Hecato of Rhodes and Stoic Casuistry

CHRISTELLE VEILLARD
Paris Nanterre University
christelle.veillard@parisnanterre.fr

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Abstract
This article focuses on one of the most important figures of the so-called Middle Stoicism, Hecato of Rhodes. By his use of the disputatio in utramque partem («debating both sides»), Hecato tackles the problem of moral dilemma, or conflict of duties. An analysis of his examples, compared to the ones previously used by Antipater of Tarsus, Diogenes of Babylonia and Chrysippus, sheds a new light on Stoic ethics. Hecato first shows that a moral rule is always linked to practical parameters and that the moral calculation consists precisely in articulating all of them, without crushing it under the weight of the absolute value that is virtue. Saying virtue is the supreme value is not enough, when it comes to matter of conscience: the whole question rests in our balancing the burden that each parameter places on us. But how can we be sure that this rational calculation is still following the moral compass we have, that is, the absolute value that is virtue? Hecato’s suggestion is the following: practising morality causes a good to be passed on and returned in a continuous movement; its aim is to make the good pervade the world, and this can be achieved by the most visible good on the human stage, i.e. the practice of beneficence, love and friendship. Therefore, our first injunction is not a strictly rational one: it is an appeal to loving other people, because by this we orient ourselves in the right direction.

Keywords: duty, casuistry, dilemmas, virtue, Hecato of Rhodes, Intermediate Stoicism

Resumen
Este artículo se centra en una de las figuras más importantes del llamado estoicismo intermedio, Hecato de Rodas. Mediante el uso de la disputatio in utramque partem, Hecato aborda el problema del dilema moral o conflicto de deberes. Un análisis de sus ejemplos, comparado con los utilizados anteriormente por Antípatro de Tarso, Diógenes de Babilonia y Crisipo, arroja una nueva luz sobre la ética estoica. Hecato muestra en primer lugar que una regla moral está siempre ligada a parámetros prácticos y que el cálculo moral consiste precisamente en articular todos esos parámetros, sin aplastarlos bajo el peso del valor absoluto de la virtud. Decir que la virtud es el valor supremo no es suficiente, cuando se trata de una cuestión de conciencia: toda la cuestión está en equilibrar la carga que cada parámetro nos impone. Pero, ¿cómo podemos estar seguros de que este cálculo racional sigue todavía la brújula moral que tenemos, es decir, el valor absoluto representado por la virtud? La sugerencia de Hecato es la siguiente: practicar la moralidad hace que un bien se transmita y se devuelva en un movimiento continuo; su objetivo es hacer que el bien penetre en el mundo, y esto puede lograrse mediante el bien más visible en el escenario humano, es decir la práctica de la beneficencia, el amor y la amistad. Por tanto, nuestro primer mandamiento no es estrictamente racional: es un llamado a amar a otras personas, porque así nos orientamos en la dirección correcta.

Palabras clave: deber, casuística, dilemas, virtud, Hecato de Rodas, Estocismo intermedio
1. Introduction

Hecato of Rhodes, a student of Panaetius, is one of the forgotten figures of Stoicism. Still, he was of great importance in antiquity, if we consider that Diogenes Laertius very frequently quotes Hecato in his Lives and Doctrines of Eminent Philosophers, that is to say, much more often than Panaetius, and pretty much as often as Zeno and Chrysippus. Furthermore, Hecato is a privileged interlocutor for Cicero, especially in De officiis book III, and one of the main sources used by Seneca to write his De beneficiis.

How come that this important figure, who was likely a friend of Quintus Aelius Tubero and therefore probably part of the so-called Circle of Scipio is nowadays totally ignored? The first reason is possibly the loss of his work, even though it was of huge extent: according to the three sources mentioned above, Hecato wrote eight treatises, covering the then usual Stoic topics, namely a Περὶ τέλους (seven books), a Περὶ ἀγαθῶν (at least nine books), a Περὶ ἀρετῶν (at least three books), a Περὶ παθῶν (at least two books), a Περὶ παραδόξων (at least three books), a Περὶ καθηκόντων (at least six books), two books of Χρείαι dealing with Cynics and Stoics, and most likely a Περὶ χαρίτων (On Benefits). All of it amounts to about thirty books at least, of which only twenty-nine fragments remain. But how is it that this considerable oeuvre, used by well-known authors, among them two philosophers, has been lost? The personality of Cicero and Seneca may have something to do with this. It can be established that they both use Hecato, even following the structure of his treatises to write their own in the case of Seneca. It is also a fact that they used to integrate and reformulate borrowed arguments, so that it becomes difficult to find out what was originally said. Finally, their overwhelming influence may have overshadowed Hecato’s legacy.

Working on Hecato demands a meticulous analysis of the method and perspective of each source, tracking back the influence he may have had on philosophers who build their own thinking freely. Difficult as it may be, it is nonetheless possible to draw some conclusions. The first regards the kind of Stoic tradition in which Hecato operates: the account of the Stoic school, as it is transmitted by Diogenes Laertius, links Hecato to a Stoic tradition that claims its Cynic roots (which is confirmed, among other things, by his Chreiai), but in a Socratic way: Socrates is the background figure, through Antisthenes, who is assumed to have been at the same time a student of Socrates and the first Cynic. The second conclusion is about Hecato’s contribution to ethics, namely his understanding of virtue: Hecato is both a doxographer, who

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1 For all this, see Veillard (2021): most frequently quoted is Chrysippus, then Posidonius, then Zeno and Hecato.

2 According to Cic. Off. III 63 (see Veillard, 2021, fr. 10), Hecato dedicated his work on duties to Q. Aelius Tubero, who was the grandson of L. Aemilius Paullus and the nephew of Scipio Aemilianus.

3 A second tradition, to which Panaetius seems to belong, also wants to draw a line between Stoicism and Socrates, but through a tradition aligned with the Academics, i.e. in this case, Plato and Aristotle.

4 We have no trace of treatises about logic or physics, but some fragments show an interest in syllogisms applied to ethics (see fr. 3 and 4, Veillard, 2021: D.L. VII 127-128 and VII 101). This
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takes over arguments already used by Antisthenes, Chrysippus, Antipater of Tarsus and Diogenes of Babylonia, as well as a philosopher, who has his own way of conceptualizing the difference between the virtues and the different ways they can be achieved.

