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MARCUS TULLIUS CICERO

On Duties

TRANSLATED WITH INTRODUCTION,

NOTES, AND INDEXES BY

BENJAMIN PATRICK NEWTON

Cornell University Press

ITHACA AND LONDON

For my M. B.

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Introduction

You hold in your hands one of the most famous books ever written by one of the most famous men who ever lived. Marcus Tullius Cicero was a preeminent Roman statesman, orator, and philosopher. He was a champion of republican government, who successfully defended the Roman commonwealth against its overthrow by Lucius Sergius Catilina; a powerful speaker, who transformed Latin into the language of learning for sixteen centuries to come; and a prudent man, who introduced philosophy into Rome, and through Rome, into Christendom and the modern world. *De officiis*, or *On Duties*, has been considered a source of moral authority throughout classical, medieval, and modern times. It was championed by thinkers of no less importance than Thomas Aquinas, Montesquieu, and Voltaire; it was of decisive influence on Hugo Grotius and his *On the Law of War and Peace*; and it was one of the earliest books printed on the Gutenberg press. But the true significance of *On Duties* lies in its examination of several fundamental problems of political philosophy, the most important being the possible conflict between the honorable (*honestum*) and the useful (*utile*). The honorable encompasses the virtues of human beings, which include justice and concern for the common good. The useful encompasses the needs of living beings, which include certain necessities and concern for private good. Only by understanding the possible conflict between these two sides of human nature may we understand our duties to our community and to ourselves. Throughout *On Duties*, Cicero continually poses the question, Is there a conflict between the honorable and the useful? Is there ever a time when necessity overcomes justice, or when private good conflicts with public good?

This new edition of *On Duties* aims to provide readers who cannot read Latin but wish to carefully study the book with a literal yet elegant translation. Over the last century there have been five complete and

two piecemeal editions of *On Duties*,¹ all of which suffer from inaccurate translations and inadequate interpretations. But before discussing the sorts of problems found in earlier editions that directly relate to and distinguish this edition, a few words first must be said about the author and his book.

I

Marcus Tullius Cicero was the elder of two sons born into an influential *equites*² family in the town of Arpinum on January 3, 106 BC. He shared his hometown and heritage with Gaius Marius.³ As a young man Cicero received an excellent education, studying law with Quintus Mucius Scaevola Augur,⁴ rhetoric with Apollonius Molon of Rhodes,⁵ and philosophy with the Academic Philo,⁶ the Stoic Diodotus,⁷ and the Epicurean Phaedrus.⁸ His ardor for philosophy was immediate and lasted his entire life. As an older man he would continue to associate closely with philosophers, befriending, among others, the Academic Antiochus,⁹ the

¹The five complete editions are Cicero, *On Duties*, ed. Walter Miller (Cambridge, MA, 1913); Cicero, *On Moral Obligation*, ed. John Higginbotham (Berkeley, CA, 1967); Cicero, *De officiis/On Duties*, ed. Harry Edinger (New York, 1974); Cicero, *On Duties*, ed. M. T. Griffin and E. M. Atkins (Cambridge, 1991); Cicero, *On Obligations*, ed. P. G. Walsh (Oxford, 2000). Book 2 is translated and included in Cicero, *On the Good Life*, ed. Michael Grant (Harmondsworth, UK, 1971), and Book 3 in Cicero, *Selected Works*, ed. Michael Grant (Harmondsworth, UK, 1969).

²The *equites* were a Roman social class nearly equal to the senatorial, or highest, class. Originally members of the Roman cavalry, by the first century BC they represented the wealthiest nonsenatorial Romans.

³For Gaius Marius, see the note under 1.76.

⁴For Quintus Mucius Scaevola Augur, see the note under 1.109.

⁵Apollonius Molon of Rhodes (fl. 1st century BC) was a Greek orator. He lectured in Rhodes and traveled to Rome in 87 and 81 BC.

⁶Philo of Larissa (160–ca. 80 BC) was an Academic philosopher. At the age of twenty-four, he traveled to Athens to study with Clitomachus, whom he succeeded as head of the Academy in 110 BC. He followed the tradition of Academic skepticism. In 88 BC, he traveled to Rome, where Cicero became his pupil. For a concise explanation of the Academy, see the glossary entry “Academics”; for a detailed discussion, see the introductory and fifth sections of the interpretative essay.

⁷Diodotus (fl. late 2nd century–ca. 60 BC) was a Stoic philosopher. Cicero became his pupil around 85 BC. He later lived in Cicero’s house and made Cicero his heir. For a concise explanation of Stoicism, see the glossary entry “Stoics”; for a detailed discussion, see the introductory and third sections of the interpretative essay.

⁸Phaedrus (ca. 140–70 BC) was an Epicurean philosopher. He lived in Rome and for a time was head of the Epicurean school in Rome. Cicero heard him lecture in 88 BC. For a concise explanation of Epicureanism, see the glossary entry “Epicureans”; for a detailed discussion, see the introductory and fourth sections of the interpretative essay.

⁹Antiochus of Ascalon (ca. 130–ca. 68 BC) was an Academic philosopher. A student of Philo of Larissa, he abandoned his master’s Academic skepticism in favor of a more

Peripatetic Marcus Pupius Piso,¹⁰ and the Stoic Posidonius,¹¹ even inviting the above Diodotus to live in his home until Diodotus’s death in 59 BC. His closest lifelong friend was the Epicurean Titus Pomponius Atticus.¹²

An ambitious man, Cicero quickly worked his way up the Roman *cur-sus honorum*, or “path of honors.” He first served as an advocate in the law courts and won great fame for his defense of Sextus Roscius of Ameria¹³ on a charge of patricide in 80 BC. At a time when the proscriptions¹⁴ of Lucius Cornelius Sulla Felix¹⁵ were still recent, and their execution by his lieutenant Lucius Cornelius Chrysogonus¹⁶ were still fresh, a twenty-six-year old Cicero chose to defend a man whom Chrysogonus wished to see falsely condemned, while Sulla was alive and well. And he won.¹⁷

In 75 BC Cicero was elected to serve in Sicily as quaestor, an official who oversaw the commonwealth’s finances. He fulfilled the duties of the office so well that the Sicilians later asked him to prosecute their governor, Gaius Verres,¹⁸ for corruption and extortion in 70 BC. By that time Cicero was an aedile, an elected official who oversaw the maintenance of public buildings and regulation of festivals. He undertook the case and successfully prosecuted Verres, prevailing over the defense of Quintus Hortensius Hortalus,¹⁹ a man eight years his senior and then considered

dogmatic understanding of knowledge. He was head of the Academy in Athens in 79–78 BC, when Cicero attended his lectures.

¹⁰Marcus Pupius Piso Frugi (ca. 115–ca. 61 BC) was a Roman orator and statesman. He was quaestor in 83 BC, praetor in 72 BC, and celebrated a triumph from his governorship in Spain in 69 BC. During 67–62 BC he served as a legate under Gnaeus Pompeius Magnus, and for his service was awarded the consulship in 61 BC. He studied Peripatetic philosophy. For a concise explanation of Peripateticism, see the glossary entry “Peripatetics.”

¹¹For Posidonius of Apamea, see the note under 1.159.

¹²Titus Pomponius Atticus (110–32 BC) was a Roman gentleman. In 85 BC he left Rome for Athens to study Epicurean philosophy. He lived there for the remainder of his life. While he refused to openly engage in politics, he tacitly supported the *optimates*. Four hundred and twenty-six of Cicero’s letters to him survive.

¹³For Sextus Roscius of Ameria, see the note under 2.51.

¹⁴Lucius Cornelius Sulla Felix’s second march on Rome culminated in a series of proscriptions, or legally sanctioned murders and confiscations of property, of many of Rome’s leading citizens. Their purpose was to rid Sulla of his potential enemies.

¹⁵For Lucius Cornelius Sulla Felix, see the note under 1.43.

¹⁶Lucius Cornelius Chrysogonus (fl. 1st century BC) was a Greek freedman and lieutenant of Lucius Cornelius Sulla Felix. He conspired with two relatives of Sextus Roscius of Ameria to frame the latter for patricide in order to purchase his property at an exceptionally low price. At great risk to himself, Cicero successfully defended Roscius.

¹⁷See Cicero, *For Roscius of Ameria*.

¹⁸Gaius Verres (ca. 120–43 BC) was a Roman statesman. He was quaestor in 84 BC, praetor in 74 BC, and governor of Sicily in 73–71 BC. While governor in Sicily, he grossly exploited the province for his own gain, and in 70 BC was prosecuted by Cicero for extortion. Cicero undertook so vigorous a prosecution that Verres fled to Massilia and remained there in exile for the rest of his life.

¹⁹For Quintus Hortensius Hortalus, see the note under 2.57.

to be the most outstanding advocate in Rome.²⁰ This success helped him win the praetorship in 66 BC, an office that served various functions, such as commanding in the army or judging in the courts. In 63 BC he was elected a consul, one of two officials who served one-year appointments as heads of state and the army. Each of the preceding two offices was won by Cicero on the first attempt, at the minimum age requirement, and, perhaps most impressively, as a *novus homo*, or "new man." It was exceedingly rare for such a "new man," whose ancestors had never been senators, to be admitted into the Senate, let alone win its highest office.

