The series is intended to make available to students the most important texts required for an understanding of the history of political thought. The scholarship of the present generation has greatly expanded our sense of the range of authors indispensable for such an understanding, and the series will reflect those developments. It will also include a number of less well-known works, in particular those needed to establish the intellectual contexts that in turn help to make sense of the major texts. The principal aim, however, will be to produce new versions of the major texts themselves, based on the most up-to-date scholarship. The preference will always be for complete texts, and a special feature of the series will be to complement individual texts, within the compass of a single volume, with subsidiary contextual material. Each volume will contain an introduction on the historical identity and contemporary significance of the text concerned.

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

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

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

In this category, which is both natural and honourable, one must avoid two faults: first, we should not take things that have not been ascertained for things that have, and rashly assent to them. Anyone who wants to avoid that fault (as everyone indeed should) will take time and care when he ponders any matter. (9) The second fault is that some men bestow excessive devotion and effort upon matters that are both abstruse and difficult, and unnecessary. When those faults are avoided, then the amount of effort and care that is given to things honourable and worth learning will rightly be praised; just as we have heard happened regarding Gaius Sulpicius in astronomy, and as we have learnt ourselves regarding Sextus Pompeius in geometry, many men in dialectical arguments, and yet

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

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

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

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

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1 Of the two faults mentioned, the first reflects C.’s profound dislike of dogmatism which made the sceptical Academic tradition so attractive to him (see Summary, p. xxviii); the second reflects Roman priorities which also led C. to justify his ethical writing in terms of his involuntary exclusion from public life and his hope of helping his countrymen in another way (11.2-6; cf. Acad. ii.6; Div. ii.6). See also 1.71.

2 On the importance attributed to justice, see Introduction pp. xxix ff. The remark that men are called ‘good’ for being just reflects not only common moral notions (11.58, 11.75-6) but also the use of the phrase vir bonus in Roman law, e.g. Dig. xix.2.24 pr. ‘satisfaction as a good man would [judge]’ in a contract, to which C. also alludes in 11.70 and 71.

3 Justice in the narrow sense (the first part of C.’s second virtue) has a negative aspect—not to harm anyone unprovoked (22), and a positive one—to help our fellow men (22, cf. 1.70). These correspond respectively to the positive and negative forms of injustice at 1.23.

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

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

Those injustices that are purposely inflicted for the sake of
harms another often stem from fear; in such cases the one who
is thinking of harming someone else is afraid that if he does not
so, he himself will be affected by some disadvantage. In most
cases, however, men set about committing injustice in order to secure
something that they desire: where this fault is concerned avarice is
extremely widespread. Riches are sought both for the things that
are necessary to life, and in order to enjoy pleasures. In men of
greater spirit, however, the desire for wealth has as its goal influence
and the opportunity to gratify others. Marcus Crassus, for example,
recently said that no one who wanted to be pre-eminent in the republic
would have wealth enough if he could not feed an army on its yield.
Magnificent accoutrements and an elegant and plentiful style of life
give men further delight. The result of such things is that desire
for money has become unlimited. Such expansion of one's personal
wealth as harms no one is not, of course, to be disparaged; but committing
injustice must always be avoided.

However, men are led most of all to being overwhelmed by
forgetfulness of justice when they slip into desiring positions of com-
mand or honour or glory. That is why we find the observation of
Ennius to be widely applicable:

To kingship belongs neither sacred fellowship nor faith

For if there is any area in which it is impossible for many to be
outstanding, there will generally be such competition there that it
is extremely difficult to maintain a 'sacred fellowship'. The rash
behaviour of Gaius Caesar has recently made that clear: he overturned
all the laws of gods and men for the sake of the pre-eminence
that he had imagined for himself in his mistaken fancy. There is something
troubling in this type of case, in that the desire for honour, command,
power and glory usually exist in men of the greatest spirit and most
brilliant intellectual talent. Therefore one must be all the more
careful not to do wrong in this way.