The most interesting part of Hecato’s ethical doctrine regards what we could call circumstantial ethics. How can we decide which virtue is to be used in such-and-such an action? More importantly, how do we determine what we have to do when it comes to tricky situations? Hecato is the kind of man who asks very curious questions, such as: is a good man justified in not feeding his slaves during a period of great scarcity? If something has to be thrown into the sea during a storm, should it be a priceless horse or a valueless slave? Let’s assume that in a shipwreck a foolish man grabs a plank, should a sage be justified in snatching it in order to save his life even if it means drowning the fool? (Cic. Off. III 89, see below). Hecato devises several examples of what we now call a «dilemma», thus exploring the field of «circumstantial duties» (kathekonta kata peristasin). All this is closely tied up with the definition of a duty, considering that the content of this very duty can change if the circumstances of the action should change.

This issue - that is, the dependence of duty (καθήκον) on circumstances - had already been discussed by earlier Stoics, namely Diogenes of Babylonia and Antipater of Tarsus, as is shown by Cicero in De officiis III 49-55. The problem more specifically raised is the possibility of a conflict between good and useful, that is to say: between what is morally good (honestum) and what is practically advantageous (utile). According to Cicero’s account, the Stoics themselves were puzzled about this point: either they considered this to be the most important question, when it comes to ethics; or they regarded the question as meaningless, assuming that this kind of conflict could never occur from a Stoic point of view. Hecato obviously took the question very seriously: not only does he develop Antipater’s and Diogenes’ discussion, but he is also the first to use dilemma in a systematic way in order to search for what could be a criterion for the right decision. For that purpose, he builds on a very specific method, the disputatio in utramque partem («debating both sides»), which appears to be the core of this new ethical discipline called «casuistry».

This paper aims at showing how Hecato departs from his predecessors, methodologically as well as doctrinally. 1). Our first step is to survey the Hecatonian examples, which take place within the framework of the well-known polemic about interest in formalization can be linked to the effort made to produce one single rule or procedure applicable to various circumstances.

This uncertainty comes from the very loose definition of duty, as Zeno puts it (D.L. VII 107-108): «They also say that a duty is that for which, once done, a reasonable defence (εὔλογον ἀπολογισµόν) can be given, for example harmony in the tenor of life’s process (τὸ ἀκόλουθον ἐν τῇ ζωῇ), which indeed extend to plants and animals. For duties can be seen in them as well. Zeno was the first to use this term καθήκον, the name being derived from κατὰ τινὰς ἥκειν, “to have arrived in accordance with certain persons”. A duty is an activity appropriate to constitutions that accord with nature» (transl. Hicks, Loeb edition, slightly modified).
the possible conflict between what is morally good (honestum) and what is useful or advantageous (utile). 2). This will allow us to determine which part is his, and which part he borrows from his predecessors, especially Antipater and Diogenes. 3). The comparison with Chrysippus will highlight the specific problem of the value (ἀξία) of life, which will lead us to Hecato’s innovative solution: that feelings of a certain sort can play a part in the moral calculation.

2. The conflict between honestum and utile: Hecato, the source of Cicero?

In his De officiis, Cicero intends to consider duty from a practical point of view: he does not want to study the definition of duty, nor the different types of it6; he wants to discover what we ought to do, practically speaking. To that end, he follows the structure, and probably the content, of Panaetius’ lost Περὶ καθηκόντος, which was organized like this7: at first, we have to discover what is good; then what is useful; then we are compelled to analyze situations in which what is good all of a sudden appears to be contradictory to what is useful, or what is useful contradictory to what is good. In this case, the moral agent finds herself in an axiological confusion because none of the previous rules seems to apply correctly: what is good suddenly seems useless, or what is determined as useful seems disgraceful. This means that the definition of «morally good» and «useful» could be erroneous8. If we follow what appears to be good, we achieve something looking silly or disadvantageous; if we decide to follow what appears to be useful, we achieve something looking unjust or immoral. This last part of the reflection, «regarding duty relative to circumstances» (περὶ του κατὰ περίστασιν καθηκόντος), is the most important part of the subject, says Cicero, following Posidonius, and yet, the latter handled the topic very briefly, only «in some commentaries» (in quibusdam commentariis, Cic. Off. III 8).

This disappointing conclusion is confirmed elsewhere by Cicero. In a letter, he points out that he could not find anything worthwhile in the supplementary documentation he ordered from Atticus (Cic. Att. XVI 11, 4-8): according to Cicero, Posidonius investigated the question, probably in his Περὶ καθηκόντος, and Athenodorus Calvus wrote a summary (τὰ κεφάλαια) about it9. In a later letter,

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6 Cic. Off. I 7. If we follow the topical division of the subject, the different types of duties are: duty (καθήκον), right action (κατόρθωμα) and the «duty relative to others» called beneficium (χάρις). See for example the doxography of Eudorus in Stobaeus Eccl. II 7, 2 (II, 42, 7-45, 6 W.). On the Eudorean division, see Giusta (1964), 151-193.

7 This treatise, by the way also unfinished, is completely lost: the few informations we have about it comes from Cicero (see Alesse, 1997, Test. 92-103).

8 Cic. Off. III 7. Panaetius declared that he would cover the three topics, but he wrote three books on the first two, leaving the third untreated.

9 This conclusion is unanimously shared by commentators, see Dyck (1996), 485. This book is mentioned by D.L. VII 124 and 129 (lr. 39-41c EK).

10 This Stoic philosopher was a teacher of Augustus (see Goulet, 2000). The κεφάλαια were either a summary of Posidonius’ Περὶ καθηκόντος, or a mere Stoic doxography. For the first solution, see Gigon (1969), 267-278, esp. 271. The second solution is preferred by Pohlenz (1965), 253-291. According to Pohlenz, this doxography is the source used by Cicero to write the third book of De officiis.
Cicero speaks about Athenodorus’ «rather nice aide-mémoire» (satis bellum ὑπομνήμα)\(^\text{11}\). The comment made in *Off. III 34*, however, shows that he was finally disappointed with all answers he encountered:

«The part that he left, therefore, I shall complete without any auxiliaries, but, as the saying goes, fighting my own battle (*Marte nostro*). For there is no treatment of this question since Panaetius, at any rate such that meets with my approval, in the writings that have come into my hands»\(^\text{12}\).