During the year of Cicero's consulship, Catilina²¹ attempted to overthrow the government. The conspirators led by Catilina were largely a group of debt-ridden senators who hoped to erase the debt record. The conspiracy was thwarted by Cicero's vigilance in Rome, although an army had to be sent against Catilina and the remnants of his army in Etruria. The temporarily grateful Roman people gave Cicero the honorary title *Pater Patriae*, or Father of the Fatherland.²² But when the danger had passed, Cicero's enemies, led by Publius Clodius Pulcher,²³ exiled him in 58 BC on the grounds that he executed the leading conspirators, who were Roman citizens, without a trial. This exile might have been avoided had he accepted Gaius Julius Caesar's offer to join what became known as the First Triumvirate, along with Gnaeus Pompeius Magnus and Marcus Licinius Crassus Dives.²⁴ The purpose of this union was to advance the careers of each of its members at the expense of the common good. But Cicero recognized the new conspiracy for what it was, and refused. His house on the Palatine was destroyed, his villa at Tuscum was ravaged, and he was forced to flee into Macedonia.

A year later his friend Titus Annius Milo,²⁵ then tribune, secured his return, and he was warmly welcomed back into Italy and Rome. But the First Triumvirate so dominated Roman politics that Cicero's efforts to reintegrate himself into political life proved futile. Disgusted, he withdrew from politics and devoted himself to writing. It was at this time that his three most political works of philosophy were written, *On the Orator* in 55 BC, *On the Commonwealth* (or *The Republic*) in 51 BC, and *On the Laws* around 50 BC.²⁶ And yet Cicero did not remain entirely politically inactive during this time. In 53 BC he was elected augur, a priest who

interpreted the will of the gods by studying the flight of birds, and in 51 BC he was sent to govern the province of Cilicia. As with his quaestorship in Sicily, he proved a just and capable governor.

When the Civil War broke out between Caesar and Pompeius Magnus, both sides courted Cicero; in the end he chose the side of Pompeius and the Roman commonwealth. After Pompeius's defeat at the battle of Pharsalus in 48 BC, Cicero refused Marcus Porcius Cato Uticensis's²⁷ offer to command the remaining forces of the commonwealth, was pardoned by Caesar, and returned to Italy.

Cicero's political life was again seemingly at an end. Nevertheless, he writes, "as my mind was incapable of inaction, I thrust myself into those pursuits in which I had been engaged from an early age, believing I could most honorably lay aside my troubles if I returned to philosophy."²⁸ Philosophy for Cicero was above all the pursuit of wisdom,²⁹ a pursuit that offered only probable answers to perennial questions,³⁰ but a pursuit whose beauty was such that one never ought to tire of it.³¹ Thus between 45 and 44 BC he embarked on an ambitious program to fully introduce philosophy into Rome,³² writing his *Academics*, *On the Ends of Good and Bad Things*, *Tusculan Disputations*, *On the Nature of the Gods*, *On Divination*, and *On Fate*, among other works. Having completed his program, he was again swept up into political life.

With the assassination of Caesar in 44 BC, his lieutenant Marcus Antonius and adopted son Gaius Octavius³³ were fighting for control of the Roman commonwealth. Cicero left the countryside for Rome, determined to manipulate Octavius and destroy Antonius. Delivering speech after speech against Antonius in the Senate³⁴ and exercising the full weight of his *auctoritas* as a senior ex-consul, Cicero's authority was never greater than at this time. Nevertheless, Octavius and Antonius outwitted him, meeting in secret to divide the commonwealth between

²⁰See Cicero, *Against Verres*.

²¹For Lucius Sergius Catilina, see the note under 1.77.

²²See Cicero, *Against Catilina*; Sallust, *Catiline's War*.

²³For Publius Clodius Pulcher, see the note under 2.58.

²⁴For Marcus Licinius Crassus Dives, see the note under 1.25.

²⁵For Titus Annius Milo, see the note under 2.58.

²⁶Scholars speculate that Cicero wrote *On the Laws* between 51 and 50 BC; they are uncertain exactly when, if ever, he published it.

²⁷For Marcus Porcius Cato Uticensis, see the note under 1.112.

²⁸See Cicero, *On Duties* 2.4. Hereafter all citations with book and section numbers but no title are from *On Duties*.

²⁹See 2.5. See also Cicero, *Tusculan Disputations* 5.9.

³⁰See 2.7–8, 3.20, 3.34.

³¹See Cicero, *On Ends* 1.2–3.

³²See Cicero, *Tusculan Disputations* 2.5; *On Divination* 2.1–7.

³³Gaius Octavius (63 BC–AD 14), later known as Augustus, was the adopted son and heir of Gaius Julius Caesar. After the assassination of Caesar in 44 BC, he took up his adopted father's fortune and army. Together with Caesar's lieutenants, Marcus Antonius and Marcus Aemilius Lepidus, he joined what became known as the Second Triumvirate, which ruled Rome until Lepidus's exile in 36 BC and Antonius's defeat at the battle of Actium in 31 BC. Now the sole ruler of Rome, he assumed the title Augustus and became the first of the Roman emperors, marking the end of the Republic and the beginning of the Empire.

³⁴See Cicero, *Philippics*.

them. A new proscription list was drawn up and at Antonius's insistence Cicero's name was placed at the top.

The soldiers caught up with Cicero as he attempted to escape by sea. Plutarch writes that when Cicero saw them coming, he ordered his servants to put down the litter in which they were carrying him. Eyeing his would-be murders with a steady stare, he stretched forth his own neck to be cut, and was slain.³⁵ Not even Cato died with more courage.

It was during this chaotic time in 44 BC, with his philosophical program complete and Rome embroiled in another civil war, that Cicero wrote *On Duties*. Given both the completion of his program and the political turmoil, *On Duties* is Cicero's most puzzling composition. Ostensibly written as a long letter in lieu of a planned visit to see his son,³⁶ who was studying philosophy in Athens,³⁷ it soon became something much more.³⁸ Cicero first mentions the book in a letter dated October 28, in which he states that he would write on the nature of appropriate action on a grand scale.³⁹ He writes again, reporting the first two books completed on November 5, then refers to it one final time on November 13.⁴⁰ Given that he was back in Rome and fully engaged in politics on December 9,⁴¹ scholars speculate the book was completed in under four weeks. The speed of its composition has led many scholars to explain away the conflicting statements or digressions as deficiencies owing to a lack of time for revision.⁴² But as will be demonstrated in the notes and especially in the interpretative essay, a great many of these "deficiencies" are intentional. They are meant to reveal a deeper understanding of appropriate action. Thus the speed with which Cicero wrote *On Duties* is all the more remarkable.

II

Anyone who has ever translated a text and written a commentary can attest that the feat is no mean one. The task of a translator is to aim for clear English solidly grounded in the original meaning; of a

³⁵See Plutarch, *Life of Cicero* 48.

³⁶For Marcus Tullius Cicero Minor, see the note under 1.1.

³⁷See Cicero, *Letters to Atticus* 16.3.4, 16.3.6, 16.7.1.

³⁸See 2.45.

³⁹See Cicero, *Letters to Atticus* 15.13.6.

⁴⁰See Cicero, *Letters to Atticus* 16.11.4, 16.14.3.

⁴¹See Cicero, *Letters to Friends* 11.5.1.

⁴²See, e.g., Andrew R. Dyck, *A Commentary on Cicero, De officiis* (Ann Arbor, MI, 1996), 10 and elsewhere; Griffin and Atkins, *On Duties*, xix; Walsh, *On Obligations*, liii.

commentator, to seek the author's intention and communicate it to readers. All editors strive to achieve this difficult feat. And so I begin my brief critique of prior editions with a humble bow of respect to their editors. I may not have always agreed with their translations or interpretations, but I always benefited from consulting them.

Problems with prior editions begin with the translation of the very title and subject of the book, the word *officium*, translated by Miller, Edinger, and Atkins as "duty," and Grant, Higginbotham, and Walsh as "obligation." Cicero selected *officium* as the Latin translation of the Greek word *kathekon*, literally, "appropriate action."⁴³ Except for the title,⁴⁴ I have preferred the much more accurate translation of "appropriate action." Duty and obligation as Cicero understood the concept imply actions that look to the preservation and cultivation of human association or the common good. Not all actions that are appropriate to either the needs or the virtues of human beings look to the common good. Thus translations such as "duties" and "obligations" do not encompass *officia* in general. Nor is elegance sacrificed with a more literal translation. While I have consistently translated *officium* as "appropriate action," it is sometimes awkward in English to put the words side by side. In such instances, I separate them. However, readers will always know *officium* is being translated because the words "appropriate" and "action" always appear within the same clause. Compare Atkins's translation of *On Duties* 1.59 with my own:

But, one ought when bestowing all these dutiful services to look at what each person most greatly needs, and what each would or would not be able to secure without our help. Thus the degrees of ties of relationship will not be the same as those of circumstance. Some duties are owed to one group of people rather than to another.
(Atkins)

Now in appropriately performing all these actions, we must consider what is most necessary for each person, and what each person could or could not obtain without our help. Thus degrees of rapport and those of circumstance are not the same, and there are actions that are more appropriately owed to some than to others.
(Newton)

⁴³See Cicero, *Letters to Atticus* 16.11.4, 16.14.3.

⁴⁴Just as translators recognize that *The Republic* is a poor title for Plato's *Politeia*, but respect long-standing usage, I recognize that *On Duties* is a poor title for Cicero's *De officiis*, but retain it. The most appropriate title would be *On Appropriate Actions*. See the glossary entry "appropriate action."

