CHAPTER 1

# *The Family in* De Officiis

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They tuck you up, your mum and dad,
They read you Peter Rabbit, too.
They give you all the treats they had
And add some extra, just for you.
–From Adrian Mitchell, "This Be the Worst"

## 1 Introduction

"Marcus my son, you have a gift from your father. In *my* opinion, it is a great one, but it will be just as you take it."[1] "Goodbye, then, [young Marcus], and be assured that you are superlatively dear to me, but that you will be much dearer, if you take delight in such precepts and advice as these" (*Off.* 3.121). *De Officiis*, both a declaration of love and a moral exhortation from father to son, gains significance from what the father, Cicero, advises. For he says that parents' love of their children is one of only a few origins of virtue, that the household of parents and their children is both the origin of settlements and the seedbed of the republic, and that of all humanity our immediate family is "most connected" (*coniunctissimus*) to us and is extraordinarily owed, after only the gods and the republic, our duties of beneficence. To borrow a modern term, in *De Officiis* Cicero promotes "family values."

Today we hear the little society of parents and their children called the "traditional" family. Cicero was and is traditional. We might therefore be unsurprised at Cicero's position. What else could an ancient Roman

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[1] Except when otherwise noted, all translations are my own. My translations here aim first for philosophical clarity.

moralist have said? But while influential Greek or Roman thinkers might have said that "traditional" family life was good, it was unusual that they made it an ideal or a source of virtue.[2] With some allies in the mature Stoa, Cicero represents a high-water mark in the "traditional" family's philosophical reputation for centuries before and after.[3] This has not gone unnoticed today. In the court's opinion in *Obergefell v. Hodges*, where the U.S. Supreme Court found that the U.S. Constitution requires the states to license same-sex marriages, Justice Kennedy wrote, "Since the dawn of history, marriage has … [bound] families and societies together." For this he cites two ancient authorities: Confucius and *De Officiis*.[4]

Why did Cicero harbor these bourgeois notions? Why not think instead that the family is the mechanism by which man hands on misery to man? In *De Officiis*, Cicero scarcely argues for his position. As suits a work in which he gives advice, rather than the details of how he would justify his advice, arguments full enough to do justice to the complexities of family life are lacking. But it seems to me that in Cicero's other writings we find philosophical doctrines and debates, often on Cicero's mind, that clarify this part of *De Officiis*.

My aim in this chapter is to present briefly some of that background in Cicero's other writings (in Section 2 below), and then, partly in light of this background, to give an interpretation of the role of the family in *De Officiis* (in Sections 3 and 4). My conclusion will be that in *De Officiis* nature gives parental love to humanity to teach us what it is like when people love other people for the others' own sake, and that the family is the school where this lesson is taught.

I close my introduction with two further notes.

First, I give some interpretive principles. Cicero tells us in *De Officiis* to read his speeches and his other philosophical writings *studiose*, "attentively" (1.3). To some degree, that licenses my method in this

[2] Here are some examples. In the *Republic*, Plato makes non-"traditional" sex and child-rearing part of the ideal lives of the guardians (457d–461e). Aristotle, it is true, made a social building block of the household of a man, a woman, children – but also slaves (*Politics* 1261a1–9). In their turn, the earlier Stoics are said to have advocated "wives and children in common" (DL 7.131). Epicurus said the virtuous might or might not marry and have children, and discouraged child-rearing (DL 10.119, Epictetus *Diss.* 1.23.3). Plotinus was a guardian to the children of others, but did not himself marry, although some of his close students did (Porphyry, *Life* 9). Church Fathers tended to regard marriage as better than fornication, but less good than chastity attent on God.

[3] I have in mind Stobaeus' selections from Hierocles collected in Ramelli 2009: 73–95 and Musonius Rufus fragments XIIIA–XVI in Lutz and Reydams-Schils 2020.

[4] *Obergefell v. Hodges* 576 U.S. 644 (2015), on p. 657. Kennedy cites Miller's Loeb, but gives his own paraphrase ("The first bond of society is marriage; next, children; and then the family") of part of a sentence that appears below in **T8**. Cf. Chief Justice Roberts' dissent, p. 689.

chapter. But some texts that I cite from Cicero's dialogues are spoken by characters other than Cicero. They may represent schools of thought incompatible with one another or with Cicero's position in *De Officiis*. Further, Cicero was an Academic, as he reminds us in *De Officiis* (3.20). Hence even his own pronouncements at different times are not necessarily parts of the same view of things. Therefore, the material I bring from Cicero's other writings is not necessarily evidence of the *same* philosophy of the family as we find in *De Officiis*. Next, although in my view Cicero was an Academic of a sort who did not assent to what he writes in *De Officiis*, I shall write, as he did, as though what he says there were simply his view. Finally, I take no position on what in *De Officiis* Cicero owed to Panaetius or to other sources. I aim only to interpret Cicero's text as I find it.

Second, imagine a Martian who picked up *De Officiis* as a guide to humanity. It would conclude that people are raised naturally and beneficially in a home with their own, obviously loving, biological parents. In fact, it might well conclude that that is almost always how people grow up. Yet many people do not grow up that way. As is also natural, not least because parents are naturally mortal, many children are raised by foster, adoptive, or stepparents, or in settings that are not families.[5] Some of these experience love and benefits of the sort that Cicero associates with biological parents. Others are raised by biological parents who do not, or do not seem to, love them. We could go on for some time: family life can cause feuds and misery as well as the harmony and happiness for which it is not, in fact, a necessary condition. But that is not the impression Cicero will give to our Martian. Why? My answer will be that *De Officiis* focuses on what Cicero thinks is an *explanatory kind* of family, and what he claims is its naturalness, because he thinks it can help to explain the other loving and beneficial relationships that we meet in real life, which, although Cicero does not mention them much, must include childhoods and private lives of other kinds.

## 2 Some Background in Cicero's Life and Writings

Cicero's experiences with and reflections on the idea that parental affection is natural will help us to understand the family in *De Officiis*. Therefore, I

[5] In Cicero's society legal adoption was generally of older children or adults. But less formal fostering or guardianship of even young children, in ways good or bad, was common. See Rawson 1991: 250–63.

give here some highlights both of what we know of Cicero's experience of parenthood, and of how he tended to reflect on this experience.[6]

### 2.a *Some Background in Cicero's Life*

Sometimes, when Cicero as a barrister wished to provoke strong feelings, he would pick up a baby and carry it around the court as he spoke (*Or.* 131, cf. *Flac.* 106). He expected a Roman juryman to be moved by the bonds of love in other people's families, of which the baby was both object and token. No doubt this was a shrewd observation. But from Cicero it was not a cynical one. For he himself looked positively on children and families, as we shall now see.[7]

*Hem, mea lux, meum desiderium*, "Oh, my light, my desire!" (*Fam.* 14.2.2). Thus wrote Cicero from exile to his first wife Terentia.[8] With Terentia he had two children. Once, when missing his best friend Atticus, Cicero wrote, "I am so deserted by everyone that the only relaxation I have is what I spend with my wife and little daughter and sweet Cicero" (*Att.* 1.18). Despite his dry tone, Cicero communicates that he did, in fact, enjoy at least his children's company, and in his letters at large it is unmistakeable that he was a loving father. Cicero felt pressure to provide for the family. From exile he wrote, "I should have provided for you [to be most happy], and I would have provided it, if I had not been such a coward" (*Fam.* 14.2.1).

