

Individuality and hierarchy in Cicero's *De Officiis*

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Abstract

This essay explores a creative argument that Cicero offers to answer a fundamental question: how are we to judge among different ways of life? Is there a natural hierarchy of human types? In response to this problem, Cicero gives an account of a person's possessing two natures. All of us participate in a general human nature, the characteristics of which provide us with certain universal duties and a natural moral hierarchy. But, we also each possess an individual nature, qualities that make us unique and which we have an obligation to cultivate. By employing different concepts of *natura* to refer either to common human nature or to particular individual nature, Cicero establishes a basis for a normative standard that manages to affirm the superiority of certain especially valuable types of life, such as the philosopher and the statesman. At the same time, he advances a coherent account of individuality that places high value on natural human diversity.

Keywords

Cicero, hierarchy, natural law, diversity, individuality, classical political philosophy, equality

Although it would go on to become one of the most read works in the history of European philosophy, the apparent topic of Cicero's *De officiis* is so commonplace that it is almost a cliché: advice from father to son about how to live. Scholars have found *De officiis* to be a rich source for information about Cicero's political agenda, his philosophical allegiances and much else.¹ But we would be remiss if we were to ignore the literary frame Cicero selected for this particular work. In the first book of *De officiis*, Cicero addresses himself in a paternal voice to someone on the cusp of adulthood on a question that often occupies the minds of people his son's age (especially those whose education and resources afford them ample options): what sort of life should I choose for myself? This question naturally

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prompts a second: what sort of life is choiceworthy? Put another way: is there a natural hierarchy of possible human lives?

There seem to be two mutually incompatible frameworks for adjudicating the relative worth of various life paths. One archetypal answer holds that there simply is no universal standard by which to judge; instead, we all must cultivate whatever is unique or particular in ourselves. Against any claims to universal or absolute standards, this position raises a banner of radical equality. John Rawls offers one influential version of this rather modern view when he argues that we cannot reasonably judge between life plans that meet a minimum standard of instrumental rationality.² Classical – especially Greek – political philosophy is often seen as advancing the opposite view. In place of an individualistic moral egalitarianism, Plato, Aristotle and the Stoics appeal to a fixed and universal standard: the idea of one best form of life according to nature.³ Different philosophers propose various alternatives for the ideal model: the philosopher, the great-souled man, the statesman or the Stoic sage. All other forms of human life thus appear deviations from this ideal and can be hierarchically ordered according to their approximation of the standard.⁴

Neither framework seems wholly satisfactory. The first offers no way of asserting that a life useful and agreeable to one's fellows is any more choiceworthy than one of shiftless indolence. The second has the potential to deny valid expression to the natural diversity of human talents and interests.⁵ Yet, both views have been attributed to Cicero. Some scholars have treated Cicero's position as reflective of classical philosophy's consensus about a strict order of rank.⁶ Others argue that Cicero's significance lies in being the first philosopher to break with classical orthodoxy and endorse a more modern view of human moral equality.⁷ Since he is perhaps most famous for his natural law teaching, many have understandably sought Cicero's answer to the question of moral equality (or hierarchy) in light of human diversity in *De legibus*, which contains his most expansive treatment of natural law. There is remarkable consensus that Cicero offers a clear answer in this dialogue. But that consensus disappears when scholars offer their views of what that answer is.

This disagreement has enormous consequences for how we view Cicero's entire political teaching, because Cicero makes it quite clear that his political philosophy depends upon his conception of human nature. The question of how Cicero balances views of natural moral hierarchy in light of human diversity is therefore central to our comprehension of him as a political thinker. I propose that we might resolve this issue by turning away from the inconclusive evidence of *De legibus* and toward Cicero's discussion of human nature and different human types in book one of *De officiis*.

In *De officiis*, Cicero presents an account of human beings as participating in two different 'natures'. We all partake of universal human nature (*natura universa* or *natura humana*), but we each also possess a particular nature (*natura nostra*), which is unique to us as individuals. Cicero combines these two conceptions of nature into a remarkable moral synthesis that is both firm and flexible, in which human individuality plays a central role. Universal human nature provides

a grounding for certain fundamental duties and prohibitions that bind all human beings equally, while simultaneously offering a standard to identify the highest human possibilities – the statesman and the philosopher. But within the bounds set by general human nature, human beings also have considerable freedom (and obligation) to develop their own unique personalities. This means that particular duties or obligations may fall on some individuals but not others depending on character and circumstance, or they may fall on them in different ways, so that satisfying these responsibilities may take different forms. It also means that the best kind of life *simpliciter* is often not the best for particular individuals, if their abilities and passions tend in a different direction. In sum, Cicero uses two concepts of nature to form a moral doctrine of human individuality that is capable of making judgments about higher and lower ways of life, while also taking into account the value of natural human difference.

According to Cicero, each of us has a moral duty to cultivate our own unique nature. This is an apparently straightforward – even banal – position to ascribe to him. But in its appreciation of individual uniqueness, it constitutes an unrecognised original contribution of Cicero to classical philosophy.⁸ At the same time, he situates this individual nature within a broad conception of human nature that affirms the common classical ideal of a single best way of life.

Merely to demonstrate that Cicero develops a coherent account of unique personality challenges an entrenched opinion. Petrarch is often credited with ‘the invention of individuality’, as being the first thinker seriously to consider us not merely as members of a species or nation or class or type, but as unique *persons* (Gillespie, 2008: 61; Mazzotta, 1993: 2).⁹ But, an exposition of Cicero’s views on universal and particular nature suggests that on this issue Petrarch may be considered a disciple of Cicero (as, in fact, he often professed himself to be). My aim here is to recover Cicero’s conception of human individuality and to illustrate its role in balancing the complex relationship between human diversity and hierarchy in his thought.¹⁰ But, beyond improving our understanding of Cicero’s historically important natural law teaching, this article examines ideas that are interesting in their own right. Cicero’s account of moral hierarchy in light of human diversity addresses an enduring human issue. By exploring his argument, we can see that Cicero offers a creative and profound solution that may help us think more clearly about a problem every reflective individual and political community must face.