Book One

(1) Marcus, my son,¹ you have been studying with Cratippus² for a year now, and this in Athens, so that you ought to abound with the precepts and principles of philosophy owing to the supreme authority of both that learned individual and city, the one able to enrich you with knowledge, the other, precedents. Nevertheless, as I myself³ have always joined things Latin with Greek for my own utility, not only in philosophy, but even in the practice of speaking, I suppose you ought to do the same, so that you might be equally skilled in both languages. Indeed, in this respect it seems to me that I have been of great assistance to our countrymen,⁴ so that not only those ignorant of Greek, but even the learned think they have received some assistance in learning and judging. (2) Accordingly,

¹Marcus Tullius Cicero Minor (65–late 1st century BC) was Cicero's only son. During Gaius Julius Caesar's Civil War (49–45 BC), he joined the side of Gnaeus Pompeius Magnus along with his father, and, like his father, was pardoned by Caesar after Pompeius's defeat at Pharsalus in 48 BC. Marcus then traveled to Athens to study philosophy with the Peripatetic Cratippus. When Cicero was murdered by the Second Triumvirate in 43 BC, Marcus enlisted with Marcus Junius Brutus and Gaius Cassius Longinus. After their defeat at Philippi in 42 BC, Gaius Octavius, the later emperor Augustus, pardoned him. He would fight with Gaius Octavius against Marcus Antonius at Actium in 31 BC, and become consul in 30 BC. While Marcus cherished his father and his father's memory, he seems to have lacked Cicero's intellectual abilities—a fact Cicero hints at in 3.6.

²Cratippus of Pergamum (fl. 1st century BC) was the leading Peripatetic philosopher of his day. He began as a student of the Academic Antiochus of Ascalon, but abandoned both the school and the teacher in favor of the Peripatetics. Later, after being granted citizenship by Gaius Julius Caesar at Cicero's request, he took the name and tribe of Cicero ("Marcus Tullius").

³Cicero often switches from the first person singular ("I") to the "royal" first person plural ("we"). I have consistently translated all instances in which Cicero refers to himself in the first person singular.

⁴Latin: *hominibus nostris*. Literally: "our human beings." I have consistently translated all such instances as "our countrymen."

you will continue to learn from the preeminent philosopher of our age, and learn for as long as you wish—that is, for as long as you wish and are satisfied with your progress.⁵ But in reading my works, which do not differ much from the Peripatetics, since we both wish to be Socratics and Platonists, you must use your own judgment about these very things; I will not interfere. Still, your speech in Latin will surely improve by reading them. Nor in truth do I wish to be thought to have said this arrogantly. For in knowledge of philosophy, I yield to many; but in the peculiar domain of the orator, in speaking fittingly, lucidly, and distinctly, since I have consumed a lifetime in that pursuit, if I appropriate this honor for myself, I merely seem to claim it by my own right.

(3) And so I greatly urge you, my dear Cicero, to eagerly read not only my speeches, but also my philosophical books, which now are nearly equal to them.⁶ While there is greater force in the former, the latter's equable and temperate kind of speech must also be cultivated. In fact, I see that so far it happens that none of the Greeks have labored in both kinds, pursuing both that forensic kind of speaking and this quieter kind of discussion. Unless by chance Demetrius of Phalerum⁷ may be counted among their number: a subtle discussant, a subdued, yet pleasant orator, as you may recognize in a pupil of Theophrastus.⁸ But how much I have accomplished in both is for others to judge; certainly, I have pursued both. (4) Indeed, I believe that Plato,⁹ had he wished to try the forensic kind of speaking, could have spoken most gravely and copiously; and Demosthenes,¹⁰ had he retained and wished to proclaim those things that he had learned from Plato, could have done so distinctly and nobly.

⁵See Cicero, *On Duties* 3.121. Hereafter all citations with book and section numbers but no title are from *On Duties*.

⁶The Latin is ambiguous and can mean equal in number or quality.

⁷Demetrius of Phalerum (ca. 350–ca. 280 BC) was an Athenian statesman, student of Theophrastus, and one of the first Peripatetics. He was appointed by Cassander, the ruler of Macedonian, as tyrant of Athens from 317 to 307 BC, when he was ousted by Demetrius Poliorcetes. Cicero praises him as an excellent example of a philosopher-king in *On the Laws* 3.14.

⁸Theophrastus (ca. 370–ca. 285 BC) was a Greek born in Lesbos, student of Aristotle, and Aristotle's successor at the Lyceum. The Peripatetic school thrived during his thirty-six-year tenure, during which time he published numerous books, only a small fraction of which survive.

⁹Plato (ca. 429–347 BC) was an Athenian philosopher and founder of the Academy. A student of Socrates, after Socrates was executed, he traveled to Egypt, Italy, and Sicily to study with the Pythagoreans. He would later write numerous philosophical dialogues on all manner of subjects. Plato's philosophical stature in antiquity and his influence on Cicero cannot be overemphasized.

¹⁰Demosthenes (384–322 BC) was an Athenian statesman and orator. He may have been a student of Plato and Aristotle, among other teachers. He is often considered the greatest orator of Greece, a sentiment shared by Cicero, who called him "the perfect orator." Many of his speeches survive. See Cicero, *Brutus* 35.

I judge the same thing about Aristotle¹¹ and Isocrates,¹² each of whom, delighted by his own pursuit, despised the other.

But since I have decided to write something to you at this time, much more at another, I especially wish to begin with what is most fitting for your age and my authority.¹³ For although in philosophy there are many weighty and useful things discussed carefully and copiously by philosophers, the most widely accessible seem to be those concerning appropriate actions and the precepts derived from them.¹⁴ In fact, there is no part of life, neither public nor private, neither forensic nor domestic, neither in how you conduct yourself nor in your dealings with others, when is it possible to be free from appropriate action. It is in cultivating *this* that all honorableness in life lies, and in neglecting it, disgrace.

(5) To be sure, this is a common query of all philosophers. For who is there who does not hand down precepts on appropriate action and dares to call himself a philosopher? But there are some teachers¹⁵ who overturn all appropriate action in what they propose as the ends of good and bad things.¹⁶ He who holds the highest good to have no connection to virtue, and measures it by his own advantage, not by honorableness, this person, if he is to remain consistent and not now and then succumb to the goodness of his nature, cannot cultivate friendship, justice, or liberality. In truth, he can in no way be courageous if he judges pain the greatest ill, nor temperate if he holds pleasure the greatest good.¹⁷ And although these things are so manifestly obvious that the matter does not warrant discussion, nevertheless, they have been discussed by me elsewhere.¹⁸

¹¹Aristotle (384–322 BC) was an Athenian philosopher, student of Plato, and teacher of Alexander the Great. After Plato's death, he founded his own school, the Lyceum. While none of his published works have survived, chance has preserved his "lecture notes," which cover all manner of subjects. His students and followers were called "Peripatetics" after Aristotle's habit of lecturing while he walked about the colonnades of the Lyceum. Cicero calls Aristotle a philosopher second only to Plato in both genius and diligence. See Cicero, *Tusculan Disputations* 1.22.

¹²Isocrates (436–338 BC) was an Athenian orator. He is generally considered to be second only to Demosthenes. Twenty-one of his speeches have survived.

¹³The Latin is ambiguous and could mean authority as a parent, ex-consul, learned person, or, most likely, all three.

¹⁴See 3.5.

¹⁵Cicero is referring somewhat to the Stoics, but especially to the Epicureans. For a concise explanation of Epicureanism, see the glossary entry "Epicureans"; for a detailed discussion of the same, see the introductory and fourth sections of the interpretative essay.

¹⁶Latin: *bonorum et malorum finibus*. Literally: "the ends of good and bad things." I have avoided translating *malum* as "evil," instead translating it as either "bad" or "ill."

¹⁷Viz., the Epicureans. See 3.12, 3.18, 3.105, 3.116–120.

¹⁸Cicero discusses the ends of human nature in his *On the Ends of Good and Bad Things*, written in 45 BC, hereafter cited as *On Ends*. The work is comprised of three dialogues across five books: the first two books discuss the Epicurean understanding of the

(6) These teachers, then, if they wish to be consistent, can in no way speak about appropriate action. Nor can any precepts on appropriate action be handed down that are enduring, stable, and in accordance with nature except by those who say that either solely¹⁹ or especially for its own sake²⁰ is honorableness desired. Thus advice on appropriate action is peculiar to the Stoics,²¹ Academics,²² and Peripatetics,²³ since the sentiments of Aristo,²⁴ Pyrrho,²⁵ and Erillus²⁶ have long since been rejected. Still, had they left some choice between things, they would have been within their own right to discuss appropriate action, as there might have been a way to approach its discovery. Therefore, at *this* time and especially in *this* query, I chiefly follow the Stoics, not as an expounder, but, as I am accustomed, drawing from their wells as much and in whatever way as in my judgment and discernment shall seem best.²⁷

(7) Since, then, the entire discussion is to be about appropriate action, I approve of first defining what appropriate action is. That this was omitted by Panaetius²⁸ amazes me; for all instruction that relies on reason

human race's natural end; the third and fourth, the Stoic; and the fifth, a Peripateticism infected by Stoicism.

¹⁹Viz., the Stoics. See 1.6, 2.10, 3.11, 3.20, 3.33, 3.35. See also Cicero, *Stoic Paradoxes*, Paradox 1. ²⁰Viz., the Academics and Peripatetics. See 1.6, 3.11, 3.20, 3.33, 3.35. See also Aristotle, *Nicomachean Ethics* 1098b12ff.; Cicero, *Tusculan Disputations* 5.51.

²¹For a concise explanation of Stoicism, see the glossary entry "Stoics"; for a detailed discussion of the same, see the introductory and third sections of the interpretative essay.

²²For a concise explanation of the Academy, see the glossary entry "Academics"; for a detailed discussion of the same, see the introductory and fifth sections of the interpretative essay.

²³For a concise explanation of Peripateticism, see the glossary entry "Peripatetics."

