

that (as Striker⁵⁰ and Mitsis might wish) even the sage's decision could be seen as the result of entrenched rule-following of a particularly complex sort; the same situations could be understood as the outcome of making intelligent situational exceptions to general rules. Allowing, for the sake of argument, that either model could provide an adequate rational reconstruction of the phenomena, I would claim that the latter model fits better with the evidence we have about Stoic procedures of moral reasoning, none of which seems to invoke the intersection of various rules or hierarchical structures of rules (these being the principal alternative strategies for reconciling universal rules with situational variability).

It is regrettable that, despite our wealth of information about the general doctrines of Stoic ethics, we do not possess a single treatise dealing specifically with how to make moral choices: the early works *On Appropriate Actions* are all lost.⁵¹ As we have seen, Seneca's *De Beneficiis* and *Epistulae* are of some help. We can also look to Cicero's *De Officiis*, an idiosyncratic work (based in part on Panaetius' *On Appropriate Actions*), but one which Cicero himself says is most closely concerned with precepts applicable to the *vita communis*.⁵² The basic plan of the book turns on the practical moral reasoning of ordinary agents, and Cicero reports on the general kinds of questions which engage them. In *Off.* 1.9 he writes (trans. Atkins):⁵³

⁵⁰ For Striker's commitment to the use of higher-order rules, see the reprinting of 'The Origins of the Concept of Natural Law', repr. in *Essays on Hellenistic Epistemology and Ethics* (Cambridge, 1996), 219–20 n. 8. For a more subtle view of the issue, see Schauer, *Playing by the Rules*, 45 n.7: 'Thus, the difference between a rule with exceptions and simply a narrower rule is semantic and not structural, and there is no difference that matters between modifying a rule and adding an exception. The difference that *does* matter is the difference between a modification (or an exception) that applies only in future cases and one that is applied to the very case that prompted it.'

⁵¹ We know of works on this theme by Zeno, Cleanthes (but, significantly, not Ariston or Herillus), Sphaerus, Chrysippus (at least seven books (*SVF* iii.688)), Hecaton (a student of Panaetius), and Posidonius.

⁵² *Off.* 1.7. Note that Cicero goes out of his way to assert that such precept-based *officia* are in fact pertinent to the goal of life, but that this fact is less obvious. It is not completely clear to me what is meant by *vita communis* here, but *communis* probably has the same sense that it has at *Fin.* 3.59 (see above n. 15).

⁵³ M. T. Griffin and E. M. Atkins (eds. and trs.), *Cicero: On Duties* (Cambridge, 1991).

There are in consequence, as it seems to Panaetius, three questions to deliberate when deciding upon a plan of action. In the first place, men may be uncertain whether the thing that falls under consideration is an honourable or a dishonourable thing to do; often, when they ponder this, their spirits are pulled between opposing opinions. Secondly, they investigate or debate whether or not the course they are considering is conducive to the advantageousness and pleasantness of life, to opportunities and resources for doing things, to wealth and to power, all of which enable them to benefit themselves and those dear to them. All such deliberation falls under reasoning about what is beneficial. The third type of uncertainty arises when something apparently beneficial appears to conflict with what is honourable: benefit seems to snatch you to its side and honourableness in its turn to call you back; consequently the spirit is pulled this way and that in its deliberation, and it arouses in its reflection a care that is double-edged.

Cicero goes on to complain about topics omitted by Panaetius. Two of these are trivial. But more important is Cicero's complaint that Panaetius omitted any treatment of how to resolve apparent conflicts between the morally right and the advantageous. This is the topic which Cicero himself develops in book 3—which may be why he goes to the trouble to highlight Panaetius' omission. We will return to Cicero's own contribution shortly.

We are also fortunate to have two letters of Seneca which provide valuable insight into earlier Stoic approaches to moral reasoning. I do not mean to neglect the equally important letter 71, but the pertinence of the debate with Ariston makes letters 94 and 95 more interesting for present purposes.⁵⁴ They, of course, present a controversy in the early Stoa about the role of practical advice-giving (parainetic philosophy), between Ariston and more mainstream Stoics, represented by Cleanthes.⁵⁵

⁵⁴ See also *Ep.* 109.14 ff. on the practical deliberations of the wise man.

⁵⁵ It is difficult to tell how much of the critique attributed to Ariston and how much of the defence associated with Cleanthes stems directly from those philosophers. As David Sedley pointed out in conversation, it is *Seneca* who constructed this debate out of materials provided by the tradition of the school's history. (The same point should be made with regard to Cicero's presentation of the debate between Antipater and Diogenes in *Off.* 3 below.) But, however much Seneca may have elaborated Ariston's position, the case attributed to him is still in broad