Turning from *De legibus* to *De officiis*

To understand the controversy over Cicero’s alleged egalitarianism, it is first necessary to look briefly at *De legibus*, which contains statements long at the centre of the debate. There, Cicero writes:

There is nothing so alike (*simile*), so equal (*par*), as all of us with each other. If the depravity of habits and the variety of opinions did not twist the weakness of our minds this way and that, no one would be so like himself as all people would be like all others. Thus, whatever definition there is of ‘human,’ it is valid for all. (*De legibus* 1.29)

Cicero goes on to argue that this similarity emerges from human beings' participation in reason and their common propensity to vice (*De legibus* 1.30–1.31). It is understandable that those who see Cicero as a moral egalitarian regard these passages as definitive evidence. Carlyle goes so far as to declare Cicero's position a monumental turning point in the history of political thought: 'there is no change in political theory so startling in its completeness' as when 'over and against Aristotle's view of the natural inequality of human nature [Cicero sets out] the theory of the natural equality of human nature' (Carlyle, 1950: 8).

Others deny that Cicero's claim here indicates any firm stance on human equality. Andrew Dyck (2004: 147) comments that these passages are merely an attempt to achieve the narrow and modest goal of offering a definition for the human species. Strauss acknowledges certain egalitarian undertones to Cicero's formula but insists that the whole section of *De Legibus* is intended as nothing more than a demonstration of humanity's natural sociality. He points out that Cicero elsewhere strongly endorses some types of life as higher than others. According to Strauss (1953: 135), Cicero saw no substantial disagreement between himself and Plato, whom Strauss takes to be a believer in the strict order of rank.¹¹

Cicero does indeed consider himself a disciple of Plato. But, he does not hesitate to criticise him, especially in cases where Plato's emphasis on ideals of perfection fails to adequately accommodate the realities of human life.¹² If the ideal of perfect virtue conflicts with the inescapable fact of human diversity, it is conceivable that Cicero would part company with Plato on this point. An examination of the precise wording of the key passage suggests that the critics of the egalitarian reading are correct that – however tantalising – it does not commit Cicero to a view of general human equality. We are simply alike and equal enough to fall under the same definition of 'human'. But, the passage is even less compatible with a view that takes natural hierarchy to be the primary feature of Cicero's political vision. Further passages from *De legibus* do not provide any resolution to the issue – Cicero and his interlocutors move on to other topics. Looking to *De re publica*, in which Cicero describes the state for which the laws of *De legibus* are intended, does not clarify matters either. Here, we find a republic in which wealth and capacities of the citizens are accepted as unequal, but their rights as owners of the public partnership are assumed to be equal.¹³ Whether human beings as such are naturally equal to one another or if there is some sort of natural hierarchy of types remains unclear.

For this reason, it makes sense to turn to another work: *De officiis*. There, we find Cicero developing a complex understanding of the idea of human nature that enables him to offer a nuanced answer to the problem of judging (and choosing) between different ways of life. Cicero envisions two distinct aspects of the nature of human beings. The first refers to *human* nature in the general sense, the qualities and characteristics that human beings have in common, in particular those that make us superior to the rest of the animal kingdom. Cicero refers to this kind of nature as *natura hominis* or *natura universa*. In English, we might use the term this way if we were to say 'it is human nature to fear death'. The other usage of *natura* refers to the qualities of character particular to someone as a unique human being,

distinguished from other human beings: *natura tua* – your own nature (1.111).¹⁴ In English, we might say of a friend that ‘he has a gentle nature’. Cicero signals that he will build an argument around the relationship of these two kinds of human nature by juxtaposing them in the same sentence ‘we should do nothing contrary to universal nature (*universam naturam*), but while preserving that . . . we should measure our own activities by our own nature (*natura nostra*)’ (1.110). Both components of our nature bring with them normative obligations. For whatever differences Cicero may have with the Stoics, he agrees that nature (or natural law) is the ultimate normative authority – we are obligated to live a life ‘according to nature’ (*De legibus* 1.33, 2.10).¹⁵ Following nature might prove difficult if we each partake of multiple natures, but Cicero provides a remarkably coherent account of how we ought to balance the potentially competing claims of universal and particular nature.

Human nature and the human good

Immediately after outlining the structure and argument of *De officiis*, Cicero attempts to situate human beings in relation to other creatures. For Cicero, humanity shares with the other animals certain fundamental drives. Among these drives are the desires for procreation and self-preservation, the protection of offspring and the avoidance of the harmful or painful. But, man is also unique among creatures, because whereas animals are mere sensory beings, ‘man . . . is a participant in reason’ (1.11). With this faculty, human beings can remember the past, anticipate the future, and determine the causes of events. In addition, Cicero explains that:

This same nature, by the power of reason, attracts one person to another both for the community of speech and of life . . . and for the same reasons, [an individual] desires to furnish all those things which conduce to comfort and life, not only for himself, but also for his wife, children, and others who are dear . . . (1.12)

Thus, humans are made distinct by nature because of their capacity for reason, which gives them natural ends beyond those of mere self-preservation and procreation. People are naturally social. They associate together not merely for instrumental reasons, but because community is valuable in itself. It is easy to see how Wood might conclude that this establishes a moral equality according to natural law. The language Cicero uses here seems reminiscent of the passages from *De legibus* that appeared to support human equality. Indeed, it is true that since this stratum of nature is common to all human beings, the goods and duties that flow from it apply to all equally. For instance, since man’s reason gives him the ability to speak, to resolve conflicts with force instead of discussion is beneath the dignity of man, and contrary to natural right (although, violence can at times be necessary when other men fail to honour this obligation). As Cicero puts it, ‘there are two ways of contending, one through discussion, the other with force, since the former is appropriate to men, and the later to beasts, one ought to take refuge in the lower only if one cannot make use of the higher’ (1.34).

But, the possession of reason also gives rise to two other drives in human beings. First, our rational capacity inspires in us a desire to know the truth. According to Cicero, ‘because the truth is simple and pure, it is most suited to the nature of man’. The longing for truth leads us to wisdom. Second: ‘to this desire to see the truth is joined a certain desire for preeminence, so that a spirit well formed by nature wishes to obey no one if their precepts, teachings, and commands are not justly and legitimately for the sake of the useful’ (1.13). From this drive and from wisdom arise *magnitudo animi* – greatness of spirit. Greatness of spirit makes a person who possesses it disdain many of the material things of the world. As we continue throughout *De officiis*, we find that these two impulses also form the basis for the Cicero’s two candidates for the best way of life: the philosopher and the statesman. The former devotes himself to the love of truth, the latter to (just) preeminence.