²⁴Aristo of Chios (fl. 3rd century BC) was a Stoic philosopher and contemporary of Zeno of Citium. He denied bodily pleasures or external needs to be goods or even "preferred" things. He maintained virtue to be the only good.

²⁵Pyrrho of Elis (ca. 365–275 BC) was a Greek philosopher and inspiration for the school of Pyrrhonism, founded by Aenesidemus in the first century BC. He maintained the impossibility of knowledge.

²⁶Erillus of Carthage (fl. 3rd century BC) was a Stoic philosopher and pupil of Zeno of Citium. Like Aristo of Chios, he denied bodily pleasures or external needs to be goods or even "preferred" things. He maintained knowledge to be the only good.

²⁷Cicero declares his philosophical independence in all three books of *On Duties*. Readers are cautioned that he "chiefly follows" but does not "expound" the Stoics and Panaetius (see 1.6, 2.60, 3.7). Cicero himself was an Academic skeptic (see 2.7–8, 3.20, 3.33) and sent his son to study with a Peripatetic (see 1.1, 2.8, 3.20, 3.33). Following but not expounding Stoicism is in keeping with his intention to discuss ordinarily appropriate actions and imply entirely appropriate ones (see 1.7–8 and 3.14–16). The precepts of the Stoics and Panaetius are ordinarily appropriate, but not entirely so. Nonetheless, they are always more nobly discussed by them than by others (see 3.20).

²⁸Panaetius of Rhodes (ca. 185–109 BC) was a Stoic philosopher, pupil of Diogenes of Babylon and Antipater of Tarsus, and later head of the Stoa. In physics, he abandoned the Stoic theory that the universe would end in conflagration. In ethics, he followed Aristotle in advocating a dual theory of virtue, the contemplative and the political. Panaetius's influence on Cicero, especially in *On Duties*, has been greatly overemphasized.

about any subject ought to proceed from a definition, so that we may understand what it is that is being discussed.

Every query into appropriate action is twofold. The first pertains to the end of good things; the second rests upon precepts, the use of which can shape all aspects of life.²⁹ Examples of the former kind include whether all actions may be "entirely" appropriate, whether one action may be much more appropriate than another, and others of this same sort. But precepts about the latter kind of appropriate action, while they still involve the end of good things, their involvement is less apparent, because they seem to look more toward instruction in matters of common life. It is this latter kind that must be explained by me in these books.

(8) And there is also another division of appropriate action: what is called a sort of "ordinarily" appropriate action and an "entirely" appropriate one.³⁰ An entirely appropriate action, in my opinion, we may call "correct,"³¹ since the Greeks call it *katorthoma*; but this commonly appropriate action, they call *meson*.³² Thus they define these things so that what is correct they define as an entirely appropriate action; but an ordinarily appropriate action is so called because a plausible reason may be given for why it is done.³³

(9) The questions, then, that arise from such deliberation, as it seemed to Panaetius, are threefold. First, people doubt whether a given action under deliberation is honorable or disgraceful; in such considerations, often their minds are drawn away to contrary sentiments. Second, they either examine or ponder whether or not what they are deliberating is conducive to things advantageous and pleasant for life, to resources and abundance, to influence, to power,³⁴ with which they could help

We have only fragments of his work and that of all the early Stoics. The majority of our information on Stoicism comes from Cicero's own *On Ends* and *On the Nature of the Gods*. Attributing the substance of Cicero's thought to Panaetius is at best a fruitless endeavor and at worst indicative of an antiquated German *Quellenforschung*, or "source criticism." In each book of *On Duties*, Cicero cautions readers that his use of Stoicism in general and Panaetius in particular is qualified (see 1.6, 2.60, 3.7). When he does mention Panaetius, it is nearly always to criticize him (see 1.7, 1.10, 1.152, 1.161, 2.86, 2.88, 3.7ff., 3.33). And as Cicero reminds readers several times, he himself is not a Stoic, but an Academic skeptic (see 2.7–8, 3.20, 3.33).

²⁹Latin: *quibus in omnes partes usus vitae conformari possit*. Literally: "by means of which the use—" or "the enjoyment of life can be shaped in all parts." Thus this second part of appropriate action is not divorced from utility.

³⁰See 3.14–16. See also the glossary entry "appropriate action."

³¹Latin: *rectum*. Literally: "straight," "right," or "correct." Here Cicero uses *rectum* to paraphrase *perfectum*. See the glossary entries "correct" and "right."

³²I follow Winterbottom in reading *meson* instead of *kathekon*. See also Dyck, *A Commentary on Cicero, De Officiis*, 78–80.

³³See 1.101 and 3.14.

³⁴Latin: *potentiam*. Literally: "power." While Latin makes a distinction between *potentia*, power in a general sense, and *potestas*, power legally conferred, Cicero uses both

themselves and their own;³⁵ all such deliberation falls under the reasoning of utility. Third, there is a kind of doubt when what seems to be useful seems to conflict with what is honorable; for when utility seems to seize us toward its aims, and, conversely, honorableness seems to recall us toward its own, it happens that the mind is drawn asunder by such deliberation, and bears for its reflection a twofold concern.

(10) Although it is the greatest vice to omit anything when categorizing, two things have been omitted in this division. For not only are we accustomed to deliberate whether something is honorable or disgraceful, but even between two honorable courses, which is the more honorable; and, likewise, between two useful courses, which is the more useful. Thus, although Panaetius thought its reasoning threefold, we discover the subject ought to be divided into five parts. Therefore, first the honorable must be discussed, but in a twofold manner; next, the useful with the same reasoning; finally, a comparison between the two.³⁶

(11) The beginning allotted by nature to every kind of living being is to protect its own life and body, avoid those things that seem likely to cause harm, and seek out³⁷ and provide for all those things that are necessary for life, such as food and shelter and other things of the same sort.³⁸ Common also to all living beings is the appetite to unite for the sake of procreation and to show a certain degree of concern for their offspring. But between the human being and the brute there is especially this difference: the brute is roused only insofar as to apply itself to what is immediate and present—and to this alone—with quite minimal awareness of past or future.³⁹ But the human being, since he partakes in reason, which allows him to discern consequences, may perceive the causes of things. He is not ignorant of the previous development of things, as it were, their antecedents; he compares similarities, applying and connecting future occurrences with present ones; he easily perceives the whole course of his life and prepares the things necessary to live it out.⁴⁰

interchangeably throughout *On Duties*. Thus I have translated both simply as "power."

³⁵Latin: *suos*. Literally: "their own," including one's own family, friends, clients, etc.

³⁶See 3.7.

³⁷Latin: *anquirat*. Literally: "to search into" or "to seek." Elsewhere *anquirere* has been consistently translated as "to examine." See the note under 3.56.

³⁸Compare the following account of human nature at 1.11–14 with the one given in Cicero, *On Ends* 2.45–47.

³⁹See 1.105 and 1.107.

⁴⁰See 1.81. Thus the virtue of wisdom is introduced.

Compare 1.11 and 1.81 with Hobbes, *Leviathan*, chap. 6, where Hobbes defines curiosity in much the same way. The inclination and ability to discern the causes of things allows man to control for them; insofar as man can control for future events, he may be said to have power over them. However, the crucial difference between Hobbes and

(12) This same nature unites one human being to another in an association of language and life by the force of reason;⁴¹ it especially implants in them an exceptional love for their offspring; and it compels human beings to want to gather together and congregate, as well as participate in such assemblages. And it is because of these things that it eagerly desires them to prepare those things needed for cultivation and sustenance,⁴² not only for themselves, but for their spouses, children, and others whom they hold dear and ought to protect.⁴³ This concern further kindles their spirits and makes them greater in the conduct of their affairs.⁴⁴

(13) Especially peculiar to the human being is the examination and investigation into the truth. And so when we are free from necessary business and concerns, we then crave to see, hear, and learn something.⁴⁵ We consider inquiry into either hidden or admirable things necessary for a blessed life.⁴⁶ Consequently, we may understand that what is true, simple, and sincere is most fitting for human nature. Associated with this longing for seeing the truth is a certain appetite for preeminence, so that a spirit well formed by nature wishes to obey no one except—for his own utility—one who advises or who teaches or who rules justly and legitimately. From this arises greatness of spirit and contempt for human concerns.

(14) This force of nature and reason is truly considerable, since this animal alone perceives what is orderly, what is proper, and what a due measure in deeds and speech is. And so no other animal perceives the beauty, elegance, and harmony of the parts of the visible world. Nature and reason, extending this similarity from the eyes to the mind, have thought all the more that beauty, constancy, and orderliness ought to be preserved in decisions and deeds; and they caution lest anything is done improperly or effeminately, or in all opinions and deeds, lest anything is done or reflected upon lustfully.⁴⁷

Cicero, classical and modern political philosophy, is whether man is by nature an individual or a social animal. If the former, he will use his power to further his own individual ends, thinking of the common good only insofar as it is convenient for him to do so; if the latter, he will use it, to the extent that he is social, on behalf of the common good for its own sake.

⁴¹See 1.50.

⁴²Latin: *cultum et . . . victum*. Literally: "cultivation and sustenance." See the glossary entries "cultivation" and "sustenance."

⁴³Thus the virtue of justice and its close companion, beneficence, is introduced.

⁴⁴Latin: *quae cura exsuscitat etiam animos et maiores ad rem gerendam facit*. Literally: "This concern further kindles their spirits and makes them greater in the conduct of their affairs." Thus syntactically Cicero introduces the virtue of magnanimity. See also the end of 1.13.

⁴⁵See 1.105.

⁴⁶See 2.6.

⁴⁷Thus the final virtue of propriety is introduced.