His "little daughter" Tullia, apple of her father's eye, was in fact about eighteen at the time when he so described her. Later, married thrice, she died after childbirth. The baby – so far as we know, Cicero's only grandchild – probably died soon too. Cicero's desperate grief is perhaps the episode in his family life best known to his philosophical readers today. It helped to occasion the outburst of philosophical writing in his last years.[9]

"Sweet Cicero" was Cicero's son of the same name, whom I call "young Marcus." He is the addressee of *De Officiis*. At the time when his father

[6] Cicero's childhood and relationship with his own parents would be equally relevant. But he wrote so little about his parents that almost any conclusions about that relationship are speculative.

[7] I owe the example of babies in court to Treggiari 2005: 14. Treggiari's chapter shows in detail that Cicero turned to his advantage in his speeches the ideas about the family that I explore here in his philosophy. Cf. also Hall 2014: 85–86.

[8] For Cicero and Terentia, see Treggiari 2007, in which similar expressions of love are collected on p. 160. When Cicero praises wholesome family life in *De Officiis*, we should also remember Publilia, the young woman he married scandalously after his divorce from Terentia, and soon divorced in turn. See Treggiari 2007: 133–41.

[9] For Tullia, see Treggiari 2007: chs. 5–10.

called him "sweet" he was about four (cf. *Att.* 1.2). When Marcus was two or three Cicero privately described the impact on the little boy of his own political misfortunes: "No sooner did he begin to understand, than he saw the most bitter griefs and miseries" (*Fam.* 14.1.1). Cicero's relationship with him grew to be more complex than that with Tullia. Cicero worried that his son lacked his own talent. *De Officiis* was written and is set during young Marcus' time in Athens studying with Cratippus, an anxious effort to develop that potential (3.5–6).[10]

In the last seven years of his life, her first seven, Cicero was friends with Atticus' little daughter, Pomponia (*Att.* 12.3). Cicero nicknamed her Attica. In letters to her father, Cicero fusses about her health (12.1, 12.6a). He accepts wrongdoing for not saying goodbye to her properly. He asks Atticus to beg her forgiveness: *commotiunculis sumpaskhō*, "I sympathize with little tantrums" (12.11).

Of particular interest is a letter that Cicero wrote to Atticus when Attica was a few months old, and therefore about five years before Cicero wrote works such as *De Finibus* and *De Amicitia*, and about six years before *De Officiis*. This is **T1**:

> I'm so pleased that you are delighted (*delectari*) by your little daughter and that it proves to you that 'affection for one's children is natural' (*phusikēn esse tēn <storgēn tēn> pros ta tekna*). For indeed if it's not so, there can be no linkage (*adiunctio*) by nature of human being with human being. Take that away, and the society of life (*vitae societas*) is refuted.
>
> "We should be so lucky!" says Carneades. Filthy! But still, wiser than our friend Lucius [Saufeius], or Patro, who, since they refer everything to themselves and think nothing done for the sake of another and say furthermore that a man should be good so as not to have evil, and not because it's right by nature, don't understand that they're talking about a cunning person, not a good man. (*Att.* 7.2.4)

Evidently, Atticus had written to Cicero about the affection that Attica elicited from Atticus. As a result, at least in Cicero's opinion, Atticus conceded a philosophical thesis to Cicero. One gets the impression this thesis

[10] Plutarch (*Cicero* 24.5–6) says Cicero had arranged for Cratippus to become a Roman citizen. A now lost inscription at Cratippus' home city of Pergamon recorded a family of Tullii Cratippi (*CIL* III.399). Perhaps Cratippus took Cicero's *nomen* when Cicero arranged his citizenship. If so, he may have been closer to the Cicero family than might appear in *De Officiis*. Young Marcus wrote to Cicero's secretary that he was like Cratippus' *filium … coniunctissimum*, "closest son" (*Fam.* 16.21.3). *Coniunctus* would become the term of art in *De Officiis* that I translate as "connected" in this chapter. One wonders if Cicero took Marcus' remark to heart and felt some paternal rivalry with Cratippus. For a collection of Cicero's correspondence about Marcus' education in Athens, see Shackleton Bailey 1971: 237–42.

was a standing point of disagreement between the two men. That Cicero gives it in Greek suggests that the phrase was debated in philosophical culture at large.[11]

Let us see what Cicero thought he won in his victory over Atticus.

Atticus was sympathetic to Epicureanism. Saufeius and Patro were Epicureans.[12] The Epicurean position was that human parents come to affection for their children easily and voluntarily but not naturally. Many others disagreed and argued that human parental affection is natural. The debate is documented over several centuries.[13] It was vigorous in Italy during Cicero's life. For the Epicureans, one argument at that time was that if parental affection is natural, then it is not voluntary, but parental affection is voluntary.[14]

In the century after Cicero, a Stoic opponent hinted, I think, at a deeper Epicurean motivation: "Even Epicurus understands that we are by nature social, but once he put our good in the husk [i.e. in the body], he could no longer say anything other than *that*. … Yet he knows that once a child is born, it is not in our power not to have affection (*stergein*) for them or not to give thought to them" (Epictetus, *Diss.* 1.23.1–6). Epictetus' point, I think, is this: Epicurus held that each of us should pursue the good of *our own* pleasure. Thus, he put the good for each person in that person's own body. But if, on becoming a parent, affection moves me to care for my child ultimately for its own sake rather than ultimately for my own pleasure (for as we shall see, Epicurus' opponents thought that was part of the claim that parental love is "natural"), then suddenly I have *two* places to look for my ultimate Epicurean goods: my body and my child's. The Epicurean parent has become a sort of limited utilitarian. She seeks the greatest pleasure for the greatest number in the little circle of parent and children. The hostile Epictetus says that Epicurus was not ready to concede this consequence, and that therefore Epicurus stuck stubbornly to a view that Epicurus knew was false, that sociability and parental affection are not natural.

An Epicurean, of course, would deny that her view is implausible or stubbornly held, and that parental affection is as involuntary and selfless as Epictetus suggested. Is it not gladly given and a source of a parent's rejoicing, she might say, rather than nature's way of enslaving us to a shrieking

[11] Modern editors provide the supplement that Cicero indeed had in mind, *storgēn tēn*. But I suspect Cicero himself left these words out because the thesis he intended would be so obvious to Atticus.

[12] See *Att.* 4.6.1, 5.19.3; *Fam.* 13.1.2–5; *Q. Fr.* 1.2.14.

[13] On Lucretius' contribution to this debate, see McConnell 2018. See also Plutarch's work often called *On Parental Affection* (*Peri philostorgias pros ta eggona*); *Against Colotes* 1123a; cf. *On Stoic Self-Contradictions* 1038b; Lactantius, *Inst. Div.* 3.17.5.

[14] Demetrius Lacon, P. Herc. 1012 ed. Puglia coll. 66 and 68; see McConnell 2017.

baby? Nevertheless, I think Epictetus put his finger on the deepest question in this debate: does one human ever love another ultimately for the other's own sake? If a parent loves a child ultimately for the child's own sake, then by example the answer is "yes."

The second paragraph of **T1** suggests Cicero, too, thought this was the point of the question of the naturalness of parental affection. Carneades, a gleeful critic of any proposition whatever, would delight in the "refutation" of the "society of life." But the Epicureans Saufeius and Patro had their own views at stake. First, they believed that, psychologically speaking, we *do* not do anything ultimately for the sake of another person. Second, they believed that we *should* not do anything ultimately for the sake of another person, and instead themselves referred everything to their own benefit. The letter implies that Cicero thought Atticus' experience deprived Patro and Saufeius of evidence for their views. If parental affection were *not* natural, then they would infer correctly that we *cannot* love another ultimately for the other's own sake. For Cicero's movement from the first paragraph of **T1** to the second suggests to me that love of another for the other's sake is what he means by the "linkage" (*adiunctio*) of one person to another, which is, in turn, a condition for "the society of life." But Atticus' experience suggested that parental affection *is* natural. Therefore, it was still defensible to hold that we are by nature social, rather than merely weak beings who must strike cunning deals to survive.[15]

To sum up: Cicero was soft-hearted about children. Parenthood was a powerful force in his emotional life. He expected it to be so for others. As a result, even in his private life, he advocated the philosophical thesis that parental affection is natural and among the roots, or even a necessary condition, of human society.