It is from the sociability arising from our rational nature that Cicero derives the fundamental duties. So, Cicero says about justice (‘the most outstanding of the virtues’): ‘the first duty of justice is not to harm anyone unless provoked by wrongdoing’ (1.20). The second principle of justice is to respect the boundaries of public and private property. Although he acknowledges that private property is not itself rooted in nature, any attempt to violate positive law in this regard shows a disregard for human fellowship, which *is* derived from our natural rationality and sociality (1.21).

Other duties, such as the obligation to keep promises, appropriate gift-giving procedures, moderate limits to punishment, and devotion to homeland and parents, all flow from this same natural human sociability grounded in rationality. Even the justification of tyrannicide depends on the assumption that the tyrant has placed himself outside (and against) natural human fellowship (3.32). Cicero acknowledges that for these duties, unlike the foundational duties of justice, there may at times be exceptions. Thus, one ought not fulfil a promise if it will lead to harm. But, all of the exceptions arise when a particular specific duty conflicts with the duty of concern for others as part of the human community. Cicero treats this issue explicitly; after noting when one might not keep a promise or return a deposit, he says ‘it is seemly to refer to those things which are the fundamental principles of justice that I set forth, first not to harm anyone, and then to preserve the common good’ (1.31). It therefore seems fair to say that for all of Cicero’s caveats and equivocations on the subject of duties, our responsibility to serve the common good and human society is absolute. Cicero analogises our pursuit of wealth and honours to a race, where it is acceptable to work hard for your own benefit, but it is absolutely prohibited to cross into another’s lane. Thus, justice seems to set the boundaries of human virtue, the transgression of which – regardless of what apparent duty is being satisfied – is incompatible with true natural duty.

In addition to delineating the lowest boundaries of action, human nature also provides us with a standard by which to determine the highest ways of life. Here, Cicero engages in an Aristotelian manoeuvre with the concept of *natura*: the development or perfection of our common qualities is the natural *telos* of humanity.¹⁶

As mentioned above, Cicero points to the love of truth and the great-souled desire for just preeminence as singularly human qualities that mark our superiority to beasts. But, even though we all share in these qualities, we do not share in them equally.

This is what the egalitarian interpretation of Cicero's natural law misses. Human beings do have a common capacity for reason and virtue.¹⁷ What is more, humans are afflicted with the same kinds of vices and temptations.¹⁸ But, this could only imply natural moral equality if Cicero believes that all people are *equally* rational and virtuous – or equally vicious. But, Cicero clearly and explicitly denies this on numerous occasions.¹⁹ Some people advance further toward the truth and some contribute more to their societies than others, and still others are more prone to vice. Thus, the traits unique to humanity serve not only to establish superiority of humanity to other species, but also they provide the standard by which to establish a natural hierarchy among human beings. The philosopher and the statesman stand as the respective perfections of these specifically human qualities.

As for which of these two candidates ought to receive priority, Cicero's text has an element of ambiguity that parallels the choices of his own life and career. For instance, Cicero claims: 'of the four sections into which we have divided the nature and power of honourableness, that is first which consists in the perception of truth, and it most closely connects to human nature'. But, two paragraphs later, Cicero will assert 'to be drawn away by study from the doing of deeds is contrary to duty, for the entire praise of virtue consists in action'(1.18–1.19). Ultimately, Cicero gives primacy of place to the life devoted to achieving preeminence through service to the community. He grounds this evaluation in nature:

It is therefore settled that more appropriate to nature are those duties which are drawn from sociability than those which are drawn from contemplation. This can be confirmed by this argument: if this should occur in the life of a wise man, that overflowing with supplies of all things, he could consider and contemplate everything which is worthy of contemplation in supreme leisure by himself, but, if he should be in such solitude that he would never be able to see another human being, he would depart from life. (1.153)

So, Cicero concludes that 'let this be settled, that in choosing duties, this type of duty is foremost, which relates to human society . . . acting considerately is superior to thinking prudently' (1.160).²⁰ It turns out that the leisured life of philosophy is ideally enjoyed only as a break from affairs of state: 'when we are free from necessary business and cares', or when forced to 'retire from the commonwealth, since one is impeded by ill health or some other grave cause' (1.71).²¹

Thus, we see that Cicero's conception of human nature gives us a fairly broad and thick conception of natural right and our duties to others. In particular, our reasoning nature gives rise to both sociability and a desire to know the truth. No deed that violates the bonds of human fellowship is morally permissible, so all our actions must conform to limits set by justice. Moreover, since the love of truth and desire for preeminence are the drives most appropriate to our nature, the lives

devoted to philosophy and statesmanship are the most honourable. But, because sociability is more fundamentally characteristic of the human race, the great-souled statesman is still higher than the philosopher, since the former performs actions more beneficial to his fellows. By deriving his standard of evaluation from universal human characteristics, Cicero cleverly makes the very qualities that human beings have in common the grounds for moral hierarchy.

Particular nature and the particular good

From the textual elements discussed above, we would glean an impression of Cicero as a dogmatic believer in a natural moral hierarchy that includes no room for unique individuality. Cicero affirms the obligatory nature of Stoic duties. He holds a conception of natural right that emphasises mankind's highest faculties as a guide to determining the best ways of life. Like Aristotle and perhaps Plato, he envisions the statesman and the philosopher to be the best candidates for the apex of human possibilities. If Cicero departs from Aristotle and Plato by preferring the statesman, he at least grounds his choice in an otherwise common view of natural human sociability.

But, this impression vanishes in light of the individualistic discussion that he introduces in the final third of Book 1. Here, Cicero demonstrates an appreciation for the great variation of human talents, interests and necessary social roles. Whereas Cicero's earlier general precepts seemed to offer a uniform code of conduct and moral evaluation, we now find a celebration of particularity and diversity. Cicero exhorts his readers (or his son) to cultivate and develop their own peculiar natures, even if that means departing from the celebrated models of others. In this section, we turn to Cicero's innovative conception of human individuality and his creative reconciliation of this idea with his general moral duties and precepts.

