

altogether,<sup>30</sup> opting for a position which Annas rightly calls 'the only explicitly intuitionist theory in ancient ethics'.<sup>31</sup> Seneca, who is a crucial source for our understanding of Stoic views on moral injunctions, also recognizes the importance of such situational factors. In *Ep.* 71.1 he explicitly claims that 'the majority of deliberation turns on the immediate circumstances' (*magna pars consilii in tempore*), and that the particularities of an action (the 'when' and 'how', as he puts it) cannot be dictated universally. That is why it is so useful to have an adviser right at hand, in the form of a close friend. The lengths to which such flexibility might go are clear from an earlier letter (*Ep.* 22.7-8). Having noted (*Ep.* 22.2) that universal instructions cannot deal satisfactorily with particularities (such as *quando fieri debeat aut quemadmodum*), Seneca goes on to discuss how to help Lucilius to disengage from an excessively busy professional life, and has first offered him an Epicurean perspective.

I think you are now asking for a Stoic view too. Don't let anybody slander them to you for boldness. Their caution exceeds their bravery. Maybe you think that they will say to you: 'It is shameful to yield to a burden; struggle to fulfil a task once you have taken it on. He who avoids effort is not a brave and energetic man unless the difficult experience makes his spirit stronger.' They *will* say this to you—if perseverance turns out to be worth the effort and as long as you don't have to do or suffer anything unworthy of a good man; *otherwise* he will not wear himself out with base and despicable effort nor will he stick to the business just for the sake of it. He won't even do what you think he will: endure the turmoil of being involved in political affairs. Rather, when he sees the difficulties in which he is entangled, the uncertainties and the risks, he will withdraw—not run away; but gradually he will fall back to safety.

This acknowledgement of how a positive moral trait such as determination can be situationally inappropriate makes a striking contrast to the common picture of Stoic endurance: on this Stoic view, constant reassessment of the pay-off in any situation

<sup>30</sup> See my discussion in 'Stoic Ethics I', *CHHP*; A. M. Ioppolo, *Aristone di Chioe lo stoicismo antico* (Rome, 1980) 152-4, 181-3, and recently Ausland, 'On the Moral Origin', 381 ff.

<sup>31</sup> *The Morality of Happiness*, 102.

is called for. This confirms the view that Stoics are not wedded to a theory of moral recommendations or rules which are substantive, universal, and exceptionless. It follows from all of this that the recommendations about moral choices based on Stoic axiology work as non-universal generalizations.

The debate with Ariston raises some crucial questions about the role of rules and generalizations in ethics. In an important discussion of 'natural law', 'Natural Law and Natural Right',<sup>32</sup> Phillip Mitsis pursues the contrary line of argument, which holds that natural law consisted in a set of invariable rules about good which have a substantive content definite enough to dictate what a moral agent must do in a concrete circumstance. As we have seen, one very serious problem with this position lies in the difficulty one has in finding in our sources any such thing, called a 'law' or even a 'rule', which is more determinate than injunctions to live virtuously, act rightly, and so forth—for this is the level of generality which one sees in Chrysippus' *On Law* and elsewhere.<sup>33</sup> Such advice is sound enough, if you know how to apply it. That it is exceptionlessly right to pursue virtue and choose the good is true enough, and *in some sense* not vacuous; but from the point of view of the choosing agent who is not yet a sage it is hard to see how this would provide any substantive guidance. Another problem might be found in the flexible nature of rule application in the few texts where Stoics or Stoic-influenced writers actually talk about what might pass for 'rules'.

It has long been recognized that the most important discussion of such 'rules' in Stoicism can be found in two letters by Seneca, numbers 94 and 95. At least since Ian Kidd's pathbreaking 'Moral Actions and Rules in Stoicism'<sup>34</sup> it has been normal to read these letters, which constitute an intricate

<sup>32</sup> *ANWR* II.36.7, 4812-50. In doing so, he is following a view first developed by Gisela Striker, 'Origins of the Concept of Natural Law'. See above n. 5 for other references. Mitsis is followed by Annas, *The Morality of Happiness*, 107.

<sup>33</sup> Above and n. 28. In fact, in one key passage (DL 7.88) the life according to nature is described as 'doing nothing which the common law *generally* forbids'. This text constrains the grand exordium of Chrysippus' *On Law* at *SVF* iii.314.

<sup>34</sup> In J. M. Rist (ed.), *The Stoics* (Berkeley, 1978), 247-58.