From these things is forged and produced that very thing we are seeking, the honorable, which, even if it is not ennobled, nevertheless, is honorable; for we truly call "honorable" that which, even if praised by no one, is praiseworthy by nature.

(15) Marcus, my son, you are seeing the very form and, as it were, visage of the honorable: "If such a thing could be discerned by the eyes," as Plato says, "it would arouse an extraordinary love of wisdom."⁴⁸ Everything that is honorable originates from some one of four parts: either in thoroughly recognizing and perceiving the truth; or in safeguarding human association, giving to each his own, and keeping good faith in agreements made; or in the greatness and strength of a lofty and unconquerable spirit; or in the order and due measure of all deeds and speech, in which are included discretion and temperance.

Although these four things are closely bound and connected with each other, nevertheless, specific kinds of appropriate actions arise from each one individually. Thus the first virtue described above, in which I place wisdom and prudence, is devoted to investigation and discovery of the truth: this is its characteristic function. (16) Consequently, whoever clearly perceives what is most true in each matter, whoever most acutely and swiftly can see and explain its reason, this person is duly accustomed to be considered the most prudent and wise. Therefore, the subject matter, so to speak, that this virtue handles and concerns is truth.

(17) But the remaining three virtues aim at necessities. These include the preparation and defense of those things that sustain the activity of life, so that both human association and unity are preserved, as well as excellence and greatness of spirit are manifested—manifested not only in increasing our influence and procuring utilities for ourselves and our own,⁴⁹ but, still more importantly, in despising these very things. Moreover, also associated with this sort are orderliness and constancy and moderation and other similar qualities that concern not simply intellectual activity, but a certain action; for by employing a due measure and order in the affairs performed throughout our lives, we shall safeguard honorableness and propriety.

(18) Now with respect to the four parts into which we have divided the nature and force of the honorable, the first, which consists of inquiry into truth, belongs especially to human nature. For we are all drawn and led by a longing to inquire and know, and think excellence at it beautiful; but to go wrong, to err, to not know, to be deceived, we consider bad and disgraceful.

Inherent to this kind of virtue, both natural and honorable, are two vices that must be avoided. First, we must⁵⁰ not hold matters that have not been inquired into as if they have been inquired into, nor assent to them rashly. He who wishes to avoid this vice—and all should wish it—will take the time and care to contemplate them. (19) Second, it is a vice of certain people to direct excessive devotion and exertion over obscure and difficult matters—which are likewise unnecessary. By avoiding such vices, what is worthy of effort and care will be placed in honorable matters and inquiry, and will rightly garner praise. Examples include Gaius Sulpicius⁵¹ in astrology, whom I have heard; Sextus Pompeius⁵² in geometry, whom I have come to know; many more in dialectics, and still more in civil law.⁵³ All of these arts are concerned with the investigation of truth.

Devotion to the sort of pursuits that lead us away from business is inappropriate action;⁵⁴ for all praise of virtue consists in action. Still, there is often pause from such activity, and many are given the opportunity to return to these devotions. Moreover, our intellectual activity, which never ceases, preoccupies us with a pursuit of inquiry, even without our effort. But all reflection and activity of our mind will be concerned either in taking counsel on honorable matters and what pertains to a good and blessed life, or in devotion to knowledge and inquiry.

About the first source of appropriate action I have now spoken. (20) Of the remaining three, the one most widely applicable is the reasoning by which human association and, as it were, communal life⁵⁵ may be sustained. There are two parts to this: justice, that most resplendent virtue, on account of which men are called "good," and, connected to it, beneficence, which likewise may be called either kindness or liberality.⁵⁶

⁴⁸I have consistently translated all instances of the impersonal passive periphrastic ("one must") and the impersonal future passive participle ("one ought") in the first personal plural ("we must" or "we ought"). Such a translation is consistent with the tone and intended audience of the treatise. See 2.45.

⁴⁹Gaius Sulpicius Galus (fl. 2nd century BC) was a Roman orator, general, and statesman. He became praetor in 169 BC and consul in 166 BC. While serving under Lucius Aemilius Paullus Macedonicus in the Third Macedonian War, he won great fame by predicting a lunar eclipse the night before the battle of Pydna in 168 BC.

⁵⁰Sextus Pompeius (late 2nd–early 1st century BC) was the uncle of the more famous Gnaeus Pompeius Magnus. Cicero remarks that he was accomplished in geometry, law, and Stoic philosophy, but took no part in political life. See Cicero, *Brutus* 175.

⁵¹Latin: *iure civili*. Literally: "what is right according to a [given] political community." I have consistently translated *ius civile* as "civil law." See the glossary entry "right."

⁵²Latin: *contra officium*. I have consistently translated this as "inappropriate action."

⁵³Latin: *vitae . . . communitas*. Literally: "a community of life." See the glossary entry "community."

⁵⁴I have collectively labeled Cicero's second unnamed virtue "justice." See the glossary entry "justice."

⁴⁸See Plato, *Phaedrus* 250d.

⁴⁹Latin: *suis*. See the note under 1.9.

Now the first function of justice is that no one should harm another unless provoked by injury; the second, that one should use communal property on behalf of communal interests, private property on behalf of one's own interests.⁵⁷ (21) To be sure, no property is private by nature, but rather owing to long-standing occupancy, as when a people formerly arrived at an unoccupied area; or to victory, as when they acquired it through warfare; or to law, agreement, contract, or lot.⁵⁸ Thus it happens that the land of Arpinum is said to belong to the Arpinates, Tusculum to the Tusculans, and a similar assignment of other private possessions. Therefore, since what becomes each person's "own" is actually part of those things that had been by nature common, whatever happens to fall to each person's lot, he ought to keep. And if someone should desire another's property for himself, he would be violating what is right for human association as such. (22) But since, as was superbly written by Plato, we are not born for ourselves alone, it happens that our country claims a part of us, our friends another;⁵⁹ and, moreover, as approved by the Stoics, everything that arises on earth is created for the use of human beings, but human beings are born for the sake of other human beings, so as to benefit one another.⁶⁰ In this we ought to follow nature as a guide and make common utilities commonly available,⁶¹ such as in reciprocating appropriate actions, in giving and receiving, now our arts, now our services, now our resources, and thereby more closely unite human beings in association.

(23) Moreover, fundamental⁶² to justice is trust—that is to say, the constancy and honesty of assertions and agreements. Consequently, although this will perhaps seem too rigid to some, nevertheless, let us dare to imitate the Stoics, who eagerly seek from whence words are derived,

⁵⁷Latin: *deinde ut communibus pro communibus utatur, privatis ut suis*. Literally: "next, that one should use communal things on behalf of communal interests, private things [on behalf of] one's own interests." Note that the word Cicero uses for private property, *privatus*, comes from the verb *privare*, which means "to rob." This is interesting when considering what Cicero says next about the origins of private property.

⁵⁸Compare this statement with the one made in Cicero, *On the Commonwealth* 1.27: "He alone is truly permitted to claim everything as his own, not by right of the Quirites [Roman people] but of the wise, not by civil obligation but by the common law of nature, which forbids anything to belong to anyone except to him who knows how to handle and use it."

⁵⁹See Plato, *Ninth Letter* 358a.

⁶⁰See Cicero, *On the Laws* 1.25; *On Ends* 3.67; and *On the Nature of the Gods* 2.37 and 2.154ff., for just such Stoic arguments. See also *On the Nature of the Gods* 3.66–93 for their refutation.

⁶¹Latin: *communes utilitates in medium adferre*. Literally: "bring common utilities in the middle," and so "make common utilities commonly available."

⁶²Latin: *fundamentum*. Literally: "fundamental." I have avoided translating *fundamentum* as "foundational" because Cicero consistently uses the word in the context of something being "fundamental to" justice, rather than the "foundation of" justice. See 1.31 and 1.42.

and let us accept that trust (*fides*) is so called because what is said should also be done (*fiat*).

But there are also two kinds of injustice: first, the injustice of those who inflict injury; second, those who, although able, do not repel injury from those upon whom it is being inflicted. For he who unjustly attacks another, whether he is incited either by anger or by some other perturbation, that person, as it were, seems to raise his hand against an ally. And he who, although able, neither defends against nor opposes the injury done to another, that person is as vicious as if he had abandoned his parents, friends, or country.

(24) As to the former sort of injury, those that are consciously inflicted for the sake of causing harm, often they are perpetrated out of fear, as when someone intends to harm another, fearing that unless he do so, some misfortune will befall him. But for the most part people attempt this sort of injury in order to secure those things that they fervently desire, the most widely applicable motive for this vice being avarice. (25) For wealth is desired, not only for the useful necessities of life,⁶³ but also for the enjoyment of pleasures. But in those of greater spirit, the longing for money aims at influence and the ability to gratify others. For example, Marcus Crassus⁶⁴ recently denied any amount of money to be large enough for someone who wished to be preeminent in the commonwealth on whose interest he could not field an army. Magnificent adornments and a life cultivated by elegance and abundance also delight; but the result of these things is an endless longing for money. In truth, the enlargement of our own estate must not be condemned when no one is harmed, but injury must always be avoided.

(26) Moreover, when most people fall prey to a longing for public offices, honors, and glory, they are so carried away that they become oblivious to all considerations of justice. As Ennius⁶⁵ says:

No sacred association nor good faith belongs to kingship.⁶⁶

⁶³Latin: *usus vitae necessarios*. Literally: "the necessary uses of life."