But this philosophical reaction on Cicero's part is in many ways mysterious. How could it be plausible that parental love is the, or even a, basis for society at large? Certainly, to say that "everyone is some mother's son" is a way to recognize the weight of another's humanity by adopting the perspective of a parent. Reverence for parental love, as with the Madonna and Child, is traditional. (If these examples seem questionably gendered – Where are the daughters? What price a father's love? – I find that many such examples in modern culture are like that. It is Cicero who is resolutely gender neutral in his description of parental love.) Yet the relation between a biological parent and child seems unique. It seems implausible that it could or should obtain between others. Reader, I do not want you

[15] Cicero also contrasts natural love with love from need at *Am.* 27.

to love me as your child. Further, parental love has its faults. We fear that it smothers – a psychoanalyst stereotypically starts with your parents. We exclude the defendant's mother from the jury – the parental perspective can be wrong as well as right. In Sections 3 and 4 I unravel this mystery for the case of *De Officiis*. But first, I leave Cicero's biography, to present some background in Cicero's philosophical and rhetorical writing.

### *2.b Some Background in Cicero's Theoretical Works: The Origins of Society*

In Cicero's *Republic*, Scipio says he will not begin his political theory as far back as learned Greek philosophers do, "from the first mating of male and female, then from offspring and biological relationships" (*Rep.* 1.38). But in the treatises that Cicero wrote late in life he had exactly this habit, expressed either in his own words or through what he wrote for characters of various philosophical persuasions.[16] Scipio's remark shows that the habit was not original to Cicero. Indeed, in *De Finibus*, Cicero says that it was Plato's students who first taught that parental love is natural.[17] Nevertheless, that the later Cicero routinely began even divergent treatments from this point shows that he himself found it a helpful place to start thinking about society. I will begin this subsection with an example of that habit, relevant to *De Officiis* in that it advocates a Stoic position.

My example is from Cato's speech in *De Finibus*. Cato defends the Stoics against the charge that they posited two sorts of highest good, virtue and what is according to nature. His defense is that from birth we adopt certain *indifferents* as according to our nature, but that the only *good* is to be virtuous. Here Cato begins to tell Cicero how creatures like us can come to treat others well:

> **T2** We must understand this first from the shape and members of our bodies, which themselves announce that the plan for procreation comes from nature. Nor indeed would the following claims be coherent: that nature both wills procreation and does not take care that those procreated are objects of affection (*diligi*). And in fact the force of nature can be perceived even in beasts. When we see them toil in birth and in bringing up the young we seem to hear the voice of nature itself. Therefore, just as it is obvious that we recoil from pain naturally, just so it is clear that by nature itself we are pushed to love (*amemus*) those whom we have begotten.

[16] In addition to **T2** and **T4**, Cicero in his late *philosophica* began a discussion of social ethics with parental love on three other occasions, at *Am.* 27 and twice in *Fin.*, 4.17 and 5.65.

[17] Specifically, he attributes this to Speusippus, Aristotle, Xenocrates, Polemo, and Theophrastus (*Fin.* 4.3, 4.17).

> From this is born the fact that even the shared appeal (*commendatio*) of humans among other humans is natural. As a result, due to this very fact, that he is a human being, it should not seem that a human being is foreign to a human being (*oporteat hominem ab homine … non alienum videri*). (*Fin*. 3.62–63)

Thus Cato for the Stoics, like Cicero in **T1**, traces certain aspects of human society back specifically to the *naturalness* of parental affection and love.[18] Cato adds two arguments for this naturalness that do *not* depend on Atticus', or anybody's, experience of being a parent.

First, Cato says that nonrational animals visibly have affection for their children. In them, this can only be nature's doing. From this we generalize, to conclude that all animals naturally have affection for their children. But since we too are animals, parental affection must be natural in us too.

Second, we must consider our own bodies. Here we should recall that, for the Stoics, through life from the earliest stage we are "appropriated" – we go through *oikeiōsis*, to our own bodies and their parts. We recognize what they are and their purpose. To conserve our own nature we must conserve them and meet their purposes. Cato means, I think, that when we recognize that our reproductive organs have a purpose, to have children, we come to see children we might have as our own concern, part of what we, and our reproductive organs, can naturally achieve. Thus, parents' affection for their children arises naturally, just as our concern for ourselves, or for our kidneys, arises naturally. On this point, we know that Cato agrees with the seminal Stoic Chrysippus. For in Plutarch's *On Stoic Self-Contradictions* we read, "So why does [Chrysippus] wear himself out, writing again in every book about physics and, by Zeus, about ethics too, that we are appropriated to ourselves as soon as we are born, and our parts, and our own offspring?" (1038b). Therefore, we shall, and should, regard indifferents that accord with our children's nature as according to our own nature.[19]

In the second paragraph of **T2**, Cato alludes to very well-known words spoken by the comic playwright Terence's character Chremes: "I think nothing human foreign to me (*humani nil a me alienum puto*)" (*Heauton Timorumenos* 77). For Cato says that the naturalness of parental love has a

[18] For analysis of this passage, see Inwood 2016.

[19] **T2** is a key text for our understanding of Stoic *oikeiōsis*, a notion subject to a good deal of debate in recent scholarship. For a summary of the debate, see Klein 2016, whose conclusions I am in substantial agreement with. See also Inwood ch. 3, this volume. A discussion of the role of parental love in particular is Blundell 1990.

result. The result is that we *should* (*oporteat*) see other people as Chremes says he does, such that no human seems foreign. Now Cato's goal is to describe the Stoics' highest good, virtue. If no human should seem foreign, we may assume that no human will seem foreign to the virtuous person. Therefore, what Cato implies is that a result of natural parental love is that a human sage will not find *any* human foreign to herself. In practice, of course, we fools (non-sages) do overlook other human beings' natural needs. But whereas Epictetus pointed out that parenthood threatened to turn an Epicurean into a limited utilitarian, Cato welcomes the thought that a parent has become at least a sort of limited Chremes. For nothing to do either with the parent or with the parent's children seems foreign to the parent. Nature gives humanity at least that much head start towards the achievement and spread of justice, and Cato implies (mysteriously) that justice, or an impulse towards it, does indeed spread from parents to other people (cf. p. 32–34 and n. 32 below).

## 3 The Family in *De Officiis*

*De Officiis* gives advice, but not on how to act with the perfect virtue of a Stoic sage. Instead, when he speaks there of "the virtues" and so on, Cicero does not mean Stoic virtue proper, the *perfection* of reason. Rather he means what Stoics elsewhere would call progress towards wisdom, an ability to return rational justifications for one's actions (cf. 1.8, 1.46, 3.15–16). From now on I shall use "virtue," terms for virtues, and their cognates in this looser sense, except where I specify "perfect" virtue and so on.

### *3.a The Family and the Origins of the Virtues*

In exploring the origins of the virtues, Cicero assumes that what is natural tends to what is good. He does not justify this assumption at any length. It seems to me that the shrewdest hint comes at *Off.* 3.23, where he remarks that "nature's reason itself … is divine and human law." Thus (a) nature has reason, and (b) nature's reason is right reason, such that it could serve as law even for the gods. Therefore, if we look for guidance from perfectly virtuous reason but will not find that among humans, we can look to nature.

I will discuss two origins of society and social virtue that Cicero says nature has put in us. These are, in no particular order, (1) the desire to have and raise children and (2) reason.

