

that the particular conclusions which Stoics might come to on each problem can vary considerably in any given particular case. Note the famous case involving the morality of full disclosure in a market economy (3.50-3).

The scenario is as follows. An idealized moral reasoner (a *vir bonus et sapiens*) is sailing to Rhodes from Alexandria with a full cargo of grain; there is a grain shortage in Rhodes. Our sage knows that many other merchants have set sail for Rhodes with grain to sell. Should he mention this in Rhodes, or should he keep silent and sell his cargo for the best price he can get? *Ex hypothesi* the merchant will not keep silent if he judges that to be shameful or wrong; but is it?

Two Stoic philosophers are presented as debating the issue. Diogenes of Babylon and his student Antipater systematically disagree about cases of this type in the following way. They agree that the agent should not do anything shameful; and they agree that man is a fundamentally social creature. But Diogenes holds that disclosure need only be made to the degree that civil law requires it and that treachery (*insidiae*) should be avoided; once those considerations are satisfied, the best price possible may be sought. Antipater's line or reasoning (*ratio*) is opposed to this; the context is clearly dialectical. As so often in such debates, the point thought to be central to his case is made salient by means of a rhetorical question sharpened with an *ad hominem* barb (Off. 3.52, tr. Atkins):

What are you saying? You ought to be considering the interests of men and serving human fellowship; you were born under a law, and you have principles of nature which you ought to obey and to follow, to the effect that your benefit is the common benefit, and conversely, the common benefit is yours. Will you conceal from men the advantages and resources that are available to them?

Schauer's justifications for entrenchment. Other particularly interesting passages from books 1 and 2: 1.42, 1.49 on *beneficia*, 1.59-60 with its use of the metaphor of calculation for moral reasoning in which *praecepta* are balanced by an estimation of particular circumstances, 1.148, 2.44-51, 2.54, 2.71 (which makes the relationship between the rule and the moral theory underlying it particularly clear).

In the response suggested for him by Cicero,⁷⁹ Diogenes at no point challenges the principle that we have a basic obligation to our fellow men. But he advances a subtle distinction between keeping silent and concealment, maintaining that one is not obliged (on pain of being accused of concealment) to tell someone everything which it might be of use to them to know, spicing the point with an *a fortiori* consideration: there are some truths (such as basic philosophical knowledge about the gods and the goal of life) that are more valuable than cheap grain. There is an implicit challenge to Antipater to produce some non-arbitrary account of which kinds of useful information one is obliged to share and which not—since one cannot be obliged to share all. Antipater is imagined as simply refusing this challenge: 'But no! he will answer, It is necessary, if indeed you remember that men are bound together in fellowship by nature' (Off. 3.53, tr. Atkins). Diogenes replies by conceding the principle adduced by Antipater but challenging its scope with a *reductio ad absurdum*: surely it does not mean that there should be no private property and that we should give things away rather than selling them.

Here, two Stoic experts come to opposite conclusions in a concrete case *without at any point* disagreeing about the principles involved, only about the way they bear on the case in hand.⁸⁰ The same is true for the other illustration Cicero advances (3.54-5), which deals with the obligations of the vendor

⁷⁹ For my purposes it makes no difference how historical Cicero's account of the debate is. No doubt there was a core of historical truth, but the elaboration is Cicero's. (The same may well be true for Seneca's account of the debate between Ariston and Cleanthes in *Ep.* 94-5.) See n. 55.

⁸⁰ Compare the discussion by Julia Annas, 'Cicero on Stoic Moral Philosophy and Private Property', in M. Griffin and J. Barnes (eds.), *Philosophia Togata* (Oxford 1989), 151-73. I do not agree, though, with her contention that Diogenes and Antipater are really addressing different issues in this debate. What she misses is that Cicero's main interest in the debate is in their common ground: that *despite* their disagreement on the right thing to do, they nevertheless agree on the much more important principle that one should never do what one concedes to be morally wrong. If one wants there to be a single correct Stoic answer to such problem cases, then one must decide either that Diogenes or Antipater is wrong, or that they are not really disagreeing; but if, as I contend, Stoics can legitimately disagree on the application of principles which they share, then such manoeuvres are not needed.