In every case of injustice it matters a great deal whether the

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1. Letter IX 55b.
2. C. in 26-2 has been trying to reconcile the natural sociability of man that is the root
of the second virtue with the notion of private possession which he defends throughout
(except in 1.75, 1.78). At 1.91 the law of the community supplies the criteria for dis-
tinguishing what is communal and what is private.
3. Stoic interest in etymology was connected with the belief that language had its basis
in nature, not convention. The derivation of words also had a great vogue in Rome
of this period and figures prominently in what remains of Varro's On the Latin Language
which he was writing about this time and dedicated in part to C.
4. In the description of positive injustice (treated in 24-7) we must supply the absence
of prevencion noted at 20. Negative injustice is treated in 28-9.
5. This famous remark may be autobiographical: in 71 BC Crassus defeated the slave
revolt led by Spartacus at a time when he held no regular command and the public treasury
was low in funds.
6. The first admonishment of what is to become the 'rule of procedure' at 11.29-31: one
cannot benefit oneself at the expense of another for that would violate the natural bond
between men.
7. On C.'s concern to justify Caesar's assassination earlier in the year, see Introduction,
pp. xii, xxvi. C. had often praised in public Caesar's military and intellectual ability,
and, despite serious political differences, there was much mutual respect: Caesar had
dedicated a work on language to C.
injury was committed through some agitation of the spirit, which is generally brief and momentary, or purposefully and with forethought. For those things that happen because of some sudden impulse are less serious than those inflicted after reflection and preparation. But I have now said enough about actually committing injustice.

(28) As for neglecting to defend others and deserting one’s duty, there tend to be several causes of this. For some men do not wish to incur enmities, or toil, or expense; others are hindered by indifference, laziness, inactivity or some pursuits or business of their own, to the extent that they allow the people whom they ought to protect to be abandoned. We must therefore watch out in case Plato’s words about philosophers prove not to be sufficient. For he said that they are immersed in the investigation of the truth and that, disdaining the very things for which most men vigorously strive and even fight one another to the death, they count them as nothing. Because of that he calls them just. They observe one type of justice, indeed, that they should harm no one else by inflicting injury, but they fall into another; for hindered by their devotion to learning, they abandon those whom they ought to protect. And so, he thinks that they should not even embark upon public life unless they are forced to do so.  

But that is something done more fairly when done voluntarily; for something that is done rightly is only just if it is voluntary. (29) There are also some who, whether through devotion to preserving their personal wealth or through some kind of dislike of mankind, claim to be attending to their own business, and appear to do no one any injustice. But though they are free from one type of injustice, they run into another: such men abandon the fellowship of life, because they contribute to it nothing of their devotion, nothing of their effort, nothing of their means.

Since we have set out the two types of injustice, and added the causes of each, and since we established previously what are the things that constitute justice, we shall now be able to judge with ease what is our duty on each occasion – that is, if we do not love ourselves too much. (30) For it is difficult to be concerned about another’s affairs. Terence’s Chremes, however, thinks ‘nothing that is human is another’s affair’; ¹ yet in fact we do tend to notice and feel our own good and bad fortune more than that of others, which we see as if at a great distance intervenes; accordingly, we do not make the same judgements about them and about ourselves. It is good advice therefore that prevents you from doing anything if you are unsure whether it is fair or unfair. For fairness shines out by itself, and hesitation signifies that one is contemplating injustice.

(31) Occasions often arise when the actions that seem most worthy of a just man, of him whom we call good, undergo a change, and the opposite becomes the case. For example, from time to time it becomes just to set aside such requirements as the returning of a deposit, or the carrying out of a promise, or other things that relate to truth and to keeping faith, and not to observe them. ² For it is seemly that they should be referred to those fundamentals of justice that I laid down at the beginning: first that one should harm no one; and secondly that one serve the common advantage. Such actions alter with the circumstances, and duty alters likewise, and is not invariably. (32) For it can happen that something that has been promised and agreed, if carried out, would be disadvantageous to the person to whom the promise has been made, or else to him who gave the promise. If Neptune in the myth had not done what he had promised to Theseus, Theseus would not have been deprived of his son Hippolytus. He made three wishes, as we read, and the third was this: he wished in his anger that Hippolytus should die. When it was granted he fell into the deepest grief. Therefore promises should not be kept if they are disadvantageous to those to whom you have made them. Nor, if they harm you more than they benefit the person whom you have promised, is it contrary to duty to prefer the greater good to the lesser. For example, if you had made an appointment to appear for someone as advocate in the near future, and in the meantime your son had fallen seriously ill, it would not be contrary to your duty not to do as you had said. Rather, the person to whom you had made the promise would be failing in his duty if he complained that he had been abandoned. Again, who does not see that if someone is forced to make a promise through fear, or deceived into it by trickery, the promise ought not to stand? One is released from such

¹ For Plato’s view see the Republic, especially vi 480b-87a, vii 510c-2a, viii 540d-e, 1347c, vii 550c-2a, 590e-40b.

