It is noteworthy that the rule of reason was affirmed also by Liebniz's philosophical adversary, John Locke (1632–1704), who declared that "the State of Nature has a Law of Nature to govern it" and that "Reason . . . is that Law," and who called reason man's "only star and compass" (*Second Treatise of Government* II. Ch. 2, sec. 6; *First Treatise*, ch. 6, sec. 58). Along with Locke, a series of influential political and legal thinkers, including Hugo Grotius (1583–1645), Thomas Hobbes (1588–1679), and Samuel Pufendorf (1632–1694), invoked the ideas of reason and natural law. By "reason," however, these early modern theorists had in mind nothing on the order of Plato's idea of an intelligence guided by eternal moral verities, because they accepted an empiricist epistemology, or a voluntarist theory of moral obligation, or both. In its new incarnation, the rule of reason continued to have traction during the Enlightenment under the influence of theorists like Montesquieu (1689–1755). It is, for example, a major theme in the American *Federalist*, which states that "it is the reason of the public alone that ought to control and regulate the government. The passions ought to be controlled and regulated by the government" (No. 49 by Madison).[54] Though detached from its roots in Platonic metaphysics and epistemology, the rule of reason continued to be a potent force in modern political thought.[55]

[54]See Fred D. Miller, Jr., "The Rule of Reason in Plato's *Statesman* and the American *Federalist*," *Social Philosophy & Policy* 24:2 (2007) 90–129.

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Stoic Eudaimonism and the Natural Law Tradition[1]

Jacob Klein

Introduction

The identification of commonly accepted morality with nature is contrary to some of the earliest currents of Greek thought. The sophist Antiphon forcefully describes the conventions of law as bonds placed upon the natural order; the Athenians invoke a necessary law of nature to sanction the massacre at Melos; and Plato's Callicles offers, in the service of his immoralism, the image of a lion dominant and noble by nature, tamed and shackled by convention.[2] By the time of Cicero, however, one finds a notion of *lex naturalis* clearly applied to support a core of moral principles enjoining far-reaching obligations to others.[3] This law, says Cicero, is the product neither of human thought nor of civil legislation. It is diffused in the order of nature as a whole and identical to the purpose of Zeus. It is the source and spring of justice, commanding us to regard the welfare of others. In virtue of its prescriptions, Cicero maintains, the rape of Lucretia was wrong and the courage of Cocles right.[4]

That the Stoics were responsible for the account on which Cicero relies is commonly recognized, yet a careful assessment of the Stoic account faces distinctive

[1]I thank Noah Dauber, Sydney Penner, and Joe Yarbrough for helpful comments on earlier drafts of this chapter. I am indebted to Tad Brennan, Charles Brittain, Gail Fine, and Terence Irwin for discussion of some of the questions raised here and for comments on related material. They are not responsible for my errors.

[2]For the Athenian atrocity at Melos, see Thuc. 5.84–116 (esp. 5.105). For Antiphon's description of *nomoi* as bonds upon nature (*desmoi tês phuseôs*), see Antiph. fr. 44(a)iv.5. For Callicles's lion, see *Grg.* 483e5. Cf. also Dodds (1959), pp. 268–9.

[3]E.g., *Fin.* 3.62–68, *Off.* 1.50–57 and esp. *Off.* 3.21–32. Cicero frequently prefers *lex naturae* to *lex naturalis,* but he employs both constructions.

[4]See *Leg.* 1.19, 2.8, 2.10; *Rep.* 3.33. For nature as the *fons legum et iuris*, see *Leg.* 1.16, *Off.* 3.72. Cicero explicitly associates this account with Zeno of Citium at *Nat. d.* 1.36.

difficulties. Though some of the most striking statements of Stoic views about natural law appear in Cicero's philosophical treatises, Cicero's rhetorical formulations are frequently insensitive to questions about justificatory priority, or the scope and content of natural law, or the relation between the obligations it enjoins and the eudaimonist outlook of Stoic ethics as a whole. Later articulations of natural law theory are distinguished by the answers they supply to these questions, but Stoic views are difficult to determine with precision. Because knowledge of Stoicism passed into the medieval philosophical tradition primarily through the medium of Cicero, Cicero's own adaptations and omissions were passed on as well. Questions about the relation of Stoic theory to later views must be distinguished carefully from the question of how later thinkers received and understood the available sources.

