

which 'judging' is clearly an act of fully deliberate and self-conscious moral decision:

No one goes wrong only for himself, but he is also the cause and agent of someone else's mistake... and as long as each and every person prefers believing to judging he never makes a *judgement* about his life, merely forms *beliefs*, and the mistake passed from hand to hand overturns us and casts us down headlong.²⁰

Here 'judgement' in the strong sense is aligned with what is stable, internal, and our own. This is also apparent in section 5: allied with his claim that rationality is the indispensable key to happiness is his summary definition of the happy life: it is a life *in recto certoque iudicio stabilita et immutabilis*. That immobility and consistency yields a *pura mens, soluta omnibus malis*. As he says at 6.2, the happy man is exactly he who is *iudicii rectus*.²¹ This remark comes in the midst of his discussion of the role of pleasure in the happy life, a discussion which culminates in section 9.2-3 with an apt statement of the normal Stoic view on pleasure:²²

It is not a cause or reward for virtue, but an adjunct [*accessio*] to it. The highest good is in *iudicium* itself and the condition of a mind in the best state, which, when it has filled up its own domain and fenced itself about at its boundaries is then the complete and highest good and wants for nothing further. For there is nothing beyond the whole, any more than there is anything beyond the boundary.

The location of happiness in judgement and the close connection of it to a mental disposition (rather than a transient act of mental decision) suggests that *iudicium* for Seneca plays much the same role that *prohairesis* plays in Epictetus, as a term signifying both a morally significant act of decision-making, a form of assent, and a stable disposition which constitutes the locus of happiness.²³ As in *De Ira* 2.4.2 *iudicium* is connected

²⁰ In 1.5 the term *iudicium* is used generically too—Seneca avoids technical precision and consistency. At *Ben.* 1.10.5 it is *iudicare* which is used for unstable opinion in contrast to *scire*.

²¹ Compare *Ep.* 66.32: *sola ratio immutabilis et iudicii tenax est*.

²² See *DL* 7.85-6, where pleasure is an *epigennēma*.

²³ See *Ep.* 108.21: *iudicium quidem tuum sustine*.

closely to the idea of stable and irreversible moral decision. In this sense *iudicium* verges on becoming a faculty—as also at *De Beneficiis* 4.11.5 where we are said to torment our *iudicia* when we work through a tough moral decision. We might say that such decisions are a test of 'character'; for Seneca it is our judicial capacity which is being put to the test.

Throughout the *Epistulae Morales* Seneca uses the language of judgement for moral assessments of many kinds, and a close consideration of how his usage varies and grows would be interesting. But in letter 71 (which deals extensively with moral decisions) Seneca strengthens this connection between a robust notion of judgement and the kind of ideal *prohairesis* which constitutes the stable character state of the sage.

The passage of interest deals with the Stoic paradox that all goods are equal (*Ep.* 71.17 ff.). After some familiar argumentation on the topic, Seneca describes his notion of virtue in lofty terms (18-20). He compares it to the criterion (*regula*, i.e. the *kanōn*) for what is straight (*rectum*) which cannot vary without rendering the notion of straight meaningless. Similarly, virtue is *recta* (indeed, must be if it is to function as a standard of rightness) and so admits of no bending (*flexuram non recipit*). In the corrupt sentence which follows²⁴ there was clearly some reference to virtue being *rigida* as well—natural enough since it is also said to be unbending, and its unbending straightness could not be preserved if it were not rigid. Virtue, Seneca adds, makes judgements about all things and nothing judges it. Like other standards, virtue is an unqualified instance of the property it measures in others.²⁵

This rigidity of virtue, its inflexibility (so termed explicitly at *Ep.* 95.62 also: *inflexibile iudicium*), is tied here to its status as an instrument of judgement. Let us move ahead to section 29,

²⁴ In Reynolds's edition (OCT) *rigidari quidem amplius quam intendi potest*.

²⁵ It is the invariability of virtue which forms the basis for the argument in support of the main proposition under discussion, that all goods are equal. Since the other goods are measured by virtue and (as goods) found to measure up to its standard, they must all be equal with regard to the trait measured by that absolute standard (in this case, straightness, *Ep.* 71.20). See also *Ep.* 66.32: *Ratio rationi par est, sicut rectum recto; ... Omnes virtutes rationes sunt; rationes sunt, si rectae sunt; si rectae sunt et pares sunt*.