This means that neither the summary (τὰ κεφάλαια), nor the aide-mémoire (ὑπομνήμα) of Athenodorus (assuming these were two different books), nor the *commentarii* written by Posidonius\(^\text{13}\) were helpful. So, what was? A tempting answer would be: Hecato, of course! Unfortunately, this goes against Cicero’s words, when he claims to think and write only on his own, and to follow Panaetius’ spirit; it also goes against some comments by Cicero which suggest that he did not approve of Hecato’s conclusions; it also goes against the very few mentions of Hecato in book III\(^\text{14}\). One must then conclude that Cicero used Hecato only for some examples and not for a specific thesis. We can nevertheless be confident about the following point: if Hecato «packed book VI of his περὶ καθήκοντος with examples of this type» (Cic. *Off. III 89*), it was surely because he found the subject highly valuable and intended to treat it by means of cases called «dilemmata». The fact that Cicero disapproved of his conclusions clearly means that, on that very point, he had ones. A conclusion can therefore be drawn: when it comes to the difficult problem of circumstantial duties, and more precisely when it comes to the most important question in ethics, that is the possible conflict between two rules (the one of honestum and the one of utile), there come the examples of Hecato; Hecato is the one to be used, probably because he was the one who dedicated more space to these questions, even if Cicero wants to reach a different conclusion on that point.

Before moving on, let’s tackle a first point. Hecato will use examples as starting points of his search. These examples are, at first sight, merely examples, that is examples in the trivial sense of the word: we will encounter a dishonest wine seller, a horse owner travelling on a boat, a father digging a tunnel to rob a temple, among other funny characters. These examples are therefore simple cases, from which we will be able to draw some conclusions. We are not yet dealing with *exempla* in the

\(^{11}\) Cic. *Att. XVI* 14, 4. It remains to be seen whether ὑπομνήμα and κεφάλαια are one and the same work. See on that point the summary by Dyck (1996), 485-486, who arrives at no definite conclusion.


\(^{13}\) See Dyck (1996), 486-487, for the possible identification of *commentarii* with υπομνήμα and κεφάλαια. Dyck thinks that the *commentarii* are passages from Posidonius’ περὶ καθήκοντος that Cicero finally received. We agree with this conclusion, because of a point made by Lévy (1997), 191-207. Lévy shows (194-195) that when Cicero mentions a book for the first time, he does it in a very precise way with a Greek title; further references are less precise, according to a principle of «reference to the reference». In that case, τὰ περὶ τοῦ καθήκοντος, eius librum and *commentarii* are three ways of pointing to the same book.

technical sense of the word: when a simple example (usually a real man, like Cato) becomes so paradigmatic that it gives birth to a genuine model, this simple example becomes an exemplum. Persisting in using the word «example», instead of «case», is a way to highlight the obvious link between the mere example (or case) and the paradigmatic exemplum. Hecato is precisely the one who introduces the method of casuistry, in order to establish test-cases, and ultimately perhaps exemplary examples, then, real exempla. But, at first, he merely works on examples in the sense of cases. It is in this loose sense that we will speak of the Hecatonian examples.

3. Hecato’s examples in De officiis III

At first, Hecato’s examples are noteworthy because of their argumentative structure. We deal here with (says Cicero) quaestiones, or controversa iura, belonging both to the disputatio in utramque partem. If we follow the definitions of Cícero’s De Oratore III 109, a quaeestio is a general statement, usually doubtful, similar to the Aristotelian thesis: it is a question without specification, like «What do we do with war prisoners?»; a controversia, or a causa, is a more detailed question, with particular specifications, like «Should we give the Carthaginians their prisoners back in order to get our own prisoners back from them?» In our texts, it seems that Cícero makes no difference between the two terms. The philosophical background of all this is in fact the Cynic διατριβή, in which a speaker imagines a lively dialogue with a fictional interlocutor making objections and resorting to everyday situations. The Socratic dialogue is one of the possible figures of this διατριβή, as well as the paradox, which is a surprising statement that requires careful analysis in both sides to be proven true. This explains why serious and long philosophical discussions, as well as very specific cases, both belong to the common form of the disputatio in utramque partem.

The discussion pro and contra has Platonic and Aristotelian origins but has also been used by Chrysippus. The latter warns against this «debating both sides» (διαλέγεσθαι πρὸς τὰ ἐναντία): as Chrysippus sees it, this method cannot be used in a wide range of cases; it may be dangerous because it is morally confusing; it makes contradictory solutions appear equally right, while obviously they are not. This confusion is no more than the result of ignorance of what is good: virtue, and only virtue. This method requires then caution, in order not to be convinced that both theses are true (Plu. De Stoic. rep. 10, 1035f-1036a). It is thus not only inappropriate for someone who wants to reach knowledge and a coherent life; there may even be a risk, already pointed out by Aristotle: we could be convinced that what is immoral is as well-founded as what is morally right. Carneades gave a striking demonstration of
this danger in his discourses about justice, pronounced in front of the Roman Senate in 155 B.C., which earned him a quick and firm escort out of the city.

If Hecato packed his book with discussions of this sort, it means that he used them on a wide range of topics and considered the method itself efficient. By using this method in a systematic way, Hecato broke the Chrysippean law, as it were. The fact that Tubero is the dedicatee of Hecato’s treatise on duties points in the same direction, since the man was known for his talent in this kind of discussion.

The method appears to be the following: an example is given and several circumstances are applied in order to test the validity of the rule used to solve the case. If the rule resists all circumstantial variations, we can be sure that it is the right rule to follow. This structure is obvious in the first Hecatonian testimony involving dilemmas: this is the extensive passage of Cicero, *Off.* III 89-92 (frag. 11 Veillard, transl. Griffin and Atkins slightly modified):

«The sixth of Hecato’s books on duties is full of questions of this kind (talium quaestionum):

(1) would a man who is good (sitne uiri boni) fail to feed his slave household when corn is extremely dear? He argues on either side (in utramque partem disputat), but in the end he measures duty by what is useful (utilitate), as he thinks, rather than by humanity (humanitate).

(2) He asks whether, if some cargo must be thrown overboard at sea, one should sacrifice an expensive horse rather than a cheap little slave. Personal wealth draws us one way, humanity the other.