⁶⁴Marcus Licinius Crassus Dives (ca. 115–53 BC) was a Roman general and statesman. He spent his early career serving under Lucius Cornelius Sulla Felix in the war against Gaius Marius (88–87 BC), and later suppressed the slave revolt led by Spartacus (73–71 BC). He is best known for his prodigious wealth and membership in the First Triumvirate, along with Gaius Julius Caesar and Gnaeus Pompeius Magnus. He was killed in the battle of Carrhae in 53 BC in a failed campaign that he initiated against the Parthian Empire.

⁶⁵Quintus Ennius (ca. 239–169 BC) was a Roman poet. His impact on Latin literature was significant, although only fragments of his works survive. Cicero quotes from him often.

⁶⁶A verse from an unknown play of Ennius. Some conjecture it is from the *Thyestes*. See Dyck, *A Commentary on Cicero, De officiis*, 120.

This saying is widely applicable. For whenever there is situation in which many are unable to excel, a great struggle usually occurs in which it is exceptionally difficult to preserve a "sacred association." This was only recently demonstrated by the temerity of Gaius Caesar:⁶⁷ he overturned all right principles⁶⁸—divine and human—for a preeminence of place that, in his mistaken opinion, he had contrived for himself. What is additionally troubling about this kind of situation is that longings for honor, rule, power, and glory arise in the greatest spirits and noblest characters.⁶⁹ All the more, then, must we beware of transgressing in this kind of situation.

(27) But with all injustice, it makes a very great difference whether the injury is caused by some perturbation of the mind, which is generally brief and momentary,⁷⁰ or is premeditated and planned. For the former sort, which occurs owing to some hasty emotion, is more capricious than the latter, which is devised and prepared.

Enough has now been said about inflicted injuries. (28) However, the neglect to defend another and the abandonment of appropriate action usually have many causes. For example, people may refuse to undertake such a defense either out of enmity or effort or expense; or, again, because of negligence, laziness, sloth; or are so impeded by certain devotions or occupations of their own that those whom they ought to protect they permit to be abandoned. And so we must see whether what was said by Plato about philosophers is actually sufficient: that because they are concerned with the investigation of truth and despise and think worthless

those things that most people vehemently desire and fiercely struggle over, that they, the philosophers, are just.⁷¹ To be sure, they achieve the one sort of justice—not harming another by causing injury—but they fail in the other. For impeded by their devotion to learning, they abandon those whom they ought to protect. And so they think that they ought not to enter public affairs unless compelled. But it is more equitable that this is done voluntarily; for this very thing is just—that what is done correctly is done voluntarily. (29) There are also those who, whether out of devotion to protecting their own estate or some sort of hatred for human beings, say they mind their own business, seemingly injuring no one. These people are free from the one sort of injustice, but fall prey to the other; that is to say, they abandon communal life⁷² by contributing to it none of their devotion, effort, or ability.

(30) Since, then, we have attached causes to each of the two kinds of injustice proposed, and previously established those things that sustain justice, unless we indulge in excessive self-love, we will now easily be able to judge what, in each circumstance, is an appropriate action. Yes, concern for the affairs of others is difficult. Although Terence's⁷³ Chremes may "think nothing human foreign to him,"⁷⁴ nevertheless, because we perceive and feel those things that turn out either well or adverse for ourselves more than those for others, we see the latter as if from a far distance, and judge them differently from our own. Consequently, such people advise well who forbid any action in which you may doubt whether it is equitable or inequitable. For equity is conspicuous in itself; doubt signifies the contemplation of injury.

(31) Still, there often occur circumstances when those things that especially seem to be worthy of a just human being, and for which we call a man "good," change and become the opposite. Examples include returning a deposit even to a madman,⁷⁵ fulfilling a promise, and such things as pertain to truth and trustworthiness. Now and then these things change, and to quit them becomes just. Thus it is proper to refer back to those things that I laid down in the beginning as being fundamental to justice: first, that no one harms another, and, second, that one serves the common utility.⁷⁶ When these things are changed by circumstance,

⁶⁷Gaius Julius Caesar (100–44 BC) was a Roman historian, general, and statesman. Caesar first gained attention by defying Lucius Cornelius Sulla Felix's order to divorce his wife, the daughter of Sulla's enemy, Lucius Cornelius Cinna. After Sulla's death, Caesar moved up the *cursus honorum*, or "path of honors," which made up a Roman citizen's political career, ultimately becoming consul in 59 BC. To aid him in his endeavors, he created the First Triumvirate, a powerful alliance comprised of himself, Gnaeus Pompeius Magnus, and Marcus Licinius Crassus Dives. After his consulship, Caesar became governor of Cisalpine Gaul and Illyrium. He then initiated a long series of wars against the Gauls (58–50 BC), which he wrote about in his *Commentaries on the Gallic War*. When the Senate, led by Marcus Porcius Cato Uticensis, demanded he lay down his arms and return to Rome to face prosecution, Caesar famously crossed the Rubicon River, the boundary between his legal province of Cisalpine Gaul and Italy. In so doing, he initiated the Civil War (49–45 BC) against his former ally Gnaeus Pompeius Magnus and old enemy Marcus Porcius Cato Uticensis. This he also wrote about in his *Commentaries on the Civil War*. Success in the Civil War left him master of Rome. Honors and awards were lavished upon him by a cowed Senate, eventually leading to his appointment as dictator for life. This was too much to bear for many of the senators, who plotted and perpetrated his assassination on the Ides of March in 44 BC.

⁶⁸Latin: *iura*. See the glossary entry "right."

⁶⁹Latin: *ingeniis*. Literally: "innate nature." *Ingenium* pertains to a person's natural "disposition" or "inclinations," as well as "abilities." I have consistently translated it as "character" so as to fully if imperfectly retain its meaning.

⁷⁰Latin: *ad tempus*. Literally: "at the time" or "circumstantial."

⁷¹See Plato, *Theaetetus* 173d–e; *Republic* 520a6ff.

⁷²Latin: *vitae societatem*. Literally: "the association of life." The literal meaning must here be substituted for the conceptual meaning in order to make sense in English.

⁷³Publius Terentius Afer (ca. 190–159 BC) was a Roman poet. All six of his plays survive.

⁷⁴See Terence, *The Self-Tormentor* 77.

⁷⁵See 3.95.

⁷⁶See 1.23.

the appropriate action changes and does not always remain the same.⁷⁷ (32) For it can happen that some promise or agreement should turn out to be useless, either to the one to whom it was promised, or to the one who made the promise.⁷⁸ For example, as related in the fable, if Neptune had not fulfilled his promise to Theseus, Theseus would not have been bereaved of his son Hippolytus. For having been given three wishes, as it is written,⁷⁹ this was his third: in a fit of anger he wished for Hippolytus to die. The wish was granted, and Theseus fell into the greatest of grief.⁸⁰ Therefore, promises must not be kept that are useless to those to whom you promise; nor, if they should be more harmful to you than beneficial to those to whom you made the promise, do you act inappropriately⁸¹ to prefer the greater good to the lesser. Again, if you should arrange to appear as an advocate for someone in court, and, in the meantime, your son becomes gravely sick, you do not act inappropriately⁸² to renege on your word. No, it is rather the person to whom you made the promise who strays from acting appropriately,⁸³ if he should complain that you abandoned him. For who does not see that those promises cannot be kept that someone makes compelled by fear or misled by deceit?⁸⁴ In fact, many such things are annulled⁸⁵ by the right of the praetor, some by the laws.

(33) To be sure, there often arise injuries owing to a certain calumnious and exceedingly cunning but malicious interpretation of what is right.⁸⁶ It is because of these that the remark "Supreme right, supreme injury" has become proverbial in conversation.⁸⁷ With respect to this sort, many wrongs are committed even in public affairs, as in the case of the individual who, having made a truce with the enemy for thirty days, laid waste to their lands by night, claiming that the truce pertained to

the days, not to the nights.⁸⁸ Nor can we approve of the case of Quintus Fabius Labeo⁸⁹—if in truth it was him or someone else, for I have it only on hearsay. He was appointed by the Senate as an arbiter in a border dispute between the Nolanians and the Neapolitans. When he arrived at the area, he spoke with both sides separately, urging them not to act rashly, not to be greedy, and to prefer to pull back rather than advance. When both sides had done this, there remained a considerable amount of land in the middle. And so he terminated the borders of both peoples as they had specified, and adjudicated what was left in the middle to the Roman people. This was *deception*, not adjudication. Consequently, all such cleverness must be avoided.

(34) Moreover, there are some actions that ought to be appropriately observed even toward those from whom you may have received some injury; for there is a due limit to vengeance and punishment. I even wonder whether it is not sufficient that the perpetrator regret his injury so that he himself should do no such thing afterward, and others should be more hesitant to cause injury.

In particular, the laws of warfare⁹⁰ must be observed especially in public affairs. Now there are two kinds of arbitration: one through discussion, another through force. Although the former is characteristic of a human being and the latter of brutes, we must have recourse to the latter if not permitted to use the former.⁹¹ (35) Thus wars must be undertaken for this cause: that we may live in peace without injury.⁹² But when victory has been achieved, those who were not cruel in warfare, who were not brutal, must be spared. So it was that our ancestors even gave citizenship⁹³ to the Tusculans, Aequians, Volscians, Sabines, and Hernicians;⁹⁴

⁷⁷See 3.18–19, 3.32, 3.92–95.

⁷⁸See 3.94–95.

⁷⁹Latin: *scribitur*. Literally: "it is written." I have chosen the literal translation "it is written" for the single reason that when a philosopher discusses myths, fables, or any authoritative opinion, it is always better to consider exactly how that myth, fable, or opinion is reported. The same applies for Cicero's many uses of the verb *videri*, "to seem."

⁸⁰See 3.94. See also Euripides, *Hippolytus* 887ff. However, in Euripides's account, it was the first wish.