² For the question of keeping promises, see also iii 10: 2-5.
civil honours, military commands and victories: though all these are indeed subject to fortune, in neither case can they be effected without the resources and assiduous support of other men.

Now that that point has been understood, I must discuss how we can entice and arouse other men to support what is beneficial to us. If my lecture is overlong, let it be compared with the greatness of the benefit in question; then perhaps it will seem all too brief.

(22) Inssofar as men assist another in promoting his position or honour, they may do so either out of good will, when for some reason they are fond of him; or for honour, if they look up to his virtue and consider him to be worthy of the most magnificent fortune; or because they have faith in him, and judge that they are taking good care of their own interests; or because they fear his power; or on the other hand if they have expectations of someone, as happens when kings or populares propose lavish distributions; or finally they are attracted by financial reward. That is the most sordid and impure of reasons both for those who are held in its grip and for those who try to resort to it; (22a) for things are in a bad way when what ought to be achieved through virtue is attempted by means of money. Since, however, there are times when such assistance is necessary, I shall talk about how it should be used. But first I shall discuss those matters that are closer to virtue.

There are a variety of reasons also why men submit themselves to the command or power of another. For they may be attracted either by goodwill or by the greatness of his previous kind services; or because the man has a very high standing; or perhaps by the hope that such a choice will be beneficial for them; or by fear that they may be compelled by force to obey; or else they may be won over by the hope or promise of lavish distributions; or finally, as we often see in this republic of ours, they may be hired for pay.1

(23) But there is nothing at all more suited to protecting and retain-

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1 See p. 34, n. 2. On demagoguery in kings, see n. 33 and 80. C. objects to such politically motivated handouts at 1.43-5. n. 27-8. n. 38-85.
2 Goodwill is discussed at 32, honour at 36-8, faith at 33-4; fear at 33-9; distributions and financial reward at 32-85. The six factors recur in a more sinister form in 22 as reasons for giving not just support but submission to non-Republican political domination.
3 See Introduction, pp. xii-xiii on Caesar's acts as dictator and on Antony's and Octavius' appeal to Caesar's veterans and other beneficiaries of Caesar's liberality.

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Book II

ing influence than to be loved, and nothing less suited than to be feared. For, as Ennius splendidly puts it:

They hate the men they fear; and whom one hates one would have dead.

Indeed no amount of influence can withstand the hatred of a large number of men. That, if it was unrecognized before, is certainly recognized now. It is not only the death of that tyrant, whom the city endured under force of arms and (still obeys to a great extent though he is dead), that declares the power of men's hatred to destroy. Many tyrants have met a similar end; indeed hardly one has escaped such a death. Fear is a poor guardian over any length of time; but goodwill keeps faithful guard for ever.

(24) Admittedly those who exercise a command over men constrained only by force may need to employ severity, just as a master must towards his servants if he cannot otherwise control them. But that those who live in a free city should contrive to be feared—could anyone be more insane? For however swamped the laws may be by some individual's influence, however freedom herself may cower, still the time comes when they rise up, through silent judgements or in the secret elections to positions of honour. Freedom will bite back more fiercely when suspended than when she remains undisturbed. Let us therefore embrace the course that extends the most widely; and that is the strongest to secure not only safety, but also influence and power, so that fear may be absent but love preserved. That is how we will most easily achieve what we want both in private matters and in public affairs. For those who wish to be feared cannot but themselves be afraid of the very men who fear them.