(3) “If a foolish man in a shipwreck seizes a plank, will the wise man (sapiens) wrest it from him if he can?” “He denies that, because it could be an injustice”. “Well then. Will the master of the ship snatch what is his?” “Not at all, no more than he would be willing to throw a passenger from the ship on to the sea, because the ship is his. For until they arrive at the place for which the ship is chartered it belongs not to its master but to the passengers”. “Well, suppose there is one plank and two sailors, both of them wise men. Would each of them grab it for himself, or would one give it to the other?” “One should give in to the other, that is to the one whose life most matters for his own or the republic’s sake”. “And what if such considerations are equal for both?” “There will be no contest, but one will give in to the other as if losing by lot, or by playing odds and evens”.

(4) “All right then. Suppose that a father despoils a temple, or dig a tunnel to the treasury, will his son denounce him to the magistrates?” “That would be impious. He should rather defend his father if he is charged”. “Does one’s country not, then, take precedence in all duties?” “Yes, indeed. But it actually assists one’s country to have citizens who revere their parents”. “And if a father should try to impose a tyranny, or to betray his country, will his son keep silent?” “He will beseech his father not to do it, and if he has no success, he will rebuke him and threaten him. In the last resort, if the affair would lead to the ruin of his homeland, he will put its safety before that of his father”.

He also asks this: (5) if a wise man (sapiens) has foolishly accepted counterfeit coins for good ones, when he discovers it, would he pay with them any debt he may have, instead of good coins? Diogenes says yes, Antipater says no, and I agree rather with him. (6) If a man is knowingly selling a wine that will not keep, ought he to say? Diogenes thinks it unnecessary, Antipater considers that a good man (uiri boni) would do so. Such
matters are for the Stoics like disputed points of law (*Haec sunt quasi controvversa iura Stoicorum*).

(7) Should one declare the faults of a slave whom one is selling? Not of course the faults one is required by civil law to state, or else to have the slave returned, but these: that he is untruthful, or a gambler, or steals, or drinks? It seems to one of them that you should declare them, and to the other not. (5) If anyone is selling golds, but thinks that he is selling brass, will the good man (*uir bonus*) inform him that it is gold, or buy it for one denarius when it is worth a thousand? It is by now clear both what my view is, and what the dispute (*controversia*) is between the philosophers whom I have named.

The cases raised by Hecato cover two main questions, each coming in several variations: A). What do I choose, morality or utility? B). Where does my loyalty lie, with my family or with the state? The first question is scrutinized by the first three cases [(1) The famine: feeding the slave or not; (2) The storm: horse or slave; (3) the shipwreck\(^{16}\) and the last two cases [(5): the counterfeit money and (6): the bad wine]. The second question is illustrated by the conflict between a son and his father, the latter intending to endanger the preservation of the state [(4): the vile father)].

The first two cases [(1) The famine; (2) The storm] oppose two preferred indifferents, wealth and life: either one maximizes one’s own benefit, getting rid of the slave instead of the horse, or feeding his slaves in a poorly manner to save some money, or one makes the interest of someone else prevail over one’s own interest. The conflict arises when we hesitate between our duty to preserve our own interest and the duty of justice. The first calls us to select what is necessary to protect our savings\(^{17}\), in order (ultimately) to preserve our life, the second calls us to do nothing that could serve our interests at someone else’s expense\(^{18}\). If we trust Cicero, Hecato - whose answer is never explicitly given - decides against humanity, which could mean that he adopts a pragmatic solution (better me than the other); but the end of case (3) leads to another conclusion: we are never allowed to prefer life to virtue. One solution could be the following: in *De officiis* III 63 (frag. 10 Veillard), Hecato says that the wealth of the individual is the wealth of the city, which means that people ought to protect their savings because it builds the wealth of the city itself. In a similar way, in case (4), if a son has a duty to defend his father in a trial even if this father is obviously guilty of a crime against the city (*Pl. Euthphr.* 4a sq), it is because the city needs the sons to be faithful to their fathers\(^{19}\).

Case (5) shows that Hecato is also drawing on the well-known debate between Antipater of Tarsus and Diogenes of Babylonia: the examples here are the use of counterfeit money and the selling of a bad wine (6). We will find two similar examples

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\(^{16}\) There is a similar case in *Anonymous commentary on Plato’s Theaetetus* 5, 18-6, 31 (LS 57H), which is a comment on 143d.

\(^{17}\) Cic. *Fin.* III 20-21 (LS 59 D): the first duty is to preserve one’s own life. Aristotle already said that the waste of holdings is a blow to the person herself (*Arist. ENIV* 1, 1120a 1-3).


\(^{19}\) Honouring the parents is a καθῆκον, neglecting them is a παρὰ τὸ καθῆκον (*D.L.* VII 108-109 = LS 59 E). Idem in Cic. *Fin.* III 22 (LS 59 L).
in another long passage also transmitted by Cicero (probably also through Hecato), *Off.* III 49-55 (frag. 11bis Veillard). The first one stages a corn seller in a situation of shortage, which matches the first question raised by Hecato (question A) but combines the problem of maximizing one’s own profit and the problem of the silence of the buyer:

«For example, (8) suppose that a good man (*uir bonus*) had brought a large quantity of corn from Alexandria to Rhodes at a time when corn was extremely expensive among the Rhodians because of shortage and famine. If he also knew that several more merchants had set sail from Alexandria, and has seen their boats *en route* laden with corn and heading for Rhodes, would he tell the Rhodians? Or would he keep silent and sell his own produce at as high a price as possible. We are imagining that he is a wise and good man (*Sapientem et uirum bonum fingimus*); our question is about the deliberations and considerations of a man who would not conceal the facts from the Rhodians if he judged it dishonourable, but is uncertain as to whether it is dishonourable (*de eius delibratione et consultatione quaerimus qui celaturus Rhodios non sit si id turpe iudicet, sed dubitet an turpe non sit*). In cases of this type, Diogenes of Babylon, a great and respected Stoic, tended to have one view, his pupil Antipater, an extremely intelligent man, another [...]».

The second example, found further on, is the selling of an insanitary and crumbling house [54: case (9), cited below]. In a way, all these cases deal with deception and the possible difference between lying and merely concealing information: is there a legitimate use of concealing things, if it is to my own benefit? Should a wise man conceal an information, useful to others, in order to maximize his own interest?

The debate between Antipater and Diogenes is well known, and does not require further attention20. To put it in a nutshell, the answer of Antipater is clear: we are never allowed to prefer our own interest, for the simple reason that common interest is identical to private interest; working against the former is working against the latter. In that case, our moral compass is simple: the common good is the only thing to be aimed at.