As to (1), Cicero says that nature brings about parental love in us as follows. First:

> **T3** But the appetite for union for the sake of procreation is common to all animals, and care (*cura*) of some kind[20] for those things that are procreated. (*Off.* 1.11)

Second:

> **T4** And this same nature by the force of reason brings human together with human (*hominem conciliat homini*) for society of speech and of life, and engenders above all a particular extraordinary love (*praecipuum quendam amorem*) towards those who have been procreated, and drives a person to desire that there should be meetings and crowds of human beings and that he should go to them. By these same causes, it drives a person to be eager to provide whatever supplies plenty in nourishment and in lifestyle, not only for himself, but also for his spouse, and children, and for others whom he holds dear or ought to keep safe … . (*Off.* 1.12)

To someone who read *De Officiis* on its own, Cicero's bald assertions about parenthood might seem undertheorized. In Section 2 I have shown that they are not. Cicero takes a position in the well-known debate: parental love is natural. His first readers knew that arguments like Cato's, and experiences like Cicero's and Atticus', stand behind it.

How, then, should we understand what Cicero says here about parental love? It is tempting to put together **T3** and **T4** in the following, mistaken way: Cicero (we would say) thinks that, like other animals, adult humans are moved by a nonrational desire to have and to care for children. This is what I called parental "affection" in Section 2, translating the Greek *storgē* and its cognates. A parent's reason then serves this nonrational desire but has no share in setting the objects to which it moves us. After all, Cato in **T2** compared parental love to the way that we recoil from pain, a reflex reaction.[21]

We should avoid that tempting interpretation. For Cicero in **T4** says that it is "by the force of reason" that we are brought to love our children.

[20] "care *of some kind*" (*cura quaedam*) addresses in **T3** an objection raised to **T2** by Gábor Betegh and Brad Inwood at Inwood 2016: 161, that Cato cannot explain why some animals of some species are *not* social by nature. By adding *of some kind*, Cicero allows that for some animals parental care could be minimal, temporary, or indirect, such that not every animal will become social.

[21] Inwood 2016 raises the problem that a Stoic would not think human parental love is a mere nonrational reflex. I agree that the Stoics would not think that. I suggest Cato means that what love of children shares with how we recoil from pain is that both are *natural*, not that both are nonrational reflexes. This is clear if we distinguish a natural nonrational affection which we share with all other animals, from a rational love at which human parents arrive partly in response to feeling the nonrational affection.

Indeed, since *De Officiis* is written from a broadly Stoic point of view (1.6), that must be so. For the Stoics held that rational animals act only rationally, and Cicero thinks of loving parental behavior as a sequence of responsible actions. Thus, I think Cicero in **T4** means that human parents come to be disposed to love their children when they come to have a rational attitude in favor of caring for them. The role in human life that Cicero intends for parental affection, the nonrational drive to procreate and care for offspring he described in **T3**, is probably that (consciously or otherwise) we tend to notice this drive in ourselves, along with the associated parts and purposes of our anatomy, as we develop our concepts and beliefs. From this appreciation of our own nature we will tend to derive a belief (whether we are conscious of it or not) that it is appropriate for us to have children and to raise them to thrive, even at great cost and effort, a belief described as "extraordinary love" in **T4**. Note that, given the Stoic explanation of the emotions, if Cicero means here that parental love, and a disposition to it, are rational attitudes, he need not deny that these attitudes are part of, or that they cause, warm emotions.[22]

Cicero can now answer two puzzles I mentioned above.

First, Cicero can explain the variety we observe in children's lives, of which he left the Martian ignorant (see p. 17 above). According to the Stoics, humans naturally develop reason. Given the rest of our nature, this natural development *tends* to result in a true belief that it is natural to have and raise children. But this natural development is such that we do not all share in this belief, or the same form of this belief, for at least two reasons. First, when we first become rational, we become foolish. Foolishness is various. Thus, the Stoics predict that a natural development will result in a great variety of attitudes to parenthood, or towards caring for children not one's own. Second, as Cicero is especially keen to emphasize in *De Officiis*, in Stoicism we may take into account our own circumstances, personalities, attachments, and so on, when we make decisions (1.107–125). Even what perfectly virtuous people will know about their own nature, history, and vocations will differ from sage to sage. Therefore, people might virtuously decide they should not have children.

Second, Cicero has an answer to the charge of the Epicureans, that if parental love is natural, then it is involuntary in some way that we should find implausible (p. 20–21 above). Cicero can agree with the Epicureans and Epictetus that nonrational parental affection is involuntary, but add that the "extraordinary" parental love that motivates family life is not this

[22] Here I use "emotion" loosely, to include human affects in general, foolish or wise.

affection, but rather a rational attitude. For the Stoics, rational attitudes are all voluntary (LS 62).

In order to discern the role of parental affection and love in **T4**, notice that it is certainly not the only origin of society and social virtue described there. For Cicero says (2) *reason* alone leads us to wish to meet, to speak to each other, and so on. Indeed, it would seem that even if humans had no children, reason would still do this. For in *De Officiis* Cicero makes use of the wide range of meaning of the Latin *ratio*, "reason." It has meanings such as the capacity to think or the desire for the truth (1.11, 1.13). But it also means the ability to use language, to signify, and to communicate (1.12). The latter, linguistic aspects of rational life are dominant in *De Officiis*. It is by a shared language that "human beings are most of all united" (1.53). Sages given solitude in which to do nothing but contemplate the truth would flee back to society (1.158). Thus, says Cicero, reason pursues truth, but does so for the sake of its social needs (1.157). None of these social relations would seem to need parental affection to prompt them.

Just as with parental love, in his earlier writing Cicero often raised this idea that reason, or reason developed into eloquence, philosophy, or wisdom, first brought human society together.[23] In *De Officiis*, then, Cicero described together the two origins of human society that in previous writings he had returned to separately: reason and parental love. From a Stoic point of view, one way to state the complementary nature of these two origins is the following.

Reason *per se* is the origin of the society of all rational beings, such as rational humans. We wish to share reason's projects – communication, learning, lawgiving, and so on – with other reasoners. But reason does not make us social with other *humans* as such. For example, it will not draw us into society with little children who, in Stoic thinking, are not rational. No doubt as our offspring, developing towards reason and starting to mimic it in their utterances, small children have a special relationship with the society of the rational. But they are not part of it. Cicero was not bound by it to "sweet" little Marcus (p. 18–19 above). Meanwhile, reason *will* draw us into society with rational beings who are not human, such as nature or the gods (*Off.* 1.160). But we cannot attend to nature's or the gods' human needs. They have none. The bond of reason, then, gives common goals to all the rational, but does not necessarily lead each rational

[23] The first words we have from Cicero's pen, the opening of *De Inventione*, dwell on this theme (*Inv.* 1.1–4). In his speech *Pro Sestio*, Cicero said publicly that this was a common opinion in Rome (*Sest.* 91). Cf. *De Or.* 1.33, *Tusc.* 5.5.

being to attend to the needs of another rational being in the way it attends to its own. It might, therefore, bring a human to regard another human as a fellow reasoner, a floating mind, but not to care about all the other person's human needs.