(25) The elder Dionysius had his hair singed with coals because he feared the barber's knife. What tormenting fears do we imagine must continually have racked him? In what spirit do we imagine Alexander of Pherae must have spent his life? He, as we read, though he loved his wife Thebe greatly, even so when he came to her in

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1 See Introduction, p. xii on the references to Caesar's murder. C. implicitly denies Caesar's famous eloquence which C. himself had praised in Pro Marcello.
2 This passage might seem to conflict with 1.43 (see n. 3) and reflect instead the Peripatetic view that there are natural slaves who need to be controlled by force, not ruled by consent as citizens are. But, in contrast with C.'s exploration of that view in De Re Publica 10.37-8, he says here that force is to be used only if necessary, and he limits his comparison to rulers of free states.
De Officiis

her room from the feast used to order a barbarian (indeed one marked with Thracian tattoos, so it is said) to precede him with drawn sword, and used to send attendants before him to search the lady’s caskets and to check that no weapon be hidden in her clothes. Wretched man, to hold a barbarian, a tattooed slave, more faithful than your wife! Nor was she deceived. She herself did indeed kill him, suspecting that he had a mistress.

Nor is there any military power so great that it can last for long under the weight of fear. (26) Phalaris is a witness to that. His cruelty is notorious beyond all others, and he died not by ambush (as Alexander did, whom I have just mentioned) nor at the hands of a few men (as our own friend), but the entire population of Agrigentum assailed him as one. What then of Demetrius? Did not all the Macedonians abandon him and transfer themselves to Pyrrhus? And what of Sparta’s allies, who almost universally deserted her unjust command, playing at the disaster of Leuctra the role of spectators and men of leisure?

In such a matter it gives me more pleasure to recall foreign examples than ones from home. But as long as the empire of the Roman people was maintained through acts of kind service and not through injustices, wars were waged either on behalf of allies or about imperial rule; wars were ended with mercy or through necessity; the senate was a haven and refuge for kings, for peoples and for nations; moreover, our magistrates and generals earned to acquire the greatest praise from one thing alone, the fair and faithful defence of our provinces and of our allies. (27) In this way we could more truly have been titled a protectorate than an empire of the world.

We had already begun gradually to erode this custom and practice, but after the victory of Sulla we rejected it entirely. For when our citizens had suffered such great cruelty, there then ceased to be anything that seemed unjust towards allies. In Sulla’s case, dishonourable

1 Julius Caesar, of course. There were more than 60 conspirators in the assassination plot. We know the names of 16 including Brutus and Cassius.

2 The Thracians under Epaminondas defeated Sparta in 371 BC, liberating the Arcadians and the Messenians who had endured prolonged subjection working as slaves (known as Helots) on their confiscated lands. See p. 95, n. 1.

3 The defensive aspects of wars for empire is brought out by linking them with wars to defend Rome’s allies. But C. knew that Rome had often expanded its empire by defending allies it had chosen to acquire. (Rep. III, 35).

4 protectorate here translates protectoratum, the abstract noun for the relationship of patron to client or ex-slave, used here metaphorically for the relationship of ruling state to subject.

victory succeeded an honourable cause: for he planted his spear in the forum^ and sold the property of good men and rich men, and men who were at the very least citizens, daring to proclaim that he was selling his own booty. There followed a man whose cause was unrighteous and whose victory fouler still; he did not confiscate the property of individual citizens, but embraced entire countries and provinces under a single law of ruin. (28) That is why we see Massilia being carried around in a triumphal procession as an example to oppressed and devastated nations abroad of the empire we have forfeited.2 That is why we see a triumph being celebrated over the very city without which we ourselves named ourselves could never have achieved a triumph for their wars beyond the Alps. I should relate many other iniquities inflicted upon our allies, had ever the sun seen anything unworthy than that particular one. Our present sufferings are, therefore, just. For if we had not tolerated the crimes of many men going unpunished, such extreme licence would never have come into the hands of one. His estate indeed was inherited by only a few; but there were many wicked heirs to his greedy desires.3

(29) The seed and occasion of civil wars will be present for as long as desperate men remember and hope for that bloody spear. Publius Sulla shook it when his kinsman was dictator; and again thirty-six years later he did not withdraw from a still more criminal spear. Yet another, who was a clerk in that former dictatorship, was urban quaestor in the next.4 From this it ought to be understood

^ A reference to the proscriptions in which Sulla outlawed his enemies in the civil war and confiscated their property, either giving it to supporters or selling it. Sales by auction took place near a spear stuck in the ground.