Cicero introduces his discussion of peculiar natures with an analogy, the famous '*personae* theory'.

It is to be understood that we are dressed by nature for two roles [*personae*], as it were; of which one is common, deriving from the fact that we are all participants in reason and in that superiority by which we surpass the beasts, from this principle all honourableness and seemliness is derived, and from which reason seeks out a way of discovering duty, the other role is given over specifically to individuals. (1.107)²²

Cicero explains that this second role is akin to the innate physical differences between people. Just as some are stronger or faster and some are more dignified or graceful in appearance than others, 'thus also there are even greater varieties in human spirits' (1.107). Providing evidence from numerous well-known examples, Cicero shows how some individuals are naturally funny (Gaius Laelius), others more severe (Marcus Drusus), some ambitious (Scipio), some ironic (Socrates), some crafty (Quintus Maximus) and so on. Some of these qualities seem politically – and even ethically – irrelevant. But, we shall see below that a proper appreciation of these qualities has real political consequences.

Cicero's application of the concept of *personae* to moral theory has received substantial scholarly attention. Some have focused on divining its origins from earlier Stoic philosophers.²³ Peter Brunt (1975: 15) is emblematic of one view that simply assumes Cicero has taken the *personae* theory wholesale from Panaetius. But, De Lacey (1977: 169) rightly points that there is no external evidence for attributing the theory to Panaetius, except for Cicero's claim that he would be generally following Panaetius in *De officiis* I and II. Ultimately, what matters for our purposes is how the *personae* fit into Cicero's overall argument, not whether or whence he drew inspiration.

As Dyck (1996: 269) explains, the word *persona* primarily connotes an actor's character or role. Many scholars have taken this to mean that the *personae* must refer to something extrinsic, imposed on the individual by circumstance. De Lacey (1977: 170) suggests that 'the purpose of the doctrine of the four *personae* was to provide a formula for discovering for any given person in any given situation the appropriate act'. Gill provides the dominant account of how Cicero's *personae* work. He rightly argues that the theory is about our general choice of life at least as much as it about helping us decide the moral course in any specific situation (Gill, 1988: 176). Cicero makes this clear when he illustrates his point with the story of the young Hercules going off alone to ponder which life path to take (1.118).

Gill (1988: 171) goes on to argue that Cicero's apparent celebration of individual nature 'amounts, ultimately, to little more than that of the individual's actual or potential location in a social grid or class-structure'. For Gill, *De officiis* sidesteps questions of nature entirely to focus on conventional social relations. Gill's account has been used in support of both hierarchical and egalitarian interpretations of Cicero overall political philosophy. For Wood, the *personae* constitute Cicero's unsuccessful attempt to reconcile his principle of equality with his hierarchical politics.²⁴ In contrast, David Burchell (1998: 112) sees the *personae* as supporting Cicero's view of moral inequality. Only those who fall short of true wisdom require 'some key guiding character trait or *ethos* to animate our public *persona*'.²⁵

According to Gill (1988: 171), Cicero's apparent concern with individuality is not as radical as it appears; what seems to be Cicero's discussion of innate human differences is in fact an explanation of how individuals need to mould themselves to fit different social circumstances. In short, Gill contends that Cicero has no conception of natural human individuality. However, this interpretation strongly overstates Cicero's deference to social position. It is clear that Cicero does not believe that *these* differences (the innate differences in human spirits) among people arise from their position in society. Cicero distinguishes in his discussion of the *personae* between our social roles and our particular natures, and he explicitly resists collapsing one into the other.²⁶ Although Cicero initially describes individual uniqueness as a role (*persona*), he introduces that image explicitly as an analogy (*quasi* – 'as if'). Later, he uses un-metaphorical language to describe the same aspect of human beings: 'we must act so that we strive for nothing that is contrary to universal nature (*universam naturam*), but—with that conserved—we ought to follow our own nature (*naturae nostrae*)'(1.110). Thus, for Cicero, our particular personality, our capabilities and interests are a 'nature', not simply a 'role'. To the extent that

this aspect of ourselves is a ‘role’ at all, it is so explicitly in the same way in which our participation in common humanity is a ‘role’, and it is a role given to us by cosmic nature.

To make clear that this particular nature is not chiefly a product of our social context, Cicero assigns two other, distinct ‘roles’ to those aspects of ourselves that emerge from our choice of career and from the position we by chance occupy in society (1.115). Since Cicero distinguishes between our particular nature and those qualities that arise from social condition or free choice, it seems that the discussion of particular nature is not *centrally* about individuals adhering to social norms and expectations. Tellingly, whereas Cicero describes the first two ‘roles’ (our human nature and our particular nature) as given ‘by nature’, he omits any mention of nature in discussing these second two roles. In fact, Cicero points out that our particular nature may in fact lead us to challenge or buck those very social norms and expectations that give rise to the second two kinds of *personae* – as when sons fail to follow in the footsteps of their fathers – and yet Cicero gives his qualified endorsement to such cases (1.116).²⁷

Not only does Cicero believe we have certain particular characteristics given by nature, but we also have an obligation to discern and develop them. Ultimately, it is the fact that they are natural that creates the obligation to cultivate them. In the same way, that the perfection of common human qualities is the natural *telos* of people as members of the species, so too is the perfection of our particular qualities the natural *telos* of us as individuals. Contrary to the common characterisation of him, Cicero gives surprisingly little normative weight to convention or social constructions here. Nature – by virtue of being ordered and providential – is to be the guide to action (*De legibus* 1.46). To develop our particular nature requires self-reflection to determine what it is: ‘each should therefore know his own talent, and demonstrate himself to be an acute judge of both his own good qualities and vices’ (1.114). Moreover, while Gill argues that Cicero’s principle of evaluation for individuals is ultimately social and depends upon one’s position in society, Cicero makes clear that in fact, one’s own personal nature takes priority, and that *it* is the standard by which we should choose our life path, not the other way around. While we cannot all have the good fortune or the resources to go off like Hercules for a long time to a deserted area in adolescence to ponder our path of life, we should all seriously deliberate about what path in life to take. When determining that path, not our social position, but our particular nature ought to be our first concern: ‘in such deliberation, all consideration ought to be referred to the person’s own nature’ (1.119). After considering the peculiarities of our own nature, it is of course prudent to look to the circumstances in which fortune has placed us, but the latter concern must always be subordinate to the former: ‘altogether, reasoning about both [our own nature and fortune] ought to be taken in choosing a type of life, but nature more, for it is both firmer and more constant’ (1.120).