By contrast, parental love necessarily makes some humans care for at least some others *as humans*, rather than as reasoners. It leads parents to plan for such natural needs as their families' nourishment and living conditions, just as they do for their own needs, and perhaps also for their small children's development towards reason with a view to their eventual development towards wisdom. In this particular sense, parental love introduces care for other people not only for reason's goals, but for those others' own sake.[24]

This concludes my discussion of Cicero's introduction of parental love into *De Officiis*. An objection that Cicero invites here and in his subsequent discussion of human procreation (see **T8** below) is that his can seem a bizarrely limited account of the human desire for sex, or romance, or marriage. People often desire these things without desiring to have and raise children as a result. Cicero wrote to Terentia, "Oh my light, my desire!" not "I wish we could have more kids!" Meanwhile, some people do not desire these things at all. But Cicero's aim is not to give a complete account of attitudes towards sex and romance. Rather, his aim is to describe the kind of case that interests him as an origin of society, namely, the case where a man and a woman have children and then raise them. By describing this case, he does not deny all the other aspects of human romantic and sexual desire, nor that children are often raised in other ways.

In **T1** Cicero said that if parents do not naturally have affection for their children, there *can* be no linkage of human to human. In *De Officiis* he gives a different view. For suppose that we changed the world of *De Officiis* only so that nonrational parental affection were not natural. Reason is flexible enough, I assume, that people could still arrive in other ways at a sincere, moving belief that they should attend to the human needs of their children – or, indeed, of anyone else. But, without the prompt of natural parental affection, these attitudes would be less common. Thus, in *De Officiis* natural parental affection is not a necessary condition for genuine human social links. Rather, parental affection and the family are a way that, in practice, nature *does* commonly bring these links about. This is its explanatory power and moral importance.

[24] For a different analysis of the origins of justice in *Off.* 1.11–12, see Schofield 1995: 199–204.

### *3.b The Family and the Virtues and Vices*

Cicero would not count the origins of the virtues as such if they tended equally towards virtue or vice. They point us more towards virtue. But the origins of the virtues are not virtues. They can lead us to do ill. For example, the love of one's children could lead one to steal for them. Thus, the path to virtue is not simply to allow ourselves to be driven by the origins of virtue that nature has put in our souls. Rather, we must regulate rationally our response to these desires and promptings, in order to achieve, or at least make progress towards, perfect virtue. Cicero's subsequent discussion in Book 1 is intended to help us with this task. Here I examine what he says about social virtue, the part of virtue in which the family is involved.

#### *3.b.i The Family, Justice, and Injustice*

Cicero names two species of social virtue. First, there is justice (*iustitia*). To be just is not to harm anyone unless provoked by injustice, and to treat what is common as common and what is private as private. (Since the question of what is common and what private arises also under beneficence, I will focus in this subsection on the "harm" criterion for justice.) Second, there is "beneficence" (*beneficentia*) (*Off.* 1.20). Rather than regulating harm and theft, beneficence regulates the benefits we give to others (1.42). Let us see first how justice relates to the family.

The family has no special place in the general demand of justice to refrain from harm unless provoked by injustice. We are not to harm anyone unprovoked. Thus, we should not harm our family unprovoked, but neither should we harm anyone else. "He who does not defend against or hinder injustice when he can is at fault as though he abandoned his parents or friends or country" (*Off.* 1.23). That might sound like hyperbole, but Cicero puts the point even more starkly later, when he implies that we should endure "death, poverty, pain, even loss of children, of close relatives (*propinquorum*), or of friends" rather than commit "an act of injustice against anyone" (3.26). Tullia, the child he lost, and her baby, the grandchild he probably lost, must have been on Cicero's mind as he wrote these words.

Although the family has no special place in the general demand to refrain from harm, I presume Cicero would concede it a special place among our thoughts about the justice of some particular actions. For we can harm our relatives in special ways. If some relatives, like children or elderly parents, have needs that only we can meet, and we do not, then we harm them. Often one can harm a close relative simply by saying things

that would harm nobody else. If I tell you, dear reader, that I do not love you as a father should, I do not harm you. But if I said that to my children, I might well harm them.

Now I move to Cicero's explanation of *in*justice. For it sheds considerable light on his view of the family in *De Officiis*. We can see this by the comparison of **T5** and **T6**, as follows.

First, justice in *De Officiis* as it relates to harm seems simple to grasp: never harm anyone unprovoked. Yet unjust harm is common enough, even from those who accept such a principle. Why is that, Cicero?

> **T5** [Now we that we have outlined justice, injustice, and its causes] we shall be able easily to adjudicate the thing we ought to do (*quod … officium sit*) at each moment – *if* we do not love ourselves too much, for to care about the affairs of others (*rerum alienarum*) is difficult. Albeit that Terence's character Chremes "thinks nothing human is foreign (*alienum*) to him", nevertheless, because we perceive and we feel things that result in our favour, or against us, more than we do things that come out that way for others, which we see as though across a wide gulf, we form judgments about others differently than we do about ourselves. (*Off.* 1.30)

Cicero agrees with Cato in **T2**: we *should* be the way Chremes claims to be in his famous line. Moreover, if we saw the consequences of our actions for other people as we see the consequences of events for ourselves, it would be *easy* to be like Chremes. The obstacle, Cicero says, is cognitive. Either we are unaware of how events impinge on others, or when we are aware of what someone else suffers, we do not feel its impact as we feel what happens to ourselves. It is hard to be like Chremes and therefore to be just.

Second, Cicero describes people who try to make family limit their duties of justice.

> **T6** For the thing some people say is stupid: that they will not take anything from a parent or a brother for their own advantage, but that they have another attitude to the rest of their fellow citizens. They decide that there is for them no justice with their fellow citizens, no society for sharing what is useful. This opinion pulls apart the whole society of the city. (*Off.* 3.28)

In Cicero's view, these people are not just. For they think it is acceptable to harm some others unprovoked. But even they will not harm those closer to themselves. Why? I suggest that Cicero can interpret the data in **T6** in light of **T5**. In the case of our families, Cicero thinks that it is easier to leap the cognitive gulf that separates us from others. For, first, the needs of those we are close to come easily to our attention. Second, when we love them, we perceive accurately the value of the help and harm we can give

them. Notice that (according to Cicero) parental love is responsible for both of these cognitive advantages. For parental love is not only the origin of the love within the family, it is also what led the parents to make any family home at all (see **T8** below).[25]

### *3.b.ii The Family and Beneficence*

Than beneficence, says Cicero, "nothing is more appropriate (*accommodatius*) to human nature" (*Off.* 1.42). Our instinct, he implies, is or should be to be open-handed. But the *virtue* of beneficence imposes "wariness" (*cautiones*) of three sorts. First, our giving should not harm those to whom we give. Second, our giving should not exceed our ability to give. Third, we should give to each according to "desert" or "standing" (*dignitate*) (ibid.). Cicero's discussion of wariness about "standing" contains much about the family. I concentrate on that kind of wariness here.

Cicero gives four criteria by which to determine "standing." I give these criteria in **T12** below (p. 37). Cicero says that these four criteria might yield different decisions. Therefore, with beneficence we must become "good calculators of our *officia* by adding and subtracting." We must call on experience and adapt our decisions to circumstance (*Off.* 1.59–60). In consequence, we should read much of what Cicero has to say about the *officia* of beneficence with an "all else equal" clause attached.

Cicero gives most space to his treatment of criterion **3**. He introduces this treatment as follows:

> **T7** But human society and connection (*coniunctio*) will best be preserved if, the more connected (*coniunctissimus*) each person is, the more kindness (*benignitatis*) is conferred upon him. But it seems we should look again more deeply at what the natural starting points of human society and community (*communitas*) might be. (*Off.* 1.50)

Cicero therefore returns to the topic of my Subsection 3.i above, the *natural origins* of society, this time in order to establish the natural facts about to whom each of us is more "connected." A consideration on which Cicero focuses in these sections is how much we hold in common with others. He says that originally and by nature, everything was held in common. But people have by use of their shared reason deemed some property private, or the possession of some city or group, and that we should respect these decisions (1.50–53).