2 Massilia, the modern Marseilles, was a Greek colony which had become an ally of Rome even before Gaul became a Roman province. It was captured by Caesar in the civil war because it favoured Pompey’s cause. Models of captured towns were carried in the triumphal procession (see p. 31, n. 2). Cf. Ars. xii.4.6 for C’s reaction at the time.

3 The principal of the three heirs to his estate was C. Octavius his grand-nephew (the later Emperor Augustus). The heirs to his desires’ are probably Antony and his friends in particular.

4 See 1.43 with n. 2. Publius Cornelius Sulla presided over the sale of confiscated property in 82 BC and 36 years later in 46 BC. ‘Another’ is Cornelius Sulla, an ex-slave of the dictator who served him as secretary and held the quaestorship (a large financial office and the first on the ladder of senatorial magistracies) under Caesar. Cf. Philippica n.64 for the auctioning of Pompey’s property.
that when such prizes are offered there will never be a lack of civil wars. And so only the walls of the city remain standing—and they themselves now fear the excesses of crime. The republic we have utterly lost. And we have fallen into this disaster—for I must return to my proposition—because we prefer to be feared than to be held dear and loved. If these things could have happened to the Roman people when they ruled unjustly, what ought individuals to think? Since, then, it is obvious that the power of goodwill is great, and that of fear feeble, we must next discuss the ways in which we can most easily acquire, with honour and faithfulness, the love that we desire.

(30) But we do not all need these equally. For whether a man needs to be loved by many, or whether a few will be enough, must be determined by the life he has adopted. Let this be taken as fixed and primary and most necessary, that one should have faithful companionships with friends who love us and who esteem our qualities. For this is one thing in which there is no great difference between outstanding and ordinary men, and it must be acquired almost equally by both of them. (31) All men, perhaps, do not equally need honour, glory, the citizens' goodwill. However, if these do fall to anyone's lot, they are quite helpful (among other things) in acquiring friendships.2

But I have spoken about friendship in another book, which is entitled Ladius. Now let me discuss glory. There are indeed two books of mine on this subject also, but let us touch upon it as it is of the greatest assistance in conducting matters of importance.3 The peak and perfection of glory lies in the following three things: if the masses love you, if they have faith in you, if they think you worthy of some honour combined with admiration. These, if I must speak simply and briefly, are brought forth from the masses by almost the same things as they are from individuals. But there is also another approach to the masses, which enables us to infiltrate, so to speak, into the hearts of everyone together.1

(32) First, then, of the three I have listed, let us look at advice concerning goodwill. This is secured most of all by kind services; but secondly, goodwill is aroused by the willingness to provide kind service, even if one's resources are not, perhaps, adequate for it. A vigorous love is aroused in the masses, however, by the reputation and rumour of liberality, of beneficence, of justice, of keeping faith, and of all the virtues that are associated with gentleness and easiness of conduct. For, because the very thing we call honourable and seemly pleases us in itself, and moves the hearts of all by its nature and appearance, shining out brightly, so to speak, from the virtues that I have mentioned—because of that, when we think people possess these virtues, we are compelled by nature to love them. These indeed are the weightiest causes of loving; for there may be a few more trivial ones besides.

(33) We can bring it about in two ways that others have faith in us: if we are deemed to possess both good sense and justice combined with it. For we have faith in those whom we judge to understand more than us, whom we believe can foresee the future, able when the issue arises and the crisis arrives, to settle the matter, adopting the counsel that suits the circumstance. For men reckon that such good sense as that is useful and genuine. As for just and faithful men, however, that is good men,2 one has such faith in them that no suspicion of deceit or injustice arises. That is why we think that we are absolutely right to entrust to them our safety, our fortunes, and our children. (34) Of the two, justice has more power to win faith; indeed although it has authority enough even without good sense, good sense without justice is of no avail in inspiring faith. The more cunning and clever a man is, the more he is hated and suspected if deprived of the reputation of integrity. The result is that justice combined with intelligence will have as much power as it wishes to win faith. Justice without good sense will be able to do much; without justice, good sense will avail not at all.

