

indifferents are often to be avoided. Only virtue is always beneficial and only an action defined with intrinsic reference to virtue is always appropriate.²⁸ There is no determinate action type which is in itself right or wrong, except under vacuous descriptions which contain a built-in reference to virtue or vice: 'prudent walking', or more generally 'virtuous

²⁸ *aei kathēkonta* DL 7.109. The only example given is 'living according to virtue'. Mitsis ('Natural Law and Natural Right', 4837) puzzlingly adds 'honouring one's parents, brothers and country, and living in the society of friends' to this category; the same move is made again in DeFilippo and Mitsis, 'Socrates and Stoic Natural Law', 267 n. 23. Mitsis appears to follow the *inference* made in Long and Sedley, *The Hellenistic Philosophers*, i. 366, rather than the clear evidence of Diogenes Laertius' text. Mitsis does not quote the primary evidence upon which he relies. (Long and Sedley give no argument on the point.) Vander Waerdt, 'Zeno's *Republic*', 274 n. 10 reports DL 7.108-9 correctly when he says: 'Thus "living according to virtue" is the only example we are offered of an *aei kathēkon*.' Another possible source of support for Mitsis's view, Cicero, *Fin.* 3.32, does not determine the issue. (The contrast is only between acts, such as betraying one's country or attacking one's parents, which are good examples of overt (*in effectu*) bad actions and passions which are not necessarily overt; Cicero is not saying that there is a universal rule not to do those things.) It would, at any rate, be wrong to claim that Stoics believe that we should unconditionally honour our parents and other family members (except in the sense that 'honouring', as a virtue-word, includes the presupposition that the act is done virtuously). See e.g. Epictetus, *Diss.* 3.3.5-10 which shows that any choice between virtue (the good) and one's father would be made in favour of virtue; *Ench.* 30 shows only that in the normal case honouring a parent is incumbent on the agent, not that it is exceptionlessly obligatory (see *Diss.* 2.10.7 for the list of filial duties). Further, in any given case it is open to question what particular action would count as honouring a parent. That there could be debate about this kind of issue is suggested not just by Cicero's representation of such a debate at *Off.* 3.90 and by Epictetus' many allusions to the issue but also by the numerous debates reported by the Elder Seneca in his *Controversiae* which turn on a conflict of obligations between father and son. The Younger Seneca notes (*Ben.* 2.18.1) that one has to *learn* how to handle the *officia* involved in the father-child relationship; *Ben.* 3.31.3 argues that mere parenthood is not enough to establish unconditional obligations; and at *Ben.* 6.4.2 the repudiation of a bad father is clearly contemplated. But the clearest proof that honouring one's parents is only held to be unconditionally obligatory if by it we mean doing what is morally right can be found in Musonius, *Diatriba* 16; in the Socratic spirit of the early Stoics, Musonius argues that refusing to obey a parent is not disobedience if the command is morally wrong and that doing what is morally right is obedience *even if the parent does not instruct the child to do it*. Near the end of *Diatriba* 16 a father forbids his son to study philosophy, but the obligation to study philosophy overrides the short-sighted parental command (cf. Epictetus, *Diss.* 1.26.5-7). Vander Waerdt ('Zeno's *Republic*', 301 n. 105) reports another unconvincing candidate for being an exceptionless moral rule, the injunction against building temples, but rightly rejects it.

action'.²⁹ Such evaluative descriptions of course pick out correct actions, but not in a way which is directly informative or useful to the agent. Contrast them with types of actions described in a way which is immediately meaningful to an ordinary deliberating agent but which can only be evaluated as being *generally* appropriate.

This shows how much flexibility in choice is recognized in basic Stoic theory. It also underlines certain important similarities with Aristotelian theory, where the concrete particularities of a situation calling for moral choice must be taken into account by the *phronimos*, who alone can be counted on to give a correct assessment of such factors as the 'how', the 'when', 'with respect to whom', and so forth. We began from Julia Annas's lucid discussion of the difficulties long recognized in reconciling Aristotle's incipient interest in moral 'rules' with such situational variability. If the Stoics explicitly recognize a similar need for situational sensitivity and combine this with a developed interest in systematic moral injunctions (whether called 'rules' or 'natural law'), how can they escape dealing with the dilemma which Aristotle only avoided by leaving his theory of rules vague?

Of course, we do have clear evidence that this need for situational sensitivity and variability was recognized by Stoics throughout the school's history. Indeed, Ariston of Chios was, as has long been recognized, so concerned with such variability that he rejected general precept-giving of any substantive sort

²⁹ *Ecl.* ii. 70.11, DL 7.94. The phrases *hosa mē hairei logos* and *hosa hairei logos* at DL 7.108 do not indicate unconditional injunctions to act issued by reason, though as the contrast with *apagoreuei* in 7.109 shows it is imperatival. Long and Sedley (*The Hellenistic Philosophers*) seem to mistranslate the key phrase *hosa mē hairei logos*. They say 'ones which reason does not dictate our doing'; but that produces nonsense when the examples are considered. 'Neglecting parents, not caring about brothers', etc. are not merely things which reason does not require us to do; they are things which reason urges us not to do. One should translate 'things which reason tells us not to do'. (See H. W. Smyth, *Greek Grammar* (Cambridge, Mass., 1956), 2692, for the construction.) The use of *hairei* does not entail an exceptionless prescription; Vander Waerdt translates it 'prevails upon' ('Zeno's *Republic*', 274 n. 9), which seems too weak but at least flags the non-universal nature of the prescription.