Diogenes objects the following: when it comes to selling, this moral rule - which is a legitimate and good rule - cannot be the only one to call for application. This would actually be an irrational move, to refuse to enforce economical rules. Considering this economic framework and considering that we are not in a purely moral position, which would require us to give rather than to sell, it would be absurd not to sell at the higher price. The only requirement is to abide by commercial laws, that is, precisely the rules about latent defect. If we acknowledge the importance of the economic framework, we should not disregard it when circumstances change.

In this debate, Diogenes usually looks like a pragmatic philosopher, who doesn’t care much for morality, whereas Antipater is the noble and magnificent figure of virtue and humanity. But what needs to be pointed out is rather the fact that the first tries to articulate different rules, deriving different duties from them, whereas the

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second crushes all of them under the weight of an abstract good. The way the debate is set up is significant and leads us to understand it within the wider context of the controversy between the Stoics and Carneades about the very notion of justice. The Ciceroonian passage introduces two characters who are supposed to become, at the end of it, one and the same: a bonus uir and a sapiens. Either two behaviours are described, or we only have one act performed by someone who is both a bonus uir and a sapiens. This peculiar wording is an echo of what we find in Carneades, who cunningly turned the Stoic terminology upside down\(^{21}\) when using examples similar to what we found in the two previous passages:

«[25] If a good man, he says, (7) has a runaway slave or (9) an unhealthy and infected house, and he alone knows these faults, and on this account offers it for sale, will he give out that the slave is a runaway, and the house which he offers for sale is infected, or will he conceal it from the purchaser? If he shall give it out, he is good (bonus) indeed, because he will not deceive; but still he will be judged foolish (stultus), because he will either sell at a low price or not sell at all. If he shall conceal it, he will be wise (sapiens) indeed, because he will consult his own interest; but he will be also wicked (malus), because he will deceive»\(^{22}\).

In the following lines, comes the example of the golden or brass object (5), leading to this conclusion: «From which he wished it to be understood, both that he who is just and good (iustus ac bonus) is foolish (stultus), and that he who is wise (sapiens) is wicked (malus)». Then follows the case of the shipwreck (26), similar to the one in Hecato:

«Therefore, he passed to greater things, in which no one could be just without danger of his life. For he said: Certainly, it is justice not to put a man to death, not to take the property of another. (3) What, then, will the just man (iustus) do, if he shall happen to have suffered shipwreck, and some one weaker than himself shall have seized a plank? Will he not thrust him from the plank, that he himself may get upon it, and supported by it may escape, especially since there is no witness in the middle of the sea? If he is wise (sapiens), he will do so; for he must himself perish unless he shall thus act. But if

\(^{21}\) For the relation between Carneades and Diogenes of Babylonia, see Dorandi (1994): he had perfect knowledge of the writings of Chrysippus and of Diogenes’ dialectical works. It is hard to say which one of them decided to strike first. The passage of Cic. Resp. III 12, as well as Off. III 55 sq., plays with the following ideas: the sage (sapiens) is sensible but dishonest (malus); the good man (bonus uir) is just but stupid (iustus sed stultus). Stultus, in the Stoic terminology, refers to the fool (φαύλος), i.e. the man deprived of any wisdom, and he becomes, in Carneades’ story, the one who represents the Stoic sage (he does moral things, but these are crazy to normal people, and so insane). On the contrary, the sapiens (the sage, φρόνιµος) acts according to common sense, but against morality. In my view, Carneades leads an attack against the Stoa as well as the Academy. Pohlenz (1965), 269, was the first to assume that he takes aim at Stoicism. See contra, Annas (1989), 151-173, esp. 156-158, who argues that the targets are Plato and Aristotle, taking for granted that, for Carneades, Chrysippus has nothing really important to say on the matter of justice (according to Cic. Resp. III 12). This is not enough to count the Stoa out, as Schofield (1999), 168 shows: Carneades is a threat to Stoic doctrine, and Diogenes responds to him repeatedly, just as he replies to Antipater.

he chooses rather to die than to inflict violence upon another, in this case he is just, but foolish (\textit{justus ac stultus}), in not sparing his own life while he spares the life of another. (10) Thus also, if the army of his own people shall have been routed, and the enemy have begun to press upon them, and that just man (\textit{iustus}) shall have met with a wounded man on horseback, will he spare him so as to be slain himself, or will he throw him from his horse, that he himself may escape from the enemy? If he shall do this, he will be wise (\textit{sapiens}) but also wicked (\textit{malus}); if he shall not do it, he will be just (\textit{iustus}) but also of necessity foolish (\textit{stultus}).

[27] When, therefore, he had thus divided justice into two parts, saying that the one was civil (\textit{ciuilem}), the other natural (\textit{naturalem}), he subverted both: because the civil part is wisdom (\textit{sapientia}), but not justice (\textit{iustitia}); but the natural part is justice but not wisdom».

Antipater’s sage is merely a fool, then, for he ignores the practical parameters of his action and always decides against what common sense sees immediately; Diogenes’ agent, on the contrary, is a wise man because he is clever enough to conform with the rules and to know how far he can go without breaking them. Nevertheless, his decisions may sometimes appear immoral. Carneades’ conclusion is the following: there is no justice whatsoever, neither in the moral sphere nor in the legal sphere. Acting morally is foolish and contrary to common sense; acting merely legally is not enough, compared to what is morally good.

So, what is to be done? In his texts, Hecato obviously stands on Diogenes side (utility against humanity, if we follow Cicero’s wording). He takes very seriously the practical circumstances in which the content of our actions has to be determined. By doing so, he is compelled to adopt a pragmatic solution, while sticking to the idea that the only good is virtue and that all indifferent things are not to be taken into account when it comes to happiness.

