, there can still be no possible union between it and moral rectitude. For, to make the most generous admission we can in favour of pleasure, we will grant that it may contribute something that possibly gives some spice to life, but certainly nothing that is really expedient.

Herewith, my son Marcus, you have a present from your father −− a generous one, in my humble opinion; but its value will depend upon the spirit in which you receive it. And yet you must welcome these three books as fellow−guests so to speak, along with your notes on Cratippus's lectures. But as you would sometimes give ear to me also, if I had come to Athens (and I should be there now, if my country had not called me back with accents unmistakable, when I was half−way there), so you will please devote as much time as you can to these volumes, for in them my voice will travel to you; and you can devote to them as much time as you will. And when I see that you take delight in this branch of philosophy, I shall then talk further with you −− at an early date, I hope, face to face −− but as long as you are abroad, I shall converse with you thus at a distance. Farewell, my dear Cicero, and be assured that, while you are the object of my deepest affection, you will be dearer to me still, if you find pleasure in such counsel and instruction.