⁸¹Latin: *contra officium est*. Literally: "it is an inappropriate action."

⁸²Latin: *non sit contra officium*. Literally: "it is not an inappropriate action."

⁸³Latin: *officio*. Literally: "from appropriate action."

⁸⁴See 3.92. Compare also this prudent statement with the honorable ones made at 1.39 and 3.99ff.

⁸⁵Latin: *liberantur*. Literally: "freed."

⁸⁶See 1.63, 2.10, 3.71, 3.113.

⁸⁷See Terence, *The Self-Tormenter* 796.

⁸⁸See Herodotus, *Histories* 6.78–79; and Plutarch, *Sayings of the Spartans*, 223a.

⁸⁹Quintus Fabius Labeo (fl. 2nd century BC) was a Roman statesman. He was consul in 183 BC.

⁹⁰Latin: *iura belli*. Literally: "the right principles of warfare" or "the principles of what is right in warfare." I have consistently translated both *iura belli* and *ius bellicum* as "the laws of warfare."

⁹¹See Machiavelli, *The Prince*, chap. 18, where Machiavelli quotes this famous line, but twists its meaning to suit his new political teaching emphasizing the primacy of utility: "Thus, you must know that there are two kinds of combat: one with laws, the other with force. The first is proper to man, the second to beasts; but because the first is often not enough, one must have recourse to the second. Therefore it is necessary for a prince to know well how to use the beast and the man." Translation from Machiavelli, *The Prince*, trans. Harvey Mansfield (Chicago, 1998).

⁹²See Plato, *Laws* 628d; Aristotle, *Nicomachean Ethics* 1177b; *Politics* 1333a36ff.

⁹³Latin: *in civitatem etiam acceperunt*. Literally: "even welcomed into [our] political community."

⁹⁴Tusculum received full citizenship privileges around 381 BC. The other cities Cicero mentions were initially denied voting privileges, but some were later granted full citizenship.

but Carthage⁹⁵ and Numantia⁹⁶ they razed to the ground. I would not have sanctioned the destruction of Corinth,⁹⁷ but I believe they pursued such a course owing to its especially opportune location, lest someday the place itself might rally to war. It is *my* sentiment that we must always look to a peace that in no way holds future treachery. If I had been heeded in this matter, we would still have, if not the best, at least something of a commonwealth, whereas now we have nothing of the sort.⁹⁸ And, yes, we must look to the interests of not only those who have been pacified by force, but even those who have laid down their arms and consigned themselves to the good faith of the generals—even though the battering ram may have smashed through their walls—they, too, must be received.⁹⁹ To such a degree was justice in this respect cultivated by our ancestors that the very people who had received in good faith those political communities and nations pacified in war would, by ancestral custom, become their patrons.

⁹⁵Carthage was a powerful maritime city located in what is today northern Tunisia. Rome fought three bloody wars with Carthage: the First Punic War (264–241 BC), the Second Punic War (218–201 BC), and the Third Punic War (149–146 BC). These wars were fought over hegemony in the Mediterranean world. The First Punic War was largely a naval affair, although land battles were fought in Sicily and Africa. Carthage's defeat left Rome in control of Sicily, Sardinia, and Corsica. These latter two territories were seized by Rome after the war had ended and while Carthage was occupied with another war. This seizure, along with the large war indemnities imposed on Carthage, led to the Second Punic War. The famous Carthaginian general Hannibal Barca (247–ca. 182 BC) invaded Italy by way of the Alps, crushed Roman army after Roman army, and occupied Italy for fifteen years. His greatest victory was the battle of Cannae in 216 BC, in which he defeated eight Roman legions. He was eventually defeated when Publius Cornelius Scipio Africanus Major invaded Africa, forcing the Carthaginian senate to recall Hannibal to protect the city. He was decisively defeated at the battle of Zama in 202 BC, leaving Rome the undisputed master of the Mediterranean. Hannibal's invasion of Italy and his near destruction of Rome never left the Roman imagination. Urged on by Marcus Porcius Cato the Elder, Rome initiated the Third Punic War against the exhausted city of Carthage, leading to the latter's all but annihilation in 146 BC.

⁹⁶Numantia was a Celtiberian city located near what is today Soria, Spain. It was instrumental in the final phases of the Celtiberian Wars (181–133 BC) between the Roman Republic and the Celtiberian tribes of Spain. These bloody wars were finally concluded by Publius Cornelius Scipio Africanus Aemilianus in 133 BC with the destruction of Numantia.

⁹⁷Ancient Corinth (as opposed to modern Corinth) was a Greek city located on the Isthmus of Corinth. Corinth was destroyed in the final phases of the Achaean War in 146 BC between the Roman Republic and the Greek Achaean League.

⁹⁸Cicero advised against a war with Gaius Julius Caesar, believing that a peace made with Caesar might preserve some semblance of the commonwealth. See Cicero, *Letters to Friends* 6.1.6.

⁹⁹This passage may be a barbed criticism of Gaius Julius Caesar's response to the Aduatucians: "Caesar replied [to their appeal] that he would spare their political community, owing more to his habit than their merit, if they surrendered before the battering ram touched the wall." See Caesar, *Commentaries on the Gallic War* 2.32. See also Dyck, *A Commentary on Cicero, De officiis*, 141.

(36) Equity in warfare has also been most solemnly drawn up in accordance with the fetial law¹⁰⁰ of the Roman people. Consequently, we may understand that no war is just unless either waged after a request for restoration, or due notice has been given beforehand and officially declared.¹⁰¹ (37) There actually exists a letter from Marcus Cato the Elder¹⁰² to his son Marcus, in which he writes that he had heard that his son, who had been serving in Macedonia in the war against Perseus,¹⁰³ had been discharged by the consul. He therefore advised him to be mindful not to enter into battle; for he denied that it was right for one who was not a soldier to fight the enemy.

I also note that one who would have properly been called an "enemy" (*perduellus*) was actually called a "guest" (*hostis*), thereby mitigating the severity of the thing by the mildness of the word. For he who was called a "guest" (*hostis*) by our ancestors is now called a "foreigner" (*peregrinus*). The Twelve Tables¹⁰⁴ indicate this: "on an appointed day for a trial with a guest (*cum hoste*),"¹⁰⁵ and, likewise, "in a dispute with a guest (*adversus hostem*), ownership is perpetual."¹⁰⁶ What could possibly be added to such gentleness—to call him with whom you wage war by

¹⁰⁰Latin: *fetiali iure*. Literally: "by fetial right." I have consistently translated *ius fetialis* as "fetial law." Fetial law was observed by the fetial priests of Jupiter, the patron god of trustworthiness. They advised the Senate on matters of treaties, declarations of war and peace, and diplomacy.

¹⁰¹The rest of 1.36 is almost certainly an interpolation. The juxtaposition of the two accounts of Cato's son, neither of which takes into consideration the other, combined with the awkward Latin, has led scholars to reject this passage. See Dyck, *A Commentary on Cicero, De Officiis*, 143–44. The passage in question runs as follows: "The general Popilius was governing a province in whose army Cato's son was serving as a recent recruit. Later, it seemed best to Popilius to disband one legion, and so, too, the son, who was serving in it. But out of love for fighting in the army, the son stayed. Cato then wrote to Popilius that if he should permit him to remain in the army, he should bind him with a second oath of military service, since he had previously been dismissed and could not by right fight the enemy. Such was the strict observance in waging wars."

¹⁰²Marcus Porcius Cato (234–149 BC), also called Cato the Elder or Cato the Censor, was a Roman statesman. Cato was chiefly known for his inflexibility regarding matters of morals as well as the matter of Carthage. The former led him to be instrumental in Rome's hostility to Greek culture; the latter, in the eventual destruction of Carthage by Rome in the Third Punic War.

¹⁰³Perseus of Macedonia (ca. 212–165 BC) was the last king of the Antigonid dynasty, which ruled Macedonia after the death of Alexander the Great. His aggressive conduct toward the neighboring Greek cities, many of whom were Rome's allies, led to the Third Macedonian War (171–168 BC), culminating in his defeat at the battle of Pydna in 168 BC.

¹⁰⁴*Leges Duodecim Tabularum*, or the *Laws of the Twelve Tables* were the core laws comprising the constitution of the Roman Republic. See Varro, *On the Latin Language* 5.3 for the same linguistic point Cicero makes.

¹⁰⁵See *Laws of the Twelve Tables* 2.2.

¹⁰⁶See *Laws of the Twelve Tables* 6.4.

so mild a name? Now in its antiquity the word has lost the meaning of "guest" and applies strictly to him who bears arms against you.

(38) In truth, when struggling over rule and war is sought for glory, there certainly ought to be the same underlying causes that I said above are just causes for war. But these wars that have the glory of rule as their object must be waged less harshly. For as when we struggle with a fellow citizen one way if he is an enemy, another if he is a rival—the latter a struggle over honor and distinction, the former over life and reputation—so war was waged with the Celtiberians¹⁰⁷ and Cimbrians,¹⁰⁸ as if with deadly enemies, simply to survive, not to rule;¹⁰⁹ but the struggle with the Latins, Sabines, Samnites,¹¹⁰ Carthaginians,¹¹¹ and Pyrrhus¹¹² was over rule. Yes, the Carthaginians broke treaties, Hannibal¹¹³ was cruel, but the rest were more just. In fact, Pyrrhus uttered these superb words about the return of prisoners:

Neither do I demand gold for myself, nor should you give a reward
to me,
Not as merchants in war, but as warriors
With the sword, not gold, let us decide life.
Whether Chance wishes you or me to rule, or whatever it should
bring,
Let us test it with virtue. Hear, too, these words:
Those whose virtue Fortune spares in war
Their liberty is certain to be spared by me.
I present them to you, take them, and I do so with the approval of
the great gods.