These difficulties are reflected in the variety of assessments commentators have offered of Stoic contributions to ethics and to the natural law tradition in particular, assessments which might be loosely sorted into two categories. There are those, on the one hand, who find in Stoic theory the beginnings of a tradition of law-based theorizing, in contrast with classical eudaimonist views. Thus Alasdair MacIntyre maintains, for instance, that the Stoics abandon a teleological ethics for a law-based conception.[5] According to Gisela Striker, Stoicism is an "ancestor of modern deontological conceptions of virtue as obedience to the unchanging moral law."[6] Knud Haakonssen identifies Stoicism with the first of four central phases in the history of natural law, and Alan Donagan remarks that the Stoics "are to be credited with forming the first reasonably clear conception of morality."[7] In a similar vein, Mark Murphy finds the Stoics regarding the right as "prior to the good."[8]

These assessments all treat Stoic ethical theory as presciently modern in some respect and as an important departure from classical accounts. Accordingly, they may be contrasted with the judgments of those commentators who regard the foundations of Stoicism as broadly continuous with the eudaimonist framework of Platonic and Aristotelian ethics. Thus A. A. Long is concerned to emphasize (against MacIntyre) Stoicism's eudaimonist credentials; Terence Irwin explicates Stoic ethics by way of an extended comparison with Aristotle; and Julia Annas argues at length that the eudaimonist basis of Stoicism excludes the possibility of any foundational appeal to the natural order at all.[9] Supposing these diverse assessments of Stoicism are consistent, how do they fit together, and how is the essential structure of Stoic ethics to be characterized?

The diversity of recent interpretations of Stoic ethics is due, in part, to the presence in Stoicism of a form of ethical naturalism that is largely absent in Plato and wholly absent in Aristotle. This is the Stoic claim that the best form of human life consists in living not merely in accordance with human nature but with the nature of the cosmos as a whole. The Stoic appeal to cosmic or common nature (*phusis koinê*) raises difficult questions about Stoic eudaimonism and about the justifying role of *eudaimonia* in Stoic theory. Commentators who view Stoic ethics as an anticipation of deontological or law-based accounts sometimes ignore the eudaimonist commitment of Stoic ethics, emphasizing the cosmic dimension of Stoic naturalism instead. Those who begin from the Stoics' commitment to eudaimonism, on the other hand, tend to neglect or minimize the role of cosmic nature.

I shall argue that the supposed tension between the eudaimonist and naturalist commitments of Stoic ethics rests on assumptions the Stoics themselves do not share, and that the Stoics defend a eudaimonist ethics that requires conformity to the rational order of nature as a condition of realizing the best form of life for human beings. Though Stoic ethics prefigures later views in important respects, some of the features of Stoicism which have been singled out as characteristically modern—its emphasis on conformity to law or its focus on the intentional features of virtuous action, for example—are not, in fact, a departure from the eudaimonist framework of earlier theories. They are rather a consequence of the Stoic commitment to rational eudaimonism conjoined to a substantive understanding of reason's requirements. The fullest expression of those requirements is found, according to the Stoics, in the teleological organization of nature as a whole. In what follows I first set out some of the main evidence for Stoic eudaimonism and consider its relation to Stoic appeals to nature. I then consider two questions of more specific relevance to the natural law tradition: first, whether Stoic theological views imply a voluntarist account of the principles to which rational agents are to adhere; second, whether the Stoics suppose that knowledge of moral truths can be derived from a knowledge of natural facts.[10]

[5]MacIntyre (1981), p. 157. MacIntyre's view is discussed at length in Long (1983).

[6]Striker (1996), pp. 219–20.

[7]Haakonssen (2001), p. 1205; Donagan (1977), p. 4. Crowe (1977) remarks that the Stoics "are usually given the credit of having been the first to formulate the doctrine [of natural law]" (p. 17). Cf. Vogt (2008): "The early Stoics may justly be counted among the ancestors of natural law theory" (p. 3).

[8]Murphy (2008). Examples can be multiplied. Henry Sidgwick suggests that ancient Stoicism "from the prominence that it gives to the conception of Natural Law, forms a transitional link between ancient and modern ethics" (1907, p. 105). According to Julia Annas, the Stoics are the first to hold that "morality requires impartiality to all others from the moral point of view" (1993, p. 265). According to Max Forschner, "the Stoic school formulated crucial aspects of that which the Kantian tradition calls morality [die Stoa entscheidende Gesichtspunkte dessen ausformuliert, was die kantische Tradition Moralität nennt]" (1986, p. 327).