(35) Someone may be wondering why, although it is argued by all philosophers, and I myself have frequently argued it, that whoever

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1 Since C. cannot actually claim that Rome's miracle, like Sparta's, lost her the control or allegiance of her subjects (cf. n. 75), he argues that her miracle encouraged misconduct at home, resulting in civil war and the loss of the Republic.

2 Goodwill, faith and honour are about to be discussed as means to glory, which is only relevant to 'outstanding men'. C. passes to mention the form of support from their fellows that all men can achieve, friendship.

3 The De Gloria, written earlier than the Ladius in this year, is lost.

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1 Cf. 44–50 on how to bring our qualities to general notice.

2 See 1.20 with n. t.
the times with shame). It was not at all fair, then, that the leading citizens should take his property and that nothing except the name should come to Satrius. For if someone who does not resist and repel injustice when he can, acts unjustly (as I explained in my first book), what are we to think of someone who not only did not avert an injustice, but even assisted it? In my view not even genuine inheritances are honourable if they are secured through ill-intentioned flattery and the pretence of dutiful service rather than the reality.

From time to time in such matters it happens that one thing seems beneficial and another honourable. That is a mistake: for the rule of what is beneficial and of what is honourable is one and the same. (75) If someone has not grasped that, no type of deceit or crime will be beyond him. For if he thinks, ‘That is certainly honourable, but this is expedient’, he will be daring to pull apart things that are unified by nature; that error is the source of deceit, of misdeeds, and of all criminal activity. Therefore if a good man has the power to insinuate himself into a rich man’s will by clicking his fingers, he should not make use of it, even if he has thoroughly ascertained that not a single person would even suspect. But grant such a power to Marcus Crassus, that the snap of a finger should have him written down as an heir although he was not heir in truth, and, believe me, he would dance in the forum. The just, though, and the man whom we consider good, will take nothing from anyone to transfer it to himself. If anyone is surprised at that, he should admit that he does not know what a good man is. (76) If someone, however, were wanting to unfold the concept rolled up in his own mind, he would teach himself at once that a good man is one who assists whomever he can, and harms no one unless provoked by injustice. Well then? Would a man not be doing harm if he arranged, as if with some magic potion, to displace true heirs and to usurp their position? Someone will say, ‘But shouldn’t he do what is beneficial and expedient, then?’ No! Let him understand that nothing is either expedient or beneficial that is unjust. Anyone who has not learnt this will not be able to be a good man. (77) When

I was a boy I used to hear from my father how Gaius Fimbria, the former consul, was judge in the case of Marcus Lutatius Pinthia, a Roman eques and an honourable man. He had made a deposit, pledged as a forfeit if he did not prove himself a good man. Fimbria told him that he would never judge such a matter lest he should either deprive an honest man of his reputation by judging against him, or should appear to have decreed that someone was a good man, when such a thing depended upon countless duties and praiseworthy deeds. To a good man like this, recognized by Fimbria as well as by Socrates, nothing at all can seem beneficial that is not honourable.

Such a man will dare not even to think, let alone do, anything that he would not dare to proclaim. Is it not dishonourable that philosophers have doubts where even peasants do not doubt? For among peasants a proverb arose that is now trite with age: whenever they praise the faithfulness and goodness of anyone they say that ‘he is worthy for you to play odds and evens with in the dark’. That can only mean this: nothing is expedient that is not seemly, even if you might acquire it without anyone convicting you. (78) You can see that this proverb grants no mercy to Gyges, nor to the man I imagined just now who could sweep up everyone’s inheritances by snapping his fingers. For just as something dishonourable can never become honourable even if it is hidden, similarly what is not honourable can never be done in such a way that it turns out beneficial; for nature opposes and resists this.

(79) But when the rewards are very great is there not a case for wrongdoing? Gaius Marius was far from the hope of a consulship, remaining in obscurity still in the seventh year after his praetorship, and he was looking as if he would never even stand as a consul. He was sent to Rome by his general Quintus Metellus, a fine man and citizen, whose legate he was. Then, in front of the people of Rome, he charged Metellus with prolonging the war, saying that

1 See Biographical Notes under Satrius.
2 L.25.1.25–9
3 Crassus would go beyond intriguing to be named as heir; he would be willing to have himself named in a will leges (as in 75) and then dance in the forum (cf. 1.48) as a condition of entering on the inheritance (1.45).
4 See 1.20 with n. r for the ‘just man’ as the ‘good man’.