In different ways, both Gill and Schofield posit *decorum* or ‘seemliness’ as Cicero’s controlling virtue when judging human difference (Gill, 1988: 174; Schofield, 2012: 53). Schofield compellingly demonstrates that *decorum* is a central component of Cicero’s theory of virtue. But it is important to point out exactly

what Cicero says about seemliness in relation to questions of individuality: ‘it is right for someone contemplating such matters to weigh what qualities are his own, and to regulate them . . . *for that is most seemly for a person which is most his own*’ (1.113, emphasis mine). Seemliness, then, is dependent upon us recognising our unique individuality and cultivating it consistently. It is not – as Gill would have it – simply about conforming to social norms or expectations.²⁸

Taken in isolation, these passages might lead one to view Cicero as radically individualist – almost to the exclusion of all other moral concerns. Raphael Woolf (2007: 320) comes close to such a position.²⁹ Woolf demonstrates an almost unique awareness of Cicero’s appreciation for natural human diversity. But, Woolf extends Cicero’s celebration of individuality further than Cicero does himself. Of Cicero’s position, Woolf (2015: 179) writes: ‘every kind of character, he implies, including opposites, can be legitimately expressed’. In fact, however, Cicero does rule out vice-prone or unjust characters from legitimate expression, and he still insists that some types of life are higher than others. Moreover, Cicero argues that the fact that we have distinct natures is not simply a license to express them, however, we choose. Our particular nature imposes on each of us an obligation of self-development. We see that Cicero reconciles his commitment to diversity and his acceptance of moral hierarchy in a precise way. In one concise paragraph, Cicero explains the structure of his proposed synthesis:

Moreover, each should hold onto his own, insofar as it is not vicious, but peculiar to him, whereby that decorum which we seek might more easily be retained. For we must act so that we strive for nothing that is contrary to universal nature, but—with that conserved—we ought to follow our own nature, so that even if other pursuits might be weightier and better, we ought to measure our own pursuits by the principle of our own nature. (1.110)

Cicero explains that we are not permitted to develop our own individuality if it would run contrary to the universal nature in which we all share as rational human creatures, for to do so is the essence of vice. We may also, for instance, relate this principle to Cicero’s endorsement of tyrannicide: the potential tyrant has no right to pursue unjust mastery, even if it would satisfy his particular longings, because doing so would violate the natural sociability of human beings. In this respect, universal nature, as a form of restraint or boundary to action, trumps individuality. Justice does not bow to the particular.

However, the second part of Cicero’s explanation illustrates how individuality can also take a certain priority over universal standards. In advising us to follow our own nature, even if others might be ‘weightier or better’, Cicero gives a qualified sort of approval to individuals who choose not to follow the paths of the highest kinds of life – a kind of moderate egalitarianism based on a particular person’s perspective. It is important to emphasise the qualified nature of this concession.³⁰ Cicero is not here denying or overthrowing his earlier assertions that the lives of the philosopher and statesman are superior from an external objective perspective. In fact this passage *reaffirms* the hierarchy of human types.

But, sometimes, for Cicero, the highest type of life *generally* may not be the appropriate sort of life for a *particular* individual – and in such cases, the individual is better off pursuing whatever is most suited to him or her. Cicero clarifies the matter by explaining that there is a kind of fault in pursuing a kind of life that you cannot adequately perform: ‘for it is proper neither to fight against nature nor to attempt that which you are not able to attain’ (1.120). In this way, an aspiring philosopher who lacks the mental faculties errs badly in trying to pursue it.³¹ A man who opts not to become a statesman because he knows that he lacks the necessary qualities for such a life does rightly – but that does not overthrow the superiority of the statesman; not all of us happen to be equipped by nature to reach the highest types of life. Conversely, an individual who *is* endowed by nature with the right qualities for statesmanship, but who nevertheless eschews such a path, does wrongly, because he fails to orient his life towards what is naturally highest and achievable for him (1.71–1.72).³²

This key passage also helps us to reconcile Cicero’s apparent acceptance of a diversity of human types with his disapproval of certain lowly professions. Whereas Wood sees in Cicero’s attitude a hypocritical and ‘typical aristocratic contempt for the banausic arts’, we can now see it is rather an insistence that a person’s life path should not conflict with rational human nature. Cicero’s language invokes the common Roman distinction between liberty and servility. A man who opts to pursue such a life fails to sustain himself in a way ‘worthy of a free man’ and instead resembles a slave (1.150–1.151). Slaves are degraded not only because they suffer domination but also because they are governed by the reason of others, rather than their own. Thus, in doing the work that could be done by animals or machines, people in these low professions are striving for something ‘contrary to universal nature’. Although this attitude may seem ungenerous or hypocritical to us in the age of division of labour, the father of modern economic theory – Adam Smith – expresses the same concern that repetitive and demeaning labour might lead to a diminishment of rational capacity and the very humanity of the people who are engaged in it.³³

Cicero’s rejection of ‘servile’ labour, coupled with his tendency to use elite Roman professions (such as lawyers and generals) as positive examples, might give the impression that Cicero is merely attempting to provide a theoretical grounding for Roman upper class prejudices. But, a consideration of his account as a whole confounds such a view. In encouraging sons to deviate from the example of their fathers (when their particular nature so directs), Cicero contradicts the standard view of elite Romans in particular. Even more substantively, by treating the philosopher as one of the two highest possible human types, Cicero modifies profoundly the conventional Roman hierarchy of honourable professions, according to which the inactive, private lives of philosophers appeared below the dignity of a successful Roman.³⁴ Finally, Cicero’s decision to include in the second *persona* qualities of character illustrates that his defence of individuality is meant to embrace the whole human person, and not merely the choice of career. Thus, the theory as a whole departs both from Cicero’s alleged philosophical masters and from Roman conventions, while incorporating aspects of each.