[25] Cicero had not always thought that parents would naturally make a home, or at least not that fathers would do so. As a young man, in *De Inventione*, his guess was that before eloquence brought society together, "no one had seen children certainly his own" (*Inv.* 1.2).

Cicero's renewed discussion of the natural origin of society is a key passage on the family in *De Officiis.* Therefore, I shall quote from it at length, and comment on each part as we go.

> **T8** Indeed the binding of the society of relatives (*propinquorum*) is tighter, for out of that boundless society of the human race is enclosed something little and narrow. For since by nature it is common to animals, that they have the desire to procreate, the first society is in the coupling (*coniugio*) itself, the next in children, then one home, everything in common. (*Off.* 1.54)

Cicero begins to trace what I have suggested is a source of human society distinct from the desire to pursue the goals of reason together, namely, the nonrational desire for procreation and to care for children.

The process by which some aspects of society emerge from the desire to procreate starts from the "coupling" of a man and a woman. The word Cicero uses, *coniugium*, can bear many meanings.[26] It could apply to the coupling of animals or to "wedlock (considered in a physical point of view …)," to quote Lewis and Short's Victorian dictionary *sv*. But equally it could refer to a marriage, including legal Roman matrimony: *coniuges,* meaning those joined by a *coniugium*, was an ordinary word for legally married spouses.

Hence we must ask what Cicero means by *coniugium* in **T8**. The couple he describes has more than one child and builds a home in which to raise the children. Thus, in this case, *coniugium* must refer to more than sex, but rather to a relationship which, whether it began as a one-night stand or with a long-term commitment, is or becomes lasting and deliberate, with child-rearing among the couple's goals, at least eventually. On the other hand, this home is supposed to be (at least explanatorily or potentially) prior to the development of *conubium*, the right to marry legally, which is no surprise when (as we shall see) it is also prior to the formation of the sort of cities that can make laws.[27] Therefore, *coniugium* here is not necessarily legal matrimony. Thus, my translation "coupling" should be read in this light: a man and a woman deliberately forming a long-lasting sexual couple, not necessarily married in civil law, with care for their children on their mind.

Cicero says that in the family home, everything is in common. Inside its walls, so to speak, the original, natural condition of communism is

[26] See *TLL* and *OLD sv.*, Treggiari 1991: 6.

[27] On *conubium* see Treggiari 1991: 43–49. There is a well-known tale about the development of *conubium* at Rome. It was when nearby cities refused Romulus' request for *conubia*, rights of legal intermarriage, to the men of the newly founded Rome, that the Romans kidnapped the Sabine women, establishing Rome's own, internal marriage rights (Livy 1.9).

preserved, or perhaps reinstituted, by contrast to society outside the home where people have deemed some property private. Why this contrast? As we saw, the "extraordinary love" of parents for children leads "a person to be eager to provide whatever supplies plenty in nourishment and in lifestyle, not only for himself, but also for his spouse, and children …" (See **T4** above.) Naturally, then, the mother and father regard their possessions as open to the children's and each other's use.[28]

In **T8**, Cicero does not say only that parents regard the home as a little society where they share everything with their children. He writes as though everyone in the home is a member of the society, using everything in common. Thus, we confront here a new mystery. For I have argued that Cicero roots parental love, and in a different way the love of parents for one another, in our reproductive anatomy and biology. But that explanation does not apply to a child's love of a parent, a sibling's love of a sibling, and so on. Nor, so far as I can see, does Cicero anywhere suggest an equivalent biological origin for these other kinds of love. Yet Cicero evidently thinks that children, siblings, and so on will love their families if not in the extraordinary manner of parents, nevertheless in some way that is similar enough for most of his purposes in *De Officiis*. How does he think this comes about?

I conjecture that Cicero means that it is from the parents that the children, and others in the home, *learn* to regard and behave towards the parents, each other, and the rest of family in something like the way that the parents regard the children. In loving families of the sort on which Cicero has focused, the children all their lives will have seen and benefited from parents who behave towards them with "extraordinary love." As they develop towards reason, the children acquire memories, concepts, and eventually beliefs and emotions in part as a result of these experiences. Their attitudes and behavior towards their siblings, and back towards their parents, are shaped to become like their parents' attitudes and behaviour towards themselves, to one degree or another. Others within the home, to one degree or another, are influenced to have similar rational or prerational attitudes. Of course, parents and the family home are not the only

[28] In Roman marriage, some couples shared their property legally, or more precisely, used property held by one *paterfamilias*, typically the husband or his father. But often the wife kept her own (or her father's) property distinct from her husband's. Furthermore, in law spouses were *unable* to give each other gifts (see Treggiari 1991: 365–96). Thus, even happily married Roman couples often did not share everything legally speaking. It is clear in this context that Cicero's aim is not to give the natural starting points of Roman law specifically. Further, when he says that everything in the home is in common, he does not necessarily mean common property legally speaking.

influence on the children or others in the home. Cicero's point is not that a loving family life mechanically, inevitably, or invariably induces children or others in the home to love the rest of the family.[29] Nevertheless, we commonly accept that parents and the family home are very often an important influence at least on the children of the family. Hence, nature's gift of parental affection is an elegant piece of design: it ensures that others who care for them for their own sake, and a little society within which people find it easy to act as though they were just and beneficent, even holding all in common, loom large in many people's most formative cognitions. In this way, nature gives many of us a helping hand in the hard but obligatory task of bridging the cognitive gulf between ourselves and at least some other people.

If I am right with this conjecture, I can solve the mystery I mentioned at the ends of Subsections 2.a and 2.b above, at least for the case of *De Officiis*. Cicero thinks parental affection is an origin of society. But he thinks that parental affection, grounded in the parents' own anatomy, is indeed unique to parents and does not itself spread to draw people into other kinds of love. Rather, what spreads are the attitudes and behavior for which parents are the model. They spread by the ability of human beings to learn. Nor need Cicero think parental love is without its problems. The role he gives it is consistent with the way that loving but flawed parents may put it into practice ineptly. Furthermore, we now see more of Cicero's answer to the questions with which I ended my introduction. Cicero can say that the loving "traditional family" of *De Officiis* could influence the social attitudes and behavior even of those who do not grow up in one, in that such family life, because natural, is a part of common human experience, seen at least in the homes of others, or in literature and art. It is the main way nature puts in most people at least a sleeping sense not only of life lived according to love, but also of the difference they could make by loving others.

Cicero goes on:

> **T9** But this is a starting point of a settlement (*principium urbis*) and as it were a seedbed of a republic (*seminarium rei publicae*). There follow the connections between brothers, afterwards between cousins on both sides, who, when one home can no longer hold them, go out into other homes as though to colonies. There follow rights of marriage (*conubia*), and relationships by marriage (*affinitates*), and from these still more relatives. This planting-out and propagation is the origin of republics (*origo … rerum publicarum*). But connection by blood binds humans with good will

[29] See Cicero's account of the role of parental influence in a young adult's choice of lives, *Off.* 1.118.

> (*benevolentia*) and dearness (*caritate*). For it is a great thing to have the same monuments of one's ancestors, to practice the same rites, to have tombs in common.[30] (*Off.* 1.54–55)

Cicero says the home is the "starting point" of an *urbs* and the "seedbed," *seminarium*, of the republic. I think these are two different relations, as follows.

First, *urbs* is only one of Cicero's words for a city. By contrast with *civitas* (the city of its own citizens), *patria* (one's country), or *res publica* (the republic, the people's commonwealth), Cicero tends to use *urbs* for the built settlement of houses, streets, people, temples, and so on.[31] The home is the *starting point* of such a settlement, presumably because it comes about when parents decide to build their homes near one another and to share streets, a water supply, temples, and so on. Such a settlement is not necessarily a republic, a true political community. It might be mediated purely by agreements, stemming from reason and the ability to communicate.

