not to be shameful' (*Off.* 3.18–19: *Saepe enim tempore fit ut quod turpe plerumque haberi soleat inveniatur non esse turpe*). If someone believes that a given action is shameful (morally bad), then a morally earnest agent (whether *prokoptōn* or sage) could not hesitate about choosing, over it, the alternative, no matter how disadvantageous (and vice versa). But, in the real world of moral choice, we spend much of our time trying to decide on the moral character of unclear actions. According to Cicero (and nothing here seems uncharacteristic of the Stoics) the proper place for the debate about the relative merits of the *utile* and *honestum* is this sort of grey area.

From the point of view of moral reasoning, Cicero's recommendations for such ambiguous areas are most instructive (*Off.* 3.19–20). Drawing on the resources of Roman legal reasoning (note that we return to a legal source here, which ought to reassure us about the relevance of an analysis like Schauer's), he looks for a maxim or procedural rule (*formula*) to use in the comparative assessment of possible courses of action; following it would prevent us from straying from appropriateness in our actions. I take it that this means that a reasonable justification of our action once done would be based on the claim that we followed such a *formula*. But for this procedure to provide a reasonable justification for specific actions—which is the standard to be aimed at in choosing the appropriate thing to do, the *officium* in each circumstance—it will itself have to be a generally defensible rule. And Cicero goes on to provide just that, a formula which is, he says, 'most consistent with the line of reasoning and the teaching of the Stoics'. The *formula* he proposes is also, he says, compatible with Academic and Peripatetic ethical practice, in the sense that it would in actual instances of moral reasoning lead to the same outcomes and would also cohere in a pragmatic way with their doctrines.[77] The general

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[77] Compare Seneca's remarks at *Ep.* 95.9, which suggest that *praecepta* about what to do might be shared by various schools of medicine, while the theoretical principles or *decreta* might serve to distinguish them. So too here; the principles are clearly Stoic in their rigour, which Cicero regards as the distinguishing feature of the school's ethics, but the Academics and Peripatetics share the practical outcome: they too place *honesta* ahead of *utilia*.

principle (and such a principle should remind us of those discussed by Seneca in letters 94–5) is simple, practical, and grounded in the Stoic theory about the nature of man. Cicero's introduction of it should be quoted at length (*Off.* 3.20–2, tr. Atkins):

But I return to my rule of procedure. Now then: for one man to take something from another and to increase his own advantage at the cost of another's disadvantage is more contrary to nature than death, than poverty, than pain and than anything else that may happen to his body or external possessions. In the first place, it destroys the common life and fellowship of men: for if we are so minded that any one man will use theft or violence against another for his own profit, then necessarily the thing that is most of all in accordance with nature will be shattered, that is the fellowship of the human race. Suppose that each limb were disposed to think that it would be able to grow strong by taking over to itself its neighbour's strength; necessarily the whole body would weaken and die. In the same way, if each one of us were to snatch for himself the advantages other men have and take what he could for his own profit, then necessarily fellowship and community among men would be overthrown. It is permitted to us—nature does not oppose it—that each man should prefer to secure for himself rather than for another anything connected with the necessities of life. However, nature does not allow us to increase our means, our resources and our wealth by despoiling others.

In much of the rest of book 3 Cicero devotes himself to the application of this formula to what strike him as problem cases in moral reasoning. It is impossible to follow him through the details of this reasoning, just as it is impossible to survey the entire *De Officiis* for the other examples of the interplay between *praecepta* and *decreta* which it offers;[78] but it is evident

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[78] The emphasis on *praecepta* begins in *Off.* 1.4–7 and never lets up. The general discussion of how our *kathēkonta* are rooted in the theory of the virtues illustrates, in my view, one way in which *praecepta* and *decreta* interact—for the theoretical account of the virtues which dominates book 1 is part of the *decreta* of Stoic ethics, and the rules for appropriate action which form the focus of the book are *shown* to flow from such principles. They are, in Cicero's words, the *fontes* or *fundamenta officii*. In several places (e.g. 1.30–1) Cicero points out the usefulness to moral reasoning of having the right theoretical principles. In 1.30 Cicero notes how our capacity for self-deception makes a general rule useful—thus paralleling one of