The example of the shipwreck in Hecato is particularly interesting in this perspective, with regard to its structure as well as its conclusion, which Hecato is the only one to formulate in these specific words. Let’s highlight first that he variates the circumstances of the case, even to the point of absurdity or, at the very least, improbability: in a shipwreck, we will consider first a sage facing a fool holding a plank, then a sage facing the owner of the ship (therefore of the owner of the said plank), then a sage facing another sage. Each time the same question is raised: what should a sage do if he were able to save his own life at the cost of somebody else’s life? The variation regards the definition of this other person, to see if the answer should be different or not. Hecato claims that the sage should never prefer his own life, even when it appears more useful to save him instead of a useless man: he regards virtue as the only value to be sought and not life. More interestingly, legal rights (like private property) are not decisive either: it is not because the owner of the ship owns the plank that the sage will leave it to him but because it would be disgraceful to act otherwise. Finally, the last configuration mentioned (a sage facing a sage) highlights the main feature of Hecato’s reasoning: if the lives of two sages are at stake, they are to pick one, after debating about the usefulness of each of them. We must figure this amusing
situation: in the middle of the sea, in danger of drowning any time soon, these two men should politely discuss their respective merits, which surely are exactly the same if we consider that they are both equally wise (because virtue has no degree and each one is in principle as useful as the other). If they cannot reach a definite conclusion, they toss a coin or flash their fingers playing the game called morra, or, which is more interesting, decide which is the one who wants to live more. Considering that their virtue is equal, the criterion is then the love for life, which is quite new idea within a Stoic framework. His reasoning about the *utile*, which can first be understood as a calculation based on the advantages that a sage could bring to the collective life (because he is useful to it) takes him towards a new understanding of the word *interesse*: in what way is a sage interested in life? This small change appears to be a sign of Hecato’s innovation and of the way he chooses to depart from the reasoning of his predecessors, namely, at this point, Antipater and Diogenes.

This means that Hecato takes psychological factors into account, like the feeling of happiness and harmony we can experience, to weigh how much someone prizes his life. In so doing, Hecato puts new cards on the table. These new cards are affective factors, which in theory are not admitted in moral arithmetic. This love for life is coherent with another characteristic feature of Hecato’s thought: the call on emotions. His ethical fragments show that he turns to love and joy to produce right behaviour, a theme that we will investigate now. In drawing this conclusion, Hecato goes a step further than Chrysippus, who already raised a similar case about the value of life and asked the following question: how can we weigh the price of life?

4. The price of life in Chrysippus

According to Plutarch, Chrysippus raised the following question: is it better to live being insane or not to live at all?

«He declares that evil is the essence of misfortune, in each of his writings about physics and ethics, and keeps saying that living according to evil is equivalent to living in misfortune. But, in the third book of his *On Nature*, pointing out beforehand that it is advantageous to live being a fool rather than not to live at all, even if there is no chance for us ever to become sensible, he then adds: «Such are the goods for man: in a way, evils come first, before intermediate things».

A bit further on, Chrysippus explains what he means:

«He adds, regarding evils: in fact, these are not the ones which come first, but certainly reason, with which it is fitting for us to live even if we are fools».

Reason is the enabling condition for being either good or bad, for making right or wrong decisions, for having right or wrong definitions of things, and therefore, for

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being virtuous or vicious. This is why it is always better to be alive - i.e. to possess this enabling condition - than to be dead, even if we can be sure never to achieve right reason. The addition of this concession is a bit puzzling, because reason does no longer operate as an enabling condition if we are sure that perfect reason cannot be achieved. The argument may be the following: even if this reason will never (µηδέποτε) be in a right state, possessing reason is still better than not possessing reason, because it enables us to think and act either right or wrong. Reason, as the power to achieve contradictory things, is better than the “one way” acting, which is the property of a non intelligent animal. In short: «Being deprived of reason and of perception is worse than being insane»

This argument sheds some light on an otherwise weird assertion, made by the same Chrysippus in Plu. De communibus notitiis adversus Stoicos 11 (the whole paragraph is about suicide). The first principle assumed by Chrysippus is that «Life should not be counted among what is good or evil, but among what is according to or contrary to nature» (1063d). Plutarch asks: when the issue is life or death, do we therefore have to weigh things that are of no absolute value, meaning intermediate things, that are neither advantageous nor disadvantageous? Chrysippus of course would have replied that these things (κατὰ and παρὰ φύσιν) are precisely the ones that can be called advantageous and disadvantageous, having a value according to the way we use them. Intermediates are valuable things, but their value (ἀξία) depends on our use; contrary to this, good and evil (that are of absolute value) always have the same causal power, whatever use we make of them: like a heating fire that never cools, good is always useful and never produces disadvantages. Plutarch’s reluctance to admit the Stoic terminology brings him to this conclusion (at very end of 1063f): for the Stoics, neither wealth nor health are part of happiness, which is a correct assertion only if we take that they are not direct productive causes of happiness. Yet, this does not mean (as Plutarch implies) that they count for nothing at all when it comes to weigh the value and happiness of a life. That is why Plutarch pretends he doesn’t understand why the Stoics can «swap prudence for health» (1064a) when they say that Heraclitus and Pherecydes would have done better to swap their virtue for health, if that move would have been possible, considering the unbearable pain they were suffering. Similarly,

«if two potions were poured by Circe, the first turning virtuous men into fools, the second (turning men into virtuous donkeys), Odysseus (would have been wiser to

25 D.L. VII 103.
26 This question has been raised (and properly solved, in my view) by Diogenes and Posidonius: see respectively Cic. Fin. III 49 (only good produces what is useful; wealth is a cause linked to effects like pleasure or health, but if they depend upon it, on the reverse, wealth neither produces nor includes (continere) virtue); Sen. Ep. 87, 31-40 (fr. 170 EK) and Galen PHP V 6, 11-12, 328; 13-14 De Lacy (preferred indifferentes like wealth are not goods and do not produce happiness, but they are antecedent causes).
choose> the potion for foolishness rather than to change his look into a bestial form while keeping his prudence - and with prudence, of course, happiness. And as they say, it is prudence herself that commands it: “Abandon me and do not care about me if I am to be destroyed and damaged in the guise of a donkey”»27.

By this example, the Stoics surely intended to show that the right reason that we call prudence is bound to exist inside a human figure only because it is necessarily linked to the possession of reason, a specific feature of human beings denied to animals. This hypothetical «donkey prudence» is not a real one, because prudence in that case is inevitably spoiled without the basis of reason. Plutarch wants to draw the contrary conclusion that Odysseus, and with him the Stoics, care more about appearance (and beauty) than about virtue. The Stoic conclusion is, on the contrary: we would better remain human beings, even bad ones, rather than give up the only means that can provide us with the opportunity to become better, namely reason.