Second, a *seminarium* or "seedbed" was a plant nursery, where plants were grown in order to be planted out elsewhere or to provide seed for propagation (see *TLL sv*). It is the *propagation* from the *seminarium*, out of the home, that is the origin of the republic, of a *political* community. That is to say, the propagation stands to the republic as the home stands to the settlement. This propagation takes place when the home overflows, beloved people move into other homes like colonists on the family's behalf, and family relations of various sorts thus arise between people in one home and people in other homes. In consequence, the little circle of relations, who have familial love towards one another and recognize one another's human needs, spreads. These households, many of which one presumes will also be part of the same material settlement, thus start to form a political community, a republic.

Family relationships bring with them good will (*benevolentia*) and dearness (*caritas*). *Caritas* later came to be used for selfless, Christian love, Greek *agapē*, and is the source of the English "charity." But in Cicero it is the property of one who is *carus*, "dear," that is, is the property of the one loved, not of the lover. It is translated most accurately with the awkward word "dearness." Good will and dearness are paired properties:

[30] For what Cicero means by connection by ancestors, rites, and tombs, see his description of his own *two* countries (*patriae*) at *Leg.* 2.3–5. He was connected by such things to his Volscian home city, Arpinum, his "country by birth" (*germana patria*), but to Rome by citizenship. He says that for him the Roman republic as a whole, which contained Arpinum, must rank first in dearness (*caritate … praestare*), though not by much.

[31] See *Rep.* 1.41, cf. *Sest.* 91.

the one who loves has good will towards the one who is dear. We see this, for example, in the definition of friendship Cicero gives to the speaker Laelius in his *De Amicitia*: "agreement on all matters human and divine with good will and dearness" (*Am.* 20).

Cicero continues:

> **T10** But when you have examined everything with reason and the soul, no society is more weighty, none is dearer, than that which there is for each one of us with the republic (*re publica*). Parents are dear, children, relatives, and friends are dear, but everyone's every dearness is embraced by one country (*patria*). Should it profit his country, what good man would hesitate to face death? (*Off.* 1.57)

Cicero does not say here that we find our fellow citizens dear, unless they happen to be our relatives or our friends. Rather he says that each of us individually enjoys a social bond, of the sort we have with an individual relative or friend, but with the republic corporately.[32] Here, at least, he attributes none of this bond to a rational agreement with the laws or the culture handed down by our fellow citizens. Rather, it stems from the dearness to us of our relatives and our friends, all of whom are included in our country.[33] We therefore find the republic as a whole at least as dear to us as our parents, children, or friends severally, for it is, to quote E. M. Atkins, "the stage and setting for all of [our] deepest loves."[34]

We have now reached the end of Cicero's description of the natural roots of human society, by which he determines with whom we are naturally more connected, one criterion for the third "wariness" by which we should confine virtuous beneficence, the criterion of standing. Now I turn to the *officia* of beneficence within or from the family that Cicero generates from this and his other criteria.

[32] This passage appears to contrast strikingly with some of what we saw in Section 2 above. In **T2** Cato said for the Stoics that the "shared appeal" of humanity in general was born from parental love. Meanwhile, elsewhere in *De Finibus*, Piso says for Antiochus of Ascalon that dearness creeps out from the household "to embrace the whole human race (*totius complexu gentis humanae*)" (*Fin.* 5.65, cf. Schofield 2012a: 176–79). By contrast, in **T10**, "everyone's every dearness is embraced by one country (*patria una complexa est*)". Thus for Cato and Piso, parental love ultimately draws all humanity together, but it appears that in *De Officiis* its effect goes no further than one's country. What to make of this apparent difference is a vexed question, but beyond the scope of the family and therefore of this chapter.

[33] This part of Cicero's description seems odd. Perhaps we always share a country with our families. But we can be friends with foreigners. Cicero had a friend in Tiro, his secretary and confidant, who was a slave until Cicero freed him, and who was therefore not a citizen of the republic until then. Why would Cicero think that *any* friendship is embraced by one country? Perhaps he means *res publica* or *patria* here in a more flexible way than we are used to, such that any foreign friends we have are in some loose sense part of our country, connected to it through us.

[34] Atkins 1990: 275.

This last section of Cicero's treatment of beneficence begins as follows:

> **T11** But should there be a competition and a comparison over to whom we should give more of our duty (*officium*), first on the list would be country and parents, to whom we are obligated by the very great benefits (*beneficiis*) they have given, children would be next and the whole household that looks to us alone and cannot have any other refuge, and thereafter relatives with whom we are on good terms, with whom even our fortunes are for the most part in common. For that reason, the necessities that support life are owed most of all to those I have just mentioned. But a common life and lifestyle, planning, conversations, consolations, sometimes even reproaches flourish most in friendships, and the most pleasant is the friendship that is joined by similarity of character. (*Off.* 1.58)

This is not one ranked list. The first ranking given is only of people to whom we owe "necessities to support life" (*necessaria praesidia vitae*). Other things, like our conversation, are most fruitfully given to people not placed in the first ranking, to friends. In principle, then, we might decide correctly and consistently, for example, to make our parents and children the priority for the money we spend, but our close friends our priority in how we spend our leisure time. As we saw, Cicero himself preferred Atticus' company even to that of his wife and children (p. 18 above).

I shall interpret the ranking of those to whom we most owe necessities to support life using the criteria that Cicero himself gave us. We can begin with the three kinds of "wariness" (see p. 31 above). Whether the benefit given will in fact help will depend on the particular circumstances of a particular gift, so I presume it does not help with this ranking. Whether the gift is beyond the ability of the giver will often be beside the point within family, since there property is regarded as common, so the giver will often not simply lose what is given. In any case, this second kind of wariness again seems unhelpful for establishing the ranking. Thus, the third kind of wariness, whereby we apportion our generosity according to the "standing" of the receiver, seems likely to be what governs the ranking in **T11**.

As to standing, here are Cicero's four criteria (cf. p. 31 above):

> **T12** We must look to
>
> **1.** the character of him to whom we might give the benefit,
> **2.** and his attitude towards us,
> **3.** and his community and society of life [*sc.* with us],
> **4.** and the services (*officia*) that he has previously conferred for our use.
>
> We may hope that these all coincide. If they don't, the greater and more numerous grounds will have more weight. (*Off.* 1.45)

Let us now apply the four criteria to the various parts of the family in **T11**, to see why Cicero might have ranked our *officia* towards them as he did. I will take these in reverse order.

First, consider the part of the family ranked last in **T11**, "relatives" other than our children or parents "with whom we are on good terms." From context we may infer that these are relatives in other households, including perhaps such close relatives as siblings, or any in our own households who have means independent of our own. We have seen how nature has connected us to these people and inclined us to share our property with them. Thus, we share "even our fortunes" with them. Therefore, it is no doubt by criterion **3** above all that their claim on our generosity ranks so high. Still, Cicero's addition, "with whom we are on good terms," points to more. It suggests that there could be relatives in other households to whom we are by nature strongly connected, but who should fall below the ranking in **T11** because we are *not* on good terms with them. This is explicable by the other criteria. We can see how such people might fall afoul of criterion **1** (perhaps we fell out because we perceived flaws in their characters), **2** (since we are on bad terms, they may well be hostile to us), or **4** (perhaps they have given us less than they should).

In second place come "children … and the whole household that looks to us alone and cannot have any other refuge." Note that this sentence is written narrowly from Cicero's point of view, a Roman *paterfamilias* upon whom his household depended legally and economically, and who expects young Marcus, to whom the sentence is addressed, to become a *paterfamilias* in turn. To address explicitly the *officia* of readers not in that position, Cicero would need to have said more. Here criterion **3** is plainly dominant given the strength of the natural connection from parent to child in particular, and from householder to household in general, that we have explored. As to those in the household who love "us," criterion **2** is also at work.