[9]See, e.g., Irwin (1986, 1990); Long (1983). Cf. Long (1968, 1989). Though Annas focuses on Stoic appeals to cosmic nature, she also concludes, surprisingly, that the Stoics (and Greek ethicists generally) are not ethical naturalists. Annas's verdict rests on an idiosyncratic account of ethical naturalism. See Annas (1993), pp. 135–36.

[10]A view attributed to them by, e.g., John Finnis. See Finnis (1980), pp. 34–35.

Stoic Eudaimonism

Like most ancient ethical theorists, the Greek Stoics are eudaimonists in some sense of the term. The summaries of Stoic ethics preserved by Diogenes Laertius and Arius Didymus include explicit affirmations of eudaimonism, and eudaimonism of some form is assumed in Cicero's reports of Stoicism in the *De finibus*, *De officiis*, and *Tusculan Disputations*.[11] It is clear that Stoic scholarchs from Zeno until Antipater defended an analysis of the human *telos* or goal of life, and Chrysippus's concern with an account of the conditions under which *eudaimonia* may be achieved is well-attested.[12] The central interpretive question in approaching these reports is not whether early Stoicism includes a conception of the best life achievable for a human being, but whether this conception has the role, as it is plausibly understood to have in Aristotle's theory, of structuring Stoic ethical theory as a whole.

At this point various interpretive options arise. Though Stoic sources speak clearly of a human *telos* and highest good, they are apt to characterize it variously.[13] Although the end is frequently identified with *eudaimonia,* it is also characterized, perhaps even more frequently, as a life of conformity to nature, which is in turn said to be equivalent to virtue.[14] The Stoics regard these descriptions as extensionally equivalent: to live in accord with nature is, in their view, to be both virtuous and happy.[15] They are not intensionally equivalent, however, and the Stoic sources that survive do not say which of them is prior in order of justification. Is one to conform to nature because that is what virtue prescribes, or because it is what nature requires, or because a disposition that is virtuous and consonant with nature renders a human life happy and blessed?

There are good grounds for concluding that the Stoics intend their references to *eudaimonia* as the most fundamental characterization of the human *telos* and, indeed, that they regard an agent's own happiness as the only final end in virtue of which an aim or action may count as rational.[16] This thesis, which I shall refer to as rational eudaimonism, is not explicit in any Stoic text, but there is good reason to suppose that it captures the Stoic position fairly. The best Stoic sources characterize the end as *eudaimonia* rather than virtue or conformity to nature in contexts in which the question of final or ultimate justification is clearly at issue. These texts explicitly hold, for example, that *eudaimonia* is that to which everything in life is appropriately referred but which is not itself referred to anything further.[17] They assert that *eudaimonia* is the final object of *orexis,* a species of rational motivation that belongs in its successful or veridical form (*boulêsis*) to the perfectly rational Stoic sage.[18] Most importantly, perhaps, they claim that every appropriate (*kathêkon*) action is done for the sake of *eudaimonia* and takes this as its standard or reference point.[19] Since in the Stoics' view an appropriate action (rendered by Cicero as *officium*) is one for which a rational defense (*eulogos apologia*) can be offered, these texts affirm that every rational action is one that is justified, at least in part, by its relation to the *telos* of human happiness.[20] In these reports the concept of *eudaimonia* seems intended to supply the most basic description under which action and motivation count as rational.

It seems clear then that *eudaimonia* enters into Stoic theory as at least one rational ground of practical action to which every ultimate, justifying explanation must refer. As a minimal condition of rationality, human action and motivation must aim further the goal of happiness and treat this end as a final aim.[21] By themselves, however, these texts do not clearly establish a commitment to rational eudaimonism as I have characterized it. In the first place, there is nothing in them to show conclusively that the relevant conception of happiness is that of the agent's own happiness in particular. It is consistent with these formulations to suppose (as at least one commentator has suggested) that in Stoic theory the conception of *eudaimonia* to which practical reason refers is an agent-neutral conception that includes the *eudaimonia* of others. Second, these references are not sufficient to show that one's own *eudaimonia* embraces all of the final objects at which a rational agent may aim. That is to say, the most reliable summaries of early Stoic views do not quite foreclose the possibility that although every rational action necessarily refers to the agent's happiness, there is some distinct final objective, such as conformity to nature, at which rational action may also be directed as such. Even if rational action must promote the agent's

[11] E.g., *Fin.* 1.11, *Off.* 1.5–7, *Tusc.* 5.48.