1 See p. 121, n. 2.
2 Laying a wager, which the winner would recover and the loser forfeit to the state, was used in the older form of civil law at Rome and could also be used to settle extrajudicial disputes, as here to vindicate one’s reputation.
3 See III.28–9.
4 The minimum interval between these magistracies, achieved by C., was two years. Only C. represented Marius as deceitful in securing the command against Jugurtha; Sallust and Plutarch say that Metellus insulted him when he revealed his consular ambitions.
De Officiis

if they would make him consul he would in a short time reduce Jugurtha, alive or dead, into the power of the Roman people. And so he was indeed made consul; but he departed from faithfulness and justice by arousing hostility with a false accusation against an excellent and most respected citizen, even though he was his legate and had been sent by him.

(8ο) Even my kinsman Gratidianus once failed to discharge the duty of a good man. He was praetor, and the tribunes of the people had summoned the college of praetors1 to settle by a common decision a standard of currency (for the currency was so fluctuating then that no one could know how much he had). They drew up in common an edict, including the questions of punishment and judgements, and decided that they should all ascend the rostra together in the afternoon. The rest departed in different directions; but Marius, on leaving the tribunes' benches, made directly for the rostra; then, by himself, he published the edict that had been composed in common. If you ask, the affair did indeed bring him great honours—statues in every street, incense and candles in front of them.2 Need I say more? No one was ever dearer to the masses.

(8α) Such are the questions that sometimes confuse one's deliberations, when the point in which fairness is violated seems not so very great, while the result of it seems extremely important. This Marius' usurping of the popular gratitude due to his colleagues and to the tribunes of the people seemed to be not so dishonourable, while to become consul because of it, which had been his aim, seemed extremely beneficial. But there is one rule for all cases; and I desire you to be thoroughly acquainted with it: either the thing that seems beneficial must not be dishonourable, or if it is dishonourable, it must not seem beneficial.3 Well then? Can we judge the one Marius or the other a good man? Unravel and sift your understanding in order to see the form and concept of a good man that is there. Does it become the good man to lie or slander for his own profit, or to usurp or to deceive? Unquestionably, no.

(8β) Is there any matter so valuable or any advantage so desirable that you would abandon the name and splendour of a good man for it? What can the said benefit bring that is worth as much as what it takes away, if it removes the name of a good man and deprives one of keeping faith and of justice? What difference does it make whether someone changes from a man into a beast or remains in human form while possessing the savagery of a beast? As for those who neglect everything upright and honourable provided that they can win power, are they not acting just like the man who wanted to have for a father-in-law one whose audacity would make him powerful himself?4 It seemed beneficial to him to secure great power by means of someone else's unpopularity. He did not see how unjust that was towards his country, and how dishonourable. The father-in-law himself always had upon his lips those Greek verses about the Phoenician women; I will express them as I can, awkwardly perhaps, but still so that the point is intelligible:5

If justice must be violated for sovereignty's sake, it must be violated: you may indulge your scruples elsewhere.

He6 deserved to die for having exempted the one thing that is most criminal of all.

(8γ) Why then do we collect petty examples — fraudulent inheritances, trading and sales? Here you have a man who longed to be king of the Roman people and master of every nation; and he achieved it!4 If anyone says that such a greed is honourable, he is out of his mind; for he is approving the death of laws and liberty, and countering their oppression — a foul and hateful thing — as something glorious. But if anyone admits that it is not honourable to reign in a city that has been free and ought to be so, but says that it is beneficial to the man who can do it — what reproach, or rather what abuse, can

1 At this date (8 B.C.) there were six praetors. The ten tribunes summoned them to the low benches on which they themselves sat (the higher magistrates occupied chairs). The rostra was the speaking platform in the forum.
2 Worship of living men was not a Roman custom; these are to be construed as extravagant honours.
3 See p. 123, n. 1.
4 Pompey, who married Caesar's daughter Julia in 59 B.C. when Caesar, as consul, used force to pass bills ratifying Pompey's arrangements in the East and settling his veterans, but also laid the basis for his own power.
5 C. translates into Latin verses 542-5 spoken by Eteocles in Euripides' play The Phoenician Women. Though editors punctuate Euripides' and C.'s texts to read 'if justice must be violated it must be violated for sovereignty's sake'; this punctuation makes better sense of both versions.
6 The manuscripts give 'Eteocles or rather Euripides' as the subject of this sentence, but the reference is probably to Caesar.