The principles in practice

From all this, we can see how Cicero's two concepts of human nature allow him to establish a moral hierarchy that leaves ample room for individuals to develop their unique qualities. The ambiguity of the discussion of natural law and common human reason in *De legibus* becomes clearer. The moral duties of universal human nature provide boundaries of justice beyond which it is not morally permissible to go. Universal human nature also provides a standard by which to determine the highest forms of life. The equal human capacity for rationality and sociality is the ground for considering certain human types superior on the basis of their more developed reason and greater contributions to human society. But, since the particular natures of most individuals are not suited to the highest pursuits of which our species is capable, they ought to develop their own particular talents and interests in whatever ways do not violate those foundational norms of justice. Even those who are capable of becoming statesmen and philosophers may fill those roles differently according to the peculiarities of their natures.

By this logic, Cicero inverts a powerful intuition. For Cicero, it is only the qualities humanity has in common that make us comparable with each other – without a common metric such ranking would be impossible. Conversely, all the other gifts, talents and interests that unique human beings have are incommensurable, and therefore, our responsibility to develop them – insofar as they do not conflict with the requirements of common humanity – is up to us alone, and not subject to hierarchical ranking.

We see this dynamic in operation throughout *De officiis*, but it also plays out in Cicero's life in a way that may help us to account for some of Cicero's own choices. One of the most striking examples is the case of Marcus Cato. Cicero asserts that Cato was right to commit suicide upon the victory of Caesar, and that the other republicans were also right in giving themselves up to Caesar's mercy. Although Cicero's commentary on Cato and those in his situation might seem self-serving (given Cicero's own decision to surrender), in fact Cicero's pronouncements are wholly in keeping with the principles he lays out. Cato's nature was vastly graver than the others (*incredibilem tribuisset natura gravitatem*), who – for their part – had lived more easygoing and friendly lives (1.112). Here, as elsewhere, Cicero emphasises the importance of consistency throughout one's life. Such consistency is impossible to maintain if one's life path is not compatible with one's particular nature (1.111). The constant promptings of nature would eventually compel a person to unseemly deviation. Neither Cato nor the other republicans violated any laws of justice with their actions; they thereby avoided vice. All behaved as public-spirited statesmen. But, within those bounds, their different natures rightly led them to choose different paths. Human beings are right to cultivate in themselves the order and constancy found elsewhere in nature.

In the case of Cato and his companions, Cicero argues that different choices were the correct ones for different individuals, but he refrains from endorsing either as higher in the abstract. But, he does give examples of individuals wherein – although both choose rightly based on their natures – one is demonstrably superior

to the other. Such is the case of the Scipii; the son of Africanus was prohibited by his ill health from following in his father's footsteps into public service. Cicero explains that here is an example of someone who ought not follow higher paths because his 'nature is not strong enough to be able imitate certain things' (1.121). One imagines that Cicero might have his own father in mind here as well. Although Cicero's grandfather was politically active, sickness prevented Cicero's father from doing likewise. Instead he made the best of his circumstances by engaging in scholarly pursuits and ensuring the education of his children. Cicero goes on to generalise this principle: 'if someone cannot defend lawsuits, or hold the people enthralled in assemblies, or wage war, he should still demonstrate those good qualities that are in his power—justice, faith, liberality, modesty, temperance, so that less will be asked of him where he is deficient' (1.121). The hierarchy of human types is preserved, even if it is not the decisive factor for some individuals in choosing a life.

It may perhaps be asserted that modern egalitarianism has obviated the need for an answer to the question of how to evaluate different life paths. The maxim 'judge not' might seem to solve such questions by denying their appropriateness. Still, one might agree with Nietzsche (2006: 1.15) that human beings are in essence 'valuing' creatures, who cannot do otherwise. At any rate, an open society in which no answer is commonly agreed upon about higher and lower types of life only makes the question more urgent for individuals. Though we may opt not to judge the choices of others, we cannot escape the necessity of somehow choosing a life path for ourselves. This is reflected in the fact that Cicero's *De officiis* is, after all, framed as advice to his son for how to live.

But, the relevance of Cicero's ethical synthesis to political communities as a whole remains salient. We might read Cicero's acceptance of Cato's suicide as a muted, double indictment of Caesar's rule. Not only has Caesar's rise compelled a virtuous man to depart from life – itself a great moral loss, but Cato's suicide also illustrates by example that Caesar's rise threatens to deprive the Roman community of those valuable *types* of individual whose moral purity makes them unable to bend to tyranny. Recall that among the other examples of personal natures Cicero lists was the pretense or irony of Socrates. The trial and death of Socrates illustrate the failure of the Athenian demos to appreciate the value of Socrates' way of life. In doing so, they killed someone who was not merely different, but who exemplified one of the highest modes of living in the natural hierarchy – that of the philosopher. To avoid this danger, political communities can best relate to the complex dynamic of human nature both by cultivating what is high, and by celebrating what is merely different.

One need not accept Cicero's whole natural law teaching to see that his way of balancing common human characteristics and unique individual qualities is a compelling way of addressing the issue. We can appreciate the attraction of his philosophy to Petrarch and other later philosophers of human individuality. That we might differ with him about precisely which forms of life are higher or best does not undermine the coherence of the underlying logic of his approach. By locating the standard of nobleness and baseness in our common human nature, Cicero

constructs a framework for moral hierarchy that can (in theory) address itself equally to human beings regardless of culture or social status. At the same time, Cicero creatively raises human uniqueness to the status of *natura* as well. By illustrating the theoretical consequences of human diversity, he thereby suggests a novel ground for a limited kind of practical human equality – in the sense of individuals choosing lives best suited to themselves.

John Locke (1989: §185) offered some of the highest possible praise for Cicero's work when he argued that in educating a child to live responsibly:

I know not whether he should read any other discourses of morality but what he finds in the Bible; or have any system of *ethicks* put into his hand till he can read *Tully's Offices* not as a school-boy to learn *Latin*, but as one that would be informed in the principles and precepts of virtue for the conduct of his life.