These Chrysippean questions deal with the price of life and the weighing of several items different in value in order to decide whether it is better to stay alive or to die. These are the same issues that we find in Hecato’s fragments. But Hecato reaches a different conclusion. There is an important factor to be considered, and this is the attachment we can have to our live, that is to say, to ourselves, but in a very specific way: the attachment to a life in which we enjoy the presence of virtue. What Hecato shows, more than Chrysippus or Diogenes or Antipater, is the importance of being alive and enjoying this life.

5. Hecato’s appeal to love
We can find in Seneca a rule given by Hecato:

«Meanwhile, because I have to pay you my daily debt, hear what I found today, much to my delight, in Hecato: “You ask, he says, what progress did I make? I began being friends with myself”»28.

We can recognize here a chreia of Antisthenes:

«When he was asked what advantage had accrued to him from philosophy, his answer was: “the ability to live with myself”»29.

27 Plu. Comm. not. 11, 1064a-b (my translation). The lacuna in the text does not change the interpretation of it if we consider the following sentence: either Odysseus becomes a donkey with prudence (that is, the human virtue based on reason); or he keeps his human form (and reason, even if this reason is never used correctly) but loses his virtue (that is, the right reason that is prudence).


To be able to live with oneself is the result of a philosophical life, according to the Socratic Antisthenes, that means, being in agreement with oneself; this points to the harmonious life, that is, a virtuous life. In a Stoic understanding, this could appeal to the theory of οἰκείωσις: our first tendency is self-love, meaning the tendency to protect one’s own life and to select things appropriate to this goal; self-love extends into love for offspring, with the tendency to protect their life; then, the love for offspring extends to strangers, insofar as they possess a resemblance with me, i.e. reason, and right reason. From self-love arises friendship and this special friendship that we can feel for ourselves once we have made the move from the natural impulse to protect our life (φιλαυτία) to the affection for the rational being that we have become (φιλία). In the cases mentioned by Hecato, this is precisely what happens: one can see oneself as a natural living-being who wants to preserve his life, as a rational agent who needs to calculate in order to protect his offspring, or as a moral agent whose compass is virtue and only virtue. In these cases, φιλαυτία plays its role too, but also this rational affection that we call love for a philosophical or moral life. Being a friend to oneself does not only mean that one has achieved the objective harmony between oneself and what the world requests one to be (a rational agent) - what we could call agreement (ὁμολογία) - but also the affective validation of this objective harmony, and the deep wish to persist in this life because it is a good life.

Hecato’s examples can be read as the attempt to articulate these different spheres of existence, not only the political and economical one in contrast to the moral one, but also the affective one in contrast to the moral life. In that case, we certainly have a means to arbitrate between two sages, if we take for granted that it does make a difference if one sage loves himself more than the other one does, if, in other words, he cares more for carrying on with living than the other, not only for rational reasons - he can be useful to the whole - but for mere personal and affective reasons - he loves being useful and loves being alive.

If this makes a difference between two sages, one loving himself more than the other, it is because Hecato takes an interest in some of what the Stoics call good affections (εὐπάθεαι), joy (χαρά) in particular, that is affections coming with virtue. This is obvious in the fragments transmitted by Seneca’s De beneficiis, which is - as we demonstrated it - based on two works on benefits (most likely two Περὶ χαρίτων) written by Chrysippus and Hecato. This theme is also clearly used in some of Hecato’s short sentences adopted by Seneca as mottos in his letters (we just saw one above). The use of what is not a virtue, but close to it, like affections linked to the

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31 Cic. Fin. III 16; Hierocles IX 3.
32 Hierocles IX 5-10.
33 Cic. Fin. III 62; Hierocles IX 3-4.
34 Hierocles, ap. Stob. IV 27, 23 (IV, 671, 7-673, 11 H. = LS 57 G).
possession of virtue or to the performing of good actions, is a special feature of Hecato’s understanding of moral achievement.

Let us first consider the appeal to good affections. First, it should be noted that this appeal stays strictly within the limits drawn by Stoicism. The achievement of wisdom is never compared to a lonely and sad life, locked up in an impassiveness comparable to the life of a stone: the sage will have friends, he will rejoice, first of all in practising virtue. He will not exult in excessive delight (laetitia), but will experience joy (χαρά, gaudium); he will not be misguided into hope (ἔλπις), but will have rational wish (βούλησις)\(^{36}\).

A second testimony offers an echo of Circe’s potions evoked by Chrysippus:

«You ask how you can quickly make friends. This I will say, if you agree that I pay you right now what I owe you, and that for this letter we will be even. Hecato says: “I will show you a philter without potions, without herbs, without any magical incantation: if you want to be loved, love first”»\(^{37}\).

Hecato’s sentence is above all a call to action: in order to produce love, it is necessary to initiate this affective movement by loving first. We can call upon rational emotions not by irrational and disordered means, but by the use and practice of virtue itself. The philter which conjures up the affection is very simple: to love first. The vocabulary used here is interesting, and the search for parallel texts is enlightening. This love philter (amatorium) is a recipe to generate love in someone else; yet, this recipe has nothing to do with trickery, passion, or magical incantations that are usually used to produce the amorous transport (ἔρως). We can therefore be confident that it is φιλία that we search in this amare, and not ἔρως. The term medicamentum matches the Greek φάρµακον, used in a common sense\(^{38}\), that appears for example in Plutarch to denote ointments, dyes or perfumes women use to charm their lovers\(^{39}\).

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\(^{36}\) For all this, see D.L. VII 113-114: there are four ways to dispose oneself badly, that is having an excessive impulse born from a wrong opinion on a present good (pleasure); having an excessive impulse born from a wrong opinion on a future good (desire); having an excessive impulse born from a wrong opinion on a present evil (pain); having an excessive impulse born from a wrong opinion on a future evil (fear). Fear is the expectation of a future evil (προσδοκία κακοῦ). In the Chrysippian classification of passions, hope is the wish for something to happen in the future. It is therefore a passion subordinate to fear. In a way, wishing that something good will happen is a logical mistake, because all that is good is virtue and depends on us, meaning that there is no point in wishing it; we just have to do it. The call to avoid hope is taken up by Hecato in Sen. Ep. 5, 7 (fr.17 VEILLARD, 2021): «Desines, inquit, timere, si sperare desieris (you will stop getting fears, if you stop getting hopes)». On the contrary, if we are well disposed, having a moderate impulse born from a right appreciation of what is a present good, we will experience joy (χαρά); the rational wish to be good in the future is called βούλησις; the rational and moderate impulse to avoid what is really bad is called caution (εὐλάβεια).