"The whole household" for a wealthy Roman like Cicero included his slaves. Indeed, there were probably whole unfree families living beside the free family of the *paterfamilias*.[35] Slaves often go unmentioned in *De Officiis* – shamefully so. But of course they were human beings too, and Cicero therefore insists that they are owed justice like anybody else (1.41). Now we learn, perhaps surprisingly, that a *paterfamilias* also owes to them the same level of beneficence as he does to his own children.[36]

[35] The Latin *familia* referred to all the dependents of the *paterfamilias*. It is a much broader term than the English "family": a *familia* could include many families.

[36] If the *paterfamilias* had married his wife under the arrangement known as *cum manu*, then she too was his dependent. If not, then she was not.

Some clarification follows in 1.59: "But in paying all our duties (*officiis*) we shall have to see what each person most needs and what each can or cannot attain without us." In the latter respect, the children and the slaves of a *paterfamilias* resemble one another, for they "look to [him] alone." We might also reflect that by criterion **4**, many slaves, at least those who (heroically, in their circumstances) strove to act thoughtfully, would have given many *officia* to the *paterfamilias*.

Now Cicero surely did not expect free and unfree people in the same household dependably to find one another dear as he expected each family to do. Nor, surely, can he have hoped that heads of households would share their property as though in common with their slaves. Thus these brief, glib allusions to all the people who lived in Cicero's legal power demand clarification. It is a tragic sign of the thoughtlessness and injustice of Roman slavery that this was all he had to say. But it could be that (however hypocritically, patronizingly, and mistakenly) Cicero thought it was relatively easy for somebody like him to grasp rationally the needs even of the legally unfree people with whom he shared a household – whose children played with his children, perhaps – and therefore that it was relatively easy for him to be just and beneficent towards those people. In these remarks, we also see that like justice at large, beneficence in the household has nothing to do with nationality, so that each household is (so to speak) a miniature cosmopolis. For slaves were, by definition, not citizens of the same republic as the householder, but rather aliens under the same roof. Yet it is the roof, not the republic, that defines this second rank among those humans to whom we, or at least heads of households, owe beneficence.

I end with the first rank: parents. That parents rank first is most revealing. For if we attended only to the origins of virtue, and the extraordinary love to which parental affection leads, it might seem that the voice of nature tells parents to put their children first. Yet Cicero implies that someone who has both parents and children should give to parents before children. It would seem that the most choiceworthy actions to which nature leads us by the gift of parental love are not a parent's care for children, but rather the children's *response* to that care. Why?

In **T11**, Cicero points us to criterion **4**: we should respond to all the benefits parents have given us. As the donors of life, of all a child's necessities, and of upbringing at large, among individual humans parents win on this score. On criterion **3**, a child's natural connection and community of life with a parent ranks high. As to criterion **2**, Cicero says the kind of attitude that we should look for is not to be judged by warm feelings: "We should

give more to him who has more affection for us (*diligamur*), but let us not judge benevolence in the manner of adolescents, by some ardor of love" (*Off.* 1.47). Parents of the sort Cicero is focused on demonstrate by their actions stable, planned, generous care for their children. For many people, then, their parents will win by criterion **2**.

What about criterion **1**, "character"? At first sight, it might seem that even the loving parents of *De Officiis* on the whole will do no better or worse than any other group of people. For in truth, such parents are no better or worse than any other group of people. But, as we have seen, loving parents, even when they are thoroughly vicious people, tend to act justly and beneficently towards their children, or more precisely in the case of vicious parents, to act as though they were just and beneficent. Cicero says in **T11** that children should respond to parents' *beneficiis*, their beneficent, which is to say their virtuously given, gifts, and not merely to their *officia* or to the useful things they have given. So, from the point of view of their children, loving parents on the whole *do* score well on criterion **1**.

But on reflection, we can go further. Cicero points out that, aside from nature itself, in the world of *De Officiis* we will not encounter perfect virtue, and therefore we are doing well if we find *simulacra*, "images" of virtue (1.46). The word *simulacra* suggests in particular the stone or paint images of the gods which, however flawed as images, allowed Romans to imagine divinities they never saw. Consider that, strictly within the family, loving parents of the sort Cicero describes seem to be as Chremes claims to be, and as Cato implies the sage will be in general, with nothing human foreign to them. By the standards of fools, they seem to be constant: they make and keep long-term plans for the basic needs, education, or lifestyle of the family, upending their previous lives as though they care about their children in the same way they care about themselves. They seem to hold property in common as nature originally gave it. Like statues of the gods, at least from the point of view of their children, and strictly within a loving family of the sort Cicero describes in *De Officiis*, parents are images (however flawed) of the *perfectly* virtuous, and their family home is an image of a more virtuous society than is the foolish world. Nature is the artist who makes the image for us.

## 4 Friends and Family in *De Officiis*

Cicero discusses friendship in *De Officiis* immediately after his discussion of the strong natural connections in the family. He describes it as another occasion of very strong love, between two virtuous people who recognize

a similar character in each other (1.55–56).[37] A full discussion of Cicero on friendship, a topic to which he previously devoted his *De Amicitia*, would be out of place here. But it is worthwhile to close this chapter with what friendship shows us about familial love in *De Officiis*. I have argued that the family teaches us about loving others. A word whose presence in that thesis might seem no more than trivial is "others." But in Cicero's writings it carries unexpected weight.

Dearness, *caritas*, in friendship (cf. **T10** above) cannot arise only out of familial love, and often will not do so at all, since many friends are unrelated. Rather, it arises out of a rational recognition of one's friend's character. Cicero says that friendship is special in that it can bring together "one person" (*unus*) out of more than one (*pluribus*). As Cicero puts it in *De Amicitia*, my friend is *alter idem*, "another self" (*Am.* 80). I care about my friend as I care about myself. Now, in one sense, since my friend is *another* myself, this is altruism on my part, care for the *alter*, the other. But in another sense, it is not altruism, because my friend is another *myself*. In that sense, when I care for my friend, I do not care for someone altogether other than me.

By contrast, family love is not unitive. It does not make (for example) parent and child into one person. Parents might love children who they find are very dissimilar from themselves, emphatically other. Yet, according to Cicero, parents still care for such children as they care for themselves. This is, emphatically and literally, altruism, in a way that friendship is not.

This observation helps us to understand the quotations with which I began this chapter. Those quotations seem double-edged, perhaps shockingly so. Cicero assures his son that he loves him very much. This seems heart-warming. But he says he would love his son much more if he should delight in his father's precepts. This conditional part of Cicero's love seems cold, even cruel. I suggest that Cicero wishes by means of *De Officiis* to make a friend of his son. Marcus, the damaged but sweet toddler whom he has now raised into an undergraduate of doubtful promise, is extremely dear to Cicero in the manner of a son, an other. But what his parental love leads Cicero to offer now to young Marcus, the budding philosopher in search of self-improvement, is the hope and the material to achieve what Cicero would recognize as "the fine in another" (*honestum … in alio*), and thus to unite himself in friendship with his father (1.55).

[37] Konstan 2017: 304 argues that there is a tension between Cicero's respect for friendship as a recognition of virtue, and his sense that human love is "as unconstrained and instinctive as that of tigress for its cub." He suggests (plausibly) that such a tension may have been heightened in Cicero by Tullia's death (cf. Konstan 2015). But it seems to me that Cicero can account for both, at least in *De Officiis*, as stemming from rational interaction and natural parental affection, respectively, but as arriving in common at a response to the *caritas* that the lover perceives in the loved.