Perhaps a key part of Cicero's enduring appeal lies in his willingness to think through questions arising from the diversity of human talents, interests and capabilities. In *De officiis*, we find he offers us an account of human life paths that is firm in its recognition of what is higher and more valuable in the human species, yet flexible enough to give human difference its due.

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Notes

1. Examples include Long (1992), Kries (2003) and De Lacey (1977), among many others.
2. Rawls (1999: 408, 422) goes so far as to say that a life spent counting blades of grass is no less choiceworthy than any other, as long as that is what a person most wants to do.
3. This view of classical philosophy is most clearly expressed in Leo Strauss's influential interpretation. In he writes: 'since the classics viewed moral and political matters in light of man's perfection, they were not egalitarians. Not all men are equally equipped by nature for progress toward perfection, or not all "natures" are "good natures"' (1953: 134). Elsewhere, Strauss writes of the central importance to Plato especially of 'the fact that there is a natural order of rank among men' (1978: 51).

4. Two versions of this hierarchy can be found in Plato's *Republic* (544e–545a), and both place the philosopher at the top. The good city exhibits a hierarchy of philosophers, spirited auxiliaries and desiring workers and craftsmen. Later, in Book VIII (544c–545a), different kinds of regimes are shown to correspond to different kinds of human being. Socrates enumerates the timocratic, oligarchic, democratic and tyrannical man in descending order of goodness or justice as they get further from the model provided by the philosophic man. See also, *Nicomachean Ethics* X.7, in which Aristotle argues that the highest form of life is the contemplative one, followed by lives devoted to practical politics, and so on.
5. Allan Bloom draws out the latent opposition between human diversity and this focus on the perfection of virtue: 'poetry seems to require diversity of character... [but] virtuous men tend to be alike' (1991: 359).
6. Strauss (1953: 135) writes that 'Cicero's writings abound with statements which reaffirm the classical view that men are unequal in the decisive respect and which reaffirm the political implications of that view'. Timothy Caspar also views Cicero as seeing no basis for moral equality (2011: 62–63). One reader who looks at *De officiis* in particular is Christopher Gill. According to Gill (1988: 70), Cicero is reflective of classical ethical theory's general interest in 'personhood', by which Gill means 'persons as a class' as opposed to 'personality', which concerns unique individuals. Gill sees only evidence that Cicero wanted to defend the hierarchy found in conventional social roles.
7. Carlyle (1950: 9) goes so far as to suggest that the division between ancient and modern philosophy can be located in the break between Cicero and Aristotle on the question of human equality. Marcia Colish (1985) is less persuaded that Cicero's divergence from Aristotle is epoch-defining, but she agrees that Cicero's natural law teaching is essentially egalitarian. Neal Wood (1988: 90) also writes of Cicero's 'deep and lasting belief of the moral equality of human beings'.
8. Plato and Aristotle acknowledge that human societies require a division of labour and different groups to perform different tasks (warriors, labourers, etc.). Many Stoic philosophers do not even accept that much diversity. They envision a cosmopolis consisting entirely of sages and gods. See Colish (1985: 39). Also: Marquez (2012: 191). But Cicero goes beyond affirming the value of different *classes* as necessary for the common good. He addresses the individual and insists that each of us has special qualities all our own that we ought to develop.
9. In denying that Cicero, in particular, had any appreciation for innate human uniqueness, Gill (1988) would seem to support this view as well. Phillip Mitsis (2005) also rejects what he views as reading modern ideas about the self into Cicero and the ancients.
10. In doing so, it is possible to rescue Cicero from charges of hypocrisy levelled at him. Many of those who view Cicero's natural law teaching as fully egalitarian criticise him for betraying those egalitarian principles in his political life. See Colish (1985: 102) and Wood (1988: 91).
11. In particular, Strauss cites *De officiis* 1.105, 1.107 and *De legibus* 1.28–1.35. In these sections, Cicero explains how human rationality and sociality makes us superior to the animals. Caspar (2011: 62–63), who takes a similar reading, declares more cautiously that Cicero 'has failed to find a ground for political equality'.
12. See, for instance, *De re publica* 2.21 and *De oratore* 1.224.
13. For example: *De re publica* 1.49.

14. Unless otherwise noted, parenthetical references are to *De Officiis*, taken from M. Winterbottom's Latin edition (Oxford: Oxford University Press, 1994). All translations from the Latin are my own.
15. For more on the Stoic view of life according to nature, see, Annas (2007).
16. Kries (2003) argues that *De officiis* advances both a Peripatetic and a Stoic view, the former of which is for the more discerning reader. The relationship of Cicero's thought to the Aristotelian school has been explored by a number of scholars in *Cicero's Knowledge of the Peripatos* (Fortenbaugh and Steinmetz, 1989).
17. See, Wood (1988: 91).
18. The passage Wood cites, and the subsequent discussion of humanity's common vices can be found at *De legibus* 1.30–1.31.
19. See for instance, *De finibus* 4.9.21 and *De officiis* 1.46, 3.13–3.14.
20. In thus concluding Book 1, Cicero gives us the prism through which to interpret the apparent ambiguity in the hierarchy of best ways of life as found in sections 1.13, 1.18–1.19, as well as in 1.70–1.72. A reader might point out that Cicero describes his argument in *De officiis* as addressing – in Stoic terms – ‘middle duties’, which are accessible to all, and not ‘perfect duties’, which are the sole possession of the truly wise (*De officiis* 1.46, 3.13–3.16). In this light, one might imagine that the true priority of philosophical and political life might be reversed from what Cicero says here. But, Cicero elsewhere suggests that he himself does not approve the starkness with which the Stoics distinguish the middle and perfect duties (*De finibus* 4.21–4.22). Moreover, the actual choices that make up Cicero's own life seem to support the conclusion that he took politics to have the higher claim. For more on this topic, see Levy (2012).
21. Cicero seems to be referring to his own forced retirement from politics here, which is of course what gives him the leisure to write his philosophical works.
22. Cicero also presents a less developed version of this same theory in *Orator* 70–74. Nor is this the only sense in which Cicero attributes to human beings multiple overlapping identities, see for instance *De legibus* 2.3, 2.5.
23. For instance, De Lacey (1977).
24. See chapter 4 of Wood (1988).
25. This interpretation seems especially implausible, as even Socrates himself is attributed an individual *persona*.
26. See Schofield (2012: 47). Compare *De officiis* 1.107 with 1.115, in which Cicero insists that different people justifiably cultivate not only different talents and careers but also even different virtues. Kapust (2011: 102), too, that the first two *personae* are distinguished by their relation to nature.
27. It is possible Cicero has his own (somewhat disappointing) son in mind here. However, since Cicero encourages his son's philosophical studies and praises his involvement in the republican cause, it appears that he still holds out *some* hope that his son might yet follow in his footsteps.
28. For more on Cicero's linking of *decorum* and nature, see Kapust (2011).
29. Woolf does concede that Cicero's particularism is bounded by ‘an ordered pair of basic principles of justice: “harm no one” and “serve the common good”’. But, he argues that both of these principles are too vague to serve as guides for action.
30. Schofield (2012: 49) rightly says that this is in a sense ‘a recipe for a second-best life’.
31. In this, Cicero seems to agree in part with Plato's Socrates, who bans those incapable of philosophy from practicing it in the kallipolis. But, Cicero everywhere emphasises the

