‘Domina et Regina Virtutum’: Justice and Societas in De Officiis

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‘This one virtue is the mistress and queen of all the virtues’ (III.28). I want here to argue that in De Officiis justice is ‘mistress and queen’ in two ways: first, it is the most important of the four primary virtues; secondly, and consequently, it helps to define the other virtues, which must be limited by it. De Officiis contains the earliest theory of justice we possess that explicitly defines justice as that which builds up society; I hope then to show that the resulting conception of justice is very different from anything that we have seen before. Finally, I want to ask how Cicero came to articulate this view: is he merely transcribing a theory developed by someone else and appropriate to a different historical context? Or is he expounding views that his own life and thought have led him to adopt, to adapt, and to use?

I: The Controlling Role of Iustitia in De Officiis

At I.152ff. Cicero begins to deal with the problem of comparing the officia of different virtues one with another. He first argues that the officia that are derived from communitas, i.e. those of justice,¹ are ‘aptiora naturae’ than those derived from cognitio. No man would choose omniscient and omni-contemplative, but complete, solitude (153); again, no good man would not abandon his studies if his country, parent or friend needed him (154); we are naturally sociable beings, sociable even in our cogitations (157). He then reminds us of what he had earlier argued, that magnitudo animi unless limited by justice is not a virtue but a dangerous vice (157).

The reader ought not by now to be surprised at the primacy given to justice over wisdom. Cicero’s discussion of sapientia had lasted two chapters, that of justice, forty-one. A recurrent theme already has been that of otium versus negotium, mentioned in 28-29, 70-73, and 92, a theme upon

¹ Here, he treats justice proper (discussed at I.20-41) and beneficentia (I.42-60) as one virtue. I shall use the word ‘justice’ to refer both to the whole virtue and to justice proper; I trust that the contexts will prevent ambiguity.

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which Cicero will elaborate, with reference to himself, in the introduction to Book III. We may remember that at the time of writing De Officiis Cicero had recently delivered the first Philippic; the question of whether he will return to public life, rather than remain in retirement writing philosophy, is much on his mind. He leaves no room for doubt that if he reasonably can renew his service to the res publica, he should. The justice of public service must take precedence over the sapientia of philosophical reflection.\(^2\)

There is a puzzle about what precisely sapientia, which Cicero relegates, is. Surely just behaviour is rational and wise? Again, is not sapientia called the 'princeps virtutum'? The argument of 153 is rather obscure. It is, however, clear that Cicero is interested in whether or not sapientia is or can be applied in action, particularly the action that benefits societas:

> etenim cognitio contemplatioque naturae manca quodam modo atque inchoata sit, si nulla actio rerum consequatur (153).

Such sapientia as cannot issue in action, the wisdom whose source is cognitio for its own sake, is 'manca atque inchoata'. Why, then, is sapientia the 'princeps virtutum'? It is so, I suggest, in the sense that it provides the very understanding of the universe that explains the priority of justice. (It is in this way that it is distinguished from prudentia, a distinction that Cicero did not bother to make in 15 or 18-19; prudentia is concerned only with making specific practical choices.) Through sapientia we may acquire the correct picture of the world that allows prudentia to make the right choices, and that explains why iustitia ought to be preferred to pure inquiry itself. That it is pure, rather than practical, inquiry that Cicero relegates to second place is confirmed by 19:

> alterum est vitium, quod quidam nimis magnum studium multamque operam in res obscuras atque difficiles conferunt easdemque non necessarias;

and by the discussion of Scipio’s otium at the beginning of Book III:

> illum et in otio de negotiis cogitare.

That sapientia may have a role in guiding justice is shown at 155-156: Lysis the Pythagorean and Plato are two examples, apart from Cicero himself, of men whose philosophy has benefited those involved in the res publica.\(^3\)

Justice controls sapientia in the sense that the wise man must never allow his interest in theoretical problems to distract him from his service to societas.

\(^2\) For mentions of this theme in his letters see e.g. Fam IX.2.5, 6.5; Att II.5.2, 16.3. Sometimes Cicero sticks firmly to the line he takes in De Officiis, at other times disillusionment with politics makes him waver.

\(^3\) Cf. Fam IX.2.5.