Caesar never actually accepted the title rex, a term of opprobrium for the Romans since the expulsion of the last Tarquin, but it was applied to him by his enemies in the sense of 'tyrant'.
I use to try to tear him from so great an error! Immortal gods! Can the most disgusting, the foulest of parricides, that of one's fatherland, be beneficial to anyone? Can it be so, even if the man who took it upon himself is named 'father' by the citizens he has oppressed? Benefit must therefore be measured by honourableness, and in such a way that in name the two seem discordant, in substance to sound as a single note.

(84) In the opinion of the ordinary man, I can think of nothing that could be a greater benefit than to be king. Conversely, when I begin to bring my reasoning back to the truth, I find nothing less beneficial for the man who has achieved it unjustly. Can worry, anxiety, fears by day and night, and a life full of treachery and dangers, be beneficial to anyone?

Many are unfair and unfaithful to a throne, and few have goodwill,
as Accius said. And which throne did he mean? One that was held by right, handed down from Tantalus and Pelops. Then how much more true do you think it is of the king who oppressed the Roman people themselves with the Roman people's army, and forced a city that was not just free, but even the ruler of the nations, to be his slave? (88) What stains of guilt, what wounds, do you think he had in his heart? Can a man's life be beneficial to him, when he lives it on these terms: that anyone who takes it from him will be held in the greatest gratitude and glory? If such things, though they seem to be extremely beneficial, are not in fact so, because they are full of disgrace and dishonourableness, we ought to be well persuaded that nothing is beneficial that is not honourable.

(86) Such a judgement has indeed often been made; and in particular by Gaius Fabricius, as consul for the second time, and our senate, in the war against Pyrrhus. King Pyrrhus had declared war upon the Roman people unprovoked; the contest was for empire, and with a noble and powerful king. A deserter came from him into Fabricius' camp and promised that if Fabricius would offer a reward, he would return to Pyrrhus' camp as secretly as he had left it, and would kill him by poison. Fabricius arranged for the man to be returned to Pyrrhus, and his action was praised by the senate. And yet, if we are looking for the appearance of benefit and to ordinary opinion, one single deserter would have put paid to that great war and to a serious foe of our empire. It would, though, have been a great disgrace and an outrage to overwhelm by crime rather than by virtue a man with whom we were competing for praise. (87) Then which was more beneficial to Fabricius, who was for this city what Aristides was for Athens, or to our senate, who never separated benefit from standing: to fight the enemy with arms or with poison? If empire is to be sought for the sake of glory, then away with the crime! For there can be no glory in it. If, on the other hand, one is seeking power, by any means whatever, it cannot be beneficial when combined with disrepute.

The well known proposal of Lucius Philippus, the son of Quintus, was therefore not beneficial. Lucius Sulla had, in return for a sum of money, freed certain cities from taxation, in accordance with a senatorial decree; Philippus proposed that they should become liable to tribute once more, but that we should not return the money that they gave in return for their liberty. The senate agreed to this. Shame upon the empire! The faith of pirates is better than that of the senate. "But revenues were increased, therefore it was beneficial." How long will men dare to say that something is useful if it is not beneficial? (88) Indeed, can hatred or disrepute be beneficial to an empire, which ought to be supported by glory and by the goodwill of the allies?

I too have often disagreed with my friend Catu; for he seemed to me to guard the treasury and the revenues too rigidly, denying everything to the tax-collectors and much to the allies, when we ought to have had kind towards the latter and to have been dealing with the former as we are accustomed to with our tenants. That was all the more true because such solidarity of the orders was connected

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1 Caesar was called 'Father of his Country' after his final victory in the civil war in 45 B.C. The title had been conferred on C. in 63, not without opposition.
2 The play of Accius must be one about the house of Areus, descendants of Tantalus and his son Pelops (see Biographical Notes).