freedom of the individuals to choose lives for themselves, whereas Socrates' city would make the choice for its citizens.

32. We see from this that Cicero's defence of individual difference is not based on unfettered choice. The individual is not morally permitted to pursue whatever type of life he *likes* best. Rather, he must consult not only his interests but also his capabilities as well, and follow the highest path achievable for him.
33. See, Adam Smith (1937: V.i.1).
34. Baraz (2012) demonstrates that Cicero devoted considerable energy throughout his corpus to a defence of the life of philosophy against what he perceived as a Roman culture hostile to it. We can see this concern in *De officiis* 2.2–2.6, where Cicero mentions that he is 'worried that some decent men despise the very term "philosophy"'

References

- Annas J (2007) Ethics in Stoic Philosophy. *Phronesis* 52(1): 58–87.
- Baraz Y (2012) *A Written Republic: Cicero's Philosophical Politics*. Princeton, NJ: Princeton University Press.
- Bloom A (1991) *The Republic of Plato*. New York, NY: Basic Books.
- Brunt PA (1975) Stoicism and the principate. In: *Papers of the British School at Rome*, vol. 42. London: British School at Rome, pp.7–35.
- Burchell D (1998) Civic personae: MacIntyre, Cicero, and moral personality. *History of Political Thought* 19(1): 101–118.
- Carlyle AJ (1950) *A History of Mediaeval Political Theory in the West*. London: William Blackwood and Sons.
- Caspar T (2011) *Recovering the Ancient View of Founding: A Commentary of Cicero's De Legibus*. New York, NY: Rowman and Littlefield.
- Colish M (1985) *The Stoic Tradition from Antiquity to the Early Middle Ages, vol. 1: Stoicism in Classical Latin Literature*. Leiden: E.J. Brill.
- De Lacey P (1977) The four stoic *personae*. *Illinois Classical Studies* 2: 163–172.
- Dyck A (1996) *A Commentary on Cicero, De Officiis*. Ann Arbor, MI: University of Michigan Press.
- Dyck A (2004) *A Commentary on Cicero, De Legibus*. Ann Arbor, MI: University of Michigan Press.
- Fortenbaugh W and Steinmetz P (eds) (1989) *Rutgers University Studies in Classical Humanities, Volume IV: Cicero's Knowledge of the Peripatos*. New Brunswick, NJ: Transaction Publishers.
- Gill C (1988) Personhood and personality: The four-personae theory in Cicero, *De officiis* I. *Oxford Studies in Ancient Philosophy* 6: 169–199.
- Gillespie M (2008) *The Theological Origins of Modernity*. Chicago, IL: University of Chicago Press.
- Kapust D (2011) Cicero on decorum and the morality of rhetoric. *European Journal of Political Theory* 10(1): 92–112.
- Kries D (2003) On the intention of Cicero's 'De Officiis'. *Review of Politics* 65(4): 375–393.
- Levy C (2012) Philosophical life versus political life: An impossible choice for Cicero? In: Nicgorski W (ed.) *Cicero's Practical Philosophy* Notre Dame: University of Notre Dame Press, pp.58–78.
- Locke J (1989) *Some Thoughts Concerning Education*. Oxford: Oxford University Press.

- Long AA (1992) Cicero's politics in *De officiis*. In: Laks A and Schofield M (eds) *Justice and Generosity: Studies in Hellenistic Social and Political Philosophy*. Cambridge: Cambridge University Press, pp.213–231.
- Marquez X (2012) Between *Urbs* and *Orbs*: Cicero's conception of the political community. In: Nicgorski W (ed.) *Cicero's Practical Philosophy*. Notre Dame: University of Notre Dame Press, pp.181–211.
- Mazzotta G (1993) *The Worlds of Petrarch*. Durham: Duke University Press.
- Mitsis P (2005) The stoics on property and politics. *The Southern Journal of Philosophy* 43(1): 230–249.
- Nietzsche F (2006) *Thus Spoke Zarathustra*. Del Caro A (trans). Cambridge: Cambridge University Press.
- Rawls J (1999) *A Theory of Justice*. Cambridge: Belknap Press.
- Schofield M (2012) The fourth virtue. In: Nicgorski W (ed.) *Cicero's Practical Philosophy*. Notre Dame: University of Notre Dame Press, pp.43–57.
- Smith A (1937) *An Inquiry into the Nature and Causes of the Wealth of Nations*. New York, NY: Modern Library.
- Strauss L (1953) *Natural Right and History*. Chicago, IL: University of Chicago Press.
- Strauss L (1978) *The City and Man*. Chicago, IL: University of Chicago Press.
- Wood N (1988) *Cicero's Social and Political Thought*. Berkeley, CA: University of California Press.
- Woolf R (2007) Particularism, promises and persons in Cicero's *De Officiis*. In: Sedley D (ed.) *Oxford Studies in Ancient Philosophy*, Vol. 33. Oxford: Oxford University Press, pp.317–346.
- Woolf R (2015) *Cicero: The Philosophy of a Roman Sceptic*. New York, NY: Routledge.