\(^{38}\) This term occurs only once in the SVFIII, 238 (Simplicius, in Arist. Cat. 102a): taking remedies (φαρµακών) is one of the causes for the loss of logic and virtue.

\(^{39}\) Plu. Erotikos 6, 752c; 16, 759b.
Hecato’s sentence also recalls Euripides’ *Hippolytus*: the nurse explains to Phaedra, that «there are incantations and enchantments (εἰσίν δ’ ἐπωιδαὶ καὶ λόγοι θελκτήριοι)» and that they surely will find «some remedy to her illness (φανήσεται τι τῆσδε φάρμακον νόσου)». Further on, the nurse has «philters and love enchantments (φίλτρα ... θελκτήρια ἔρωτος)»⁴⁰. There is therefore good reason to think that the Senecan medicamentum matches the Greek φάρμακον, whereas *carmen* translates ἐπωδή («incantation»).

In Xenophon’s *Memorabilia*, we can find the same terminology. In a context linking friendship, beneficence and ingratitude, Prodicus says in his *On Heracles*: «If you want to be loved by your friends, you must be for them a source of benefits»⁴¹. Moreover, when Socrates wonders why Chaerecrates and his brother Chaerophon always quarrel, they mention a philter (φίλτρον)⁴², that is supposed to produce nice and kind behaviour between them. The content of this philter is drawn from the examples taken: if you want to be invited for dinner, the best way is to invite first; if you want someone to keep an eye on your belongings, you’d better offer to do it first. The conclusion is the following: «For two brothers, when they are friends, act simultaneously for their mutual benefit even if they are far away from each other»⁴³.

The Socratic context, as well as the theme analyzed (benefits), is congruent with the Hecatonian landscape. This has therefore nothing to do with an Epicurean pharmakon, from which Hecato would drink⁴⁴. The chase of friends is also a Zenonian feature⁴⁵, and this is what we find, precisely, in the following lines. If you want to get friends, you have to chase them in a very special way: first you have to determine who is worth of chasing⁴⁶; then, you have to use the right method, because they cannot be tracked down like hares, nor caught by trickery like birds, nor taken like enemies by force:

«Indeed, it is difficult to get hold of a friend despite himself, as it is difficult to keep him prisoner like a slave; those who suffer such a treatment become our enemies, and not our friends. Then how do we get friends? There are incantations (Εἴναι μέν τινάς φασιν ἐπωδής), as they say, that the ones who know them can sing to charm those

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⁴¹ X. *Mem.* II 1, 21; 28 (my translation).
⁴⁴ This is the hypothesis of GRIMAL (1989), 1970, according to which Hecato «roamed widely beyond Stoicism», borrowing from Epicureanism. See also GRIMAL (1969), 146.
⁴⁵ Zeno explains that «Love (ἔρως) is a kind of hunting, which chases the young man, who is imperfect but has a gift for virtue» (Plut., *Comm. not.* 28, 1073b; my translation) There is therefore a strong continuity between love and friendship, the former being defined as follows: «Love is the aim at making friends, due to the beauty that shows in young men in their prime (Τὸν δὲ <ἔρωτα> φασιν ἐπιβολὴν εἶναι φιλοτοίας διὰ κάλλος ἐμφαινομένου νέων ὥραίων)» (Stob. II 7, 11 = II, 115, 1-2 W., my translation).
⁴⁶ These are unworthy men with defects, the men without flaws but unable to be grateful (II 6, 4).
whom they want to be their friends, there are philters (εἶναι δὲ καὶ φίλτρα) that the ones who know them can use on those they want to be loved by»47.

The chasing of friends needs the soft constraint of love; we must entangle the beloved in the mesh of our benefits: according to Seneca, who follows Hecato’s portrayal of the three Graces at this point, you will succeed in shaping someone into virtue if you overpower him with your benefits48. The Graces (Χάριτες), dancing in a circle, holding hands, smiling, and wearing loose dresses, are the living images of the structure of beneficence: one good is freely given, without forcing the beneficiary into a constraining relation, but giving him the impulse to enter the game. Because he has been moved in the direction of what is good, through good affections like joy and friendship, he is bound by a moral link called «gratitude» and invited to contribute to the spread of good throughout the world. Flooding him with good, invading him with loads of good actions performed for his sake and the sake of what is good will force him into a virtuous circle. As a consequence, the injunction «love first» means that our duty consists in making the first move. Good affections can be our motives to act and a criterion to solve a case in tricky situations.

6. Conclusion
Through his examples Hecato shows that a moral rule is always linked to practical parameters and that the moral calculation consists precisely in articulating all of them, without crushing all of them under the weight of moral good. If so, the moral action remains an abstract and sometimes an unjust injunction. So, how can we balance the burden that each parameter places on us? Hecato holds on to the tenet that there is only one good, virtue, and only one evil, vice. By consequence, the one and only compass remains the same: virtue and its use, i.e. acting morally. But what does it mean exactly? Acting morally is understood according to the duties we define, whether we are fathers or brothers, sellers or buyers, sages or not. If the rational calculation of what we have to do is tied up with the sphere of activity we happen to engage in, this could endanger morality itself: would I always be right in doing what I do if I can show that it is a rational move? Hecato seems to give us a hint: one way to decide is to determine if, due to my action, the good pervades the world, and this can be achieved by the most visible good on the human stage, i.e. the practice of beneficence. Being beneficent to others, that is, practising good actions for the sake of good and the sake of the beneficiary, is the first step to morality. Because Hecato defines duty by this special feature of reciprocity, practising morality causes a good to be passed on and returned in a continuous movement. Therefore, our first injunction is not a strictly rational one: it is an appeal to loving other people, because by this we orient ourselves in the right direction. Love is the first step to performing a good

47 X. Mem. II 6, 10. We find φιλτρον again, with the same meaning, in II 3, 11 and 14 (my translation).
action, because love (self-love, then love for others in form of φιλία, then love for ourselves once we are virtuous) is the root of justice. Each affection must be guided by the search for good, and, conversely, experiencing good affections is the first step to morality. Marcus Aurelius will reach the same conclusion: one has to love the others, even if they are unbearable, because this love is the only rational attitude appropriate to one’s rational and sociable nature. This love for a rational and virtuous life can then become the tool to decide when and at what price we have the duty to protect our own lives.

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49 See M. Ant. III 7; IX 27; V 28; VI 27.
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