A truly kingly sentiment and worthy of the Aeacidae race!

¹⁰⁷For the Celtiberian Wars, see the note under 1.35.

¹⁰⁸The Cimbrian War (113–101 BC) began when the Germanic tribes of the Cimbri and Teutons invaded Roman territory and threatened to invade Italy. The situation soon became dire when they massacred the Roman legions sent out against them at the battle of Arausio in 105 BC. It did not improve until Gaius Marius took command, reformed the legions, and led Rome to eventual victory.

¹⁰⁹See 1.81.

¹¹⁰The wars against Rome's Italian neighbors, the Latins and Sabines (6th–4th centuries BC) and Samnites (343–290 BC), were fought for control of Italy.

¹¹¹For Carthage and the three Punic Wars, see the note under 1.35.

¹¹²See 3.87. Pyrrhus (ca. 319–272 BC) was the king of Epirus. He initiated a war against Rome at the behest of the city of Tarentum. Although Pyrrhus won several victories against the Roman legions, his casualties were so high and Roman determination so resolute that he famously quipped: "If we are victorious in one more battle with the Romans, we will be utterly ruined." He was decisively defeated at the battle of Beneventum in 275 BC.

¹¹³For Hannibal Barca, see the note under 1.35.

(39) And, yes, even if individuals have been induced by circumstances to promise something to an enemy, this very promise ought to be kept in good faith.¹¹⁴ For example, in the First Punic War, when Regulus¹¹⁵ was captured by the Carthaginians and sent to Rome to arrange an exchange of prisoners, he swore he would return. When he arrived, he first advised the Senate not to return the prisoners, and, next, although detained by relatives and friends, he preferred to return to face torture rather than betray the trust he had given to the enemy.

(40) Moreover, in the Second Punic War, after the battle of Cannae, Hannibal sent ten people to Rome bound by sworn oath¹¹⁶ to return unless they secured the ransom for those who had been captured.¹¹⁷ The censors disenfranchised all of them for the rest of their lives because they had sworn falsely. Nor were they any less severe to the individual who incurred blame for breaking his sworn oath by fraud. For when he had left the camp by permission of Hannibal, he returned saying he had forgotten something. He then left the camp thinking he had absolved himself of his sworn oath—but he had done so in speech, not in substance. Thus in matters of good faith, what always must be considered is what you meant, not what you said.

Another excellent example of justice toward an enemy was established by our ancestors when a deserter from Pyrrhus promised the Senate he would give a poison to the king, thereby killing him. The Senate and Gaius Fabricius,¹¹⁸ then consul, delivered him to Pyrrhus. Thus they did not even condone the death of a powerful enemy—and one who was waging war unprovoked—by criminal means.

(41) Enough has now been said about actions appropriate to martial affairs. Additionally, we must remember to observe justice even toward the

¹¹⁴See Machiavelli, *The Prince*, chap. 18, for the exact opposite precept on promises. However, compare both Machiavelli's useful precept in chap. 18 and Cicero's honorable precepts at 1.39 and 3.99ff. with Cicero's prudent caveats about circumstance at 1.32–33, 3.18–19, 3.32, 3.92–95.

¹¹⁵Marcus Atilius Regulus (fl. 3rd century BC) was a Roman general and statesman. He was consul in 267 and 256 BC. During the First Punic War he defeated the Carthaginians in a large naval battle near Cape Ecnomus in 256 BC. He then unsuccessfully attempted to invade Africa and was defeated and captured at the battle of Tunis in 255 BC. Cicero describes the famous story of his civic valor again at 3.99ff.

¹¹⁶Latin: *iure iurando*. Literally: "swearing by what is right." I have consistently translated this phrase as "sworn oath."

¹¹⁷Although some scholars believe 1.40 an interpolation, I think there is good reason to include it. First, one finds no awkwardness in the Latin, such as at 1.36. Second, along with the story of Regulus at 1.39, Cicero returns to these same three stories at 3.86–87, 3.99ff., and 3.113–115. See Dyck, *A Commentary on Cicero, De officiis*, 150–53.

¹¹⁸Gaius Fabricius Luscinus (late 4th–early 3rd century BC) was a Roman general and statesman. He was consul in 282 and 278 BC, censor in 275 BC, and celebrated two triumphs. Stories of him emphasize his poverty, austerity, and incorruptibility.

meanest of people. The meanest condition and fortune is that of slaves. Consequently, such people do not advise badly who order us to use them like mercenaries: make them work, but give them their just due.¹¹⁹

Moreover, injury occurs in one of two ways, either by force or by fraud. Fraud seems like the way of the fox; force, the way of the lion.¹²⁰ Both are exceedingly foreign to a human being, but fraud is worthy of the greater hatred. Finally, there is no sort of injustice worthier of capital punishment than those who not only commit it, but even are so deceptive that they seem to be good men.¹²¹

Enough has been said about justice. (42) Next, as was proposed, beneficence and liberality must be discussed. Indeed, there is nothing more suited to human nature yet so full of caution as beneficence. For we must ensure that, first, our kindness does not actually hurt the very people for whom it would seem to be kindly done, nor others; second, our kindness must not be greater than our resources permit; and, third, it must be bestowed upon each according to his worth.¹²² These caveats are fundamental to justice, to which all acts of beneficence must be referred.

Those who gratify someone in such a way that they hurt the very person they seem to wish to benefit must be judged neither beneficent nor liberal, but rather as pernicious flatterers. And those who harm some so that they might be liberal toward others fall prey to this same injustice, no less than if they had converted another's property into their own. (43) There are also those who, longing for splendor and glory, take from some what they lavish upon others, and think they will seem beneficent toward their friends provided they enrich them—never mind the

¹¹⁹Aristotle, *Economics* 1344.

¹²⁰See Machiavelli, *The Prince*, chap. 18, where Machiavelli adopts Cicero's analogy, but praises the use of force and especially fraud.

¹²¹See Machiavelli, *The Prince*, chap. 18, where Machiavelli prescribes the importance of merely seeming to be a good man: "A prince . . . cannot observe all those things for which men are held good, since he is often under a necessity to maintain his state, of acting against faith, against charity, against humanity, against religion. . . . A prince should thus take great care that nothing escape his mouth that is not full of the above-mentioned five qualities and that, to see him and hear him, he should appear all mercy, all faith, all honesty, all humanity, all religion. And nothing is more necessary to appear to have than this last quality. Men in general judge more by their eyes than by their hands, because seeing is given to everyone, few touch what you are; and these few dare not oppose the opinion of many, who have the majesty of the state to defend them; and in the actions of all men, and especially of princes, where there is no court to appeal to, one looks to the end. So let a prince win and maintain his state: the means will always be judged honorable, and will be praised by everyone." Machiavelli, *The Prince*, trans. Mansfield.

¹²²Compare Cicero's three precepts on beneficence with Aristotle, *Nicomachean Ethics* 1119b20–1122a17.

reason.¹²³ So far removed is this from appropriate action that nothing could be more contrary to it. Therefore, we must ensure that we use such liberality as benefits our friends, but harms no one. Accordingly, Lucius Sulla¹²⁴ and Gaius Caesar's transfer of money from its just owners to others ought not to seem liberal; for nothing is liberal that is not likewise just.

(44) The second caution is that our kindness must not be greater than our resources permit. Those who wish to be kinder than their means allow are the first to transgress in this because they injure their own relations; for it is more equitable to make this abundance available to them and give to others what remains. Moreover, inherent to such liberality is usually a longing to pillage and plunder injuriously so as to ensure a sufficient abundance for our largesse. Surely we can see that most such people are not so much liberal by nature as carried away by vainglory, so as to seem to do many things out of beneficence that seems to originate more from ostentation than free will. But such pretense is more in keeping with insincerity than either liberality or honorableness.

(45) The third point proposed was that in acts of beneficence, selection must be made according to worth. In such cases, the customs¹²⁵ of the one being favored must be considered, the spirit in which he regards us, the degree of community and association in our mutual lives, as well as his past actions appropriately performed for our utility.¹²⁶ That all these things coincide is much to be desired; if they do not, the more numerous and greater considerations ought to have more weight. (46) To be sure, we do not live with human beings who are entirely and plainly wise, but with those who act superbly if they are mere likenesses of virtue. And I reckon this, too, must be understood: no one must be entirely neglected in whom some indication of virtue is apparent. Indeed, we must especially cultivate the person distinguished by the gentler virtues,

¹²³See 2.54. See also Machiavelli, *The Prince*, chap. 16, for the exact opposite precept on liberality.

¹²⁴Lucius Cornelius Sulla Felix (ca. 138–78 BC) was a Roman general and statesman. If Gaius Julius Caesar completely overturned the Republic, Sulla laid the foundation for its overthrow. After a long series of military successes, Sulla notoriously marched his legions on Rome twice—something no Roman general or army had ever done—ostensibly to combat his political enemies. His second march on Rome culminated in a series of proscriptions, or legally sanctioned murders and confiscations of property, of many of Rome's leading citizens. In authorizing the proscriptions, Sulla followed in the footsteps of Gaius Marius and Lucius Cornelius Cinna before him. With the proscriptions concluded, Sulla next turned his attention to constitutional reforms, and, with their completion, to everyone's surprise, laid down his power in 80 BC, living out the remainder of his life in retirement, until his death in 78 BC.

¹²⁵Latin: *mores*. For an explanation of this important word, see the glossary entry "custom."

¹²⁶See 2.69.