[12] See DL 7.88; Plutarch, *Stoic. rep.* 1035c.

[13] For discussion of this point, see Striker (1986), pp. 185–90.

[14] Strictly speaking, the Stoics identify *eudaimonia* with the activities that flow from virtue, and in so doing they associate it with a range of normative predicates such as 'fine' (*kalon*/*honestum*) and 'good' (*agathon*/*bonum*). Here and throughout, I sometimes render *eudaimonia* as 'happiness,' mostly to avoid repetition of the Greek term.

[15] This extensional equivalence is generally attributed to the Stoics, but it is not wholly uncontroversial. Irwin holds that a Stoic may live virtuously yet fail to live according to nature, and Striker sometimes appears to intend a similar view. Cf. Striker (1986): "In Stoic theory natural things are of no value for the goal of life, but at most for a natural life . . . " (p. 191). I discuss Irwin's claim below.

[16] So described, rational eudaimonism is not a thesis about the description under which a rational agent will ordinarily act nor about the general character of her intentions; it is compatible with an objective account of human happiness as a life that includes concern for others. It is, however, a thesis about what could count as an ultimate normative reason for human agents, that is, about the character of the considerations an agent must ultimately invoke in order to defend her actions on rational grounds.

[17] E.g., Stob. *Ecl.* 2.46 (= SVF 3.2).

[18] SVF 3.65. Cf. Stob. *Ecl.* 2.76 (=SVF 3.3), 2.98. As defined by the Stoics, *orexis* is a rational impulse (*hormê logikê*) directed at what is good *de dicto* in the case of fools, who (according to Epictetus) may misapply it, but exclusively at what is good *de re* in sages, who never do. Chrysippus restricts the rational appetition of the *logistikon* (i.e., the rational *hêgemonikon*) to the fine alone. See Kidd (1988, vol. 2), p. 211 (= fr. 160). Cf. also SVF 3.169, 3.441, 3.442, 3.438. For discussion, see Kidd (1988, vol. 3), pp. 569–70 and Inwood (1985), Appendix 2.

[19] Stob. *Ecl.* 2.46 (= SVF 3.2), 2.77 (= SVF 3.16).

[20] Stob. *Ecl.* 2.85.

[21] Though even this much is not clearly accepted by commentators, as I note below.

own good, this may not be the *only* feature in virtue of which it is rational on the Stoic account.[22]

Stoic Eudaimonism and the Scope of Rational Justification

These alternatives to rational eudaimonism are not clearly excluded by the formulations I have cited, but they can be fairly securely ruled out on other grounds. The suggestion that it is rational to promote the end of *eudaimonia* where this is conceived in agent-neutral terms is at least recognized by ancient philosophical sources.[23] Yet whether or not it is the correct view to take of other ancient theories, it does not appear to be the correct account of Stoicism. This point is not explicit in reports of early Stoic theory, but it is strongly implied by the dialectical framework assumed in later doxography and especially in Cicero. That Cicero takes the conception of happiness at issue in Stoic ethics to be the agent's own seems clear, for example, from his formulations of a challenge frequently leveled against the Stoic thesis that virtue is sufficient for happiness. Hellenistic defenders of a mixed account of the human good—one that includes both virtue and other goods in an analysis of happiness—regard the Stoics as outrageous for maintaining that the virtuous agent will retain her happiness even under torture. The happiness at issue in this criticism is quite clearly the agent's own, and so it is clear that the Stoics insist that a virtuous agent will retain her *own* happiness in even the worst external circumstances.[24] It is difficult to see why the Stoics defend this thesis in the way they do unless they also regard the realization of one's own happiness as the formal end of rational agency. That is to say, if the prospect of a virtuous but unpleasant death could be justified in other-regarding terms while remaining faithful to Stoic principles, the Stoic effort to justify it in agent-relative ones would make little sense. That the Stoics are prepared to defend the rationality of even a virtuous death by reference to the agent's own happiness strongly suggests that they intend to justify all rational action in agent-centered terms.

[22]There are at least three ways in which the scope of rational justification might be thought to come apart from the concept of an agent's *eudaimonia*. We might suppose (1) that although every rational action is one that promotes *eudaimonia*, the *eudaimonia* at issue is not the agent's own, (2) that one's own *eudaimonia* is not the only rational aim of action and hence that other rational aims may sometimes conflict with this aim, (3) that although an agent's own well-being is not the only rational aim she may have, other rational aims will *reinforce* rather than conflict with the aim of promoting her own happiness. Whiting (2002) proposes a version of (1) as an interpretation of Aristotle's eudaimonism. Kraut (1989, 1999) attributes (2) to Aristotle. Crisp (2003) attributes (3) to Socrates. I do not think any of these accounts of the role of *eudaimonia* in rational justification fits the Stoic view, but I have not had space to discuss (3) here.

[23]Augustine's summary of Marcus Varro's classification of possible accounts of the supreme good (*De civ. d.* 19.1) explicitly recognizes this conception of *eudaimonia*.

[24]See, e.g., *Fin.* 3.42. Cicero alludes to this Stoic doctrine frequently.

The second alternative to rational eudaimonism is less easy to dismiss. It also offers an attractive reading of Stoicism in some respects. If the Stoics regard conformity to nature or to natural law as a rational aim extensionally distinct from the aim of realizing one's own happiness, this doctrine might indeed appear to signal a shift away from the comprehensive eudaimonism of earlier theories.[25] It also suggests a more sympathetic way of understanding Stoic theory overall. Terence Irwin, for instance, relies on the claim that the Stoics do not treat happiness as the only final rational objective to show that the Stoic view of emotion is less extreme than has sometimes been thought. According to Irwin, the Stoic thesis that loss and tragedy do not affect an agent's welfare does not imply that a rational agent has no reason to regret such a loss, for on Irwin's account of Stoic theory the life of virtue and happiness and the life that accords with nature constitute independently rational aims.[26] If this understanding of Stoic theory is correct, the Stoics might be said to adopt a more familiar attitude towards those objects or outcomes they characterize as indifferent than they are ordinarily thought to hold, for in their view it will sometimes be rational to regret an outcome that fails to promote a life of conformity to nature even if this failure makes no difference to achieving the *telos* of *eudaimonia*.[27] Since it does not take *eudaimonia* to be the only final aim of rational agency, this account of Stoic theory is incompatible with rational eudaimonism as I have described it.

A number of considerations tell against this interpretation, however. One such consideration is merely an *ex silentio* appeal. No Stoic source, to my knowledge, suggests that actions may be justified with respect to anything other than what contributes to the end of happiness, and virtue alone does this in the Stoics view. A few texts, moreover, are explicit on this point. Cicero's summary of Stoics' ethics in *De finibus* 3 considers and rejects the suggestion that Stoic theory is implicitly committed to two final ends, virtue and a life that accords with nature, where these are conceived as independent objectives at which a

[25]This depends, of course, on how the eudaimonism of earlier theories is understood. I understand Aristotle to be committed to rational eudaimonism of the form I have described here, but this is not uncontroversial. According to Richard Kraut, for instance, Aristotle's view allows that considerations unconnected to one's own happiness may count as independent reasons for action, and that these reasons may sometimes conflict with what the agent's happiness requires. See Kraut (1989), Chapter 2; Kraut (1999).

[26]Independent, that is, in the strong sense according to which one of these rational objectives may be realized while the other is not. See Irwin (2007), p. 316: "Virtuous action, therefore, is not sufficient for achieving the life according to nature, which includes the natural advantages." Irwin is certainly correct to point out that virtue is not sufficient for attaining the natural advantages, preferred indifferents such as health and wealth. But it is the Stoics' critics, not the Stoics themselves, who maintain that the actual possession of these items is a necessary condition of the life according to nature.

[27]Cf. Irwin (1986), (1998a), (1998b).

rational agent might aim.[28] Seneca, considering the possibility that a mixed account of the end encompassing both virtue and pleasant circumstances might be superior to the Stoic view, says that the Stoic sage does nothing for the sake of pleasure (*causa voluptatis*).[29] Since the Stoics classify pleasure among those objects that accord with nature (preferred indifferents, in Stoic terminology), then on the assumption that the sage acts both for the sake of virtue and happiness and for the independently rational objective of conformity to nature, Seneca's statement appears to be false.[30] Similar statements in other texts strongly suggest that the Stoics regard a life lived in accordance with nature as constitutive of virtue and happiness, and not as an independently rational aim with which happiness might in principle conflict.[31]

There is a more fundamental reason, however, for supposing that the Stoics restrict the scope of rational justification to those aims that promote *eudaimonia*. This is based on the Stoic claim, attested in a range of sources, that justice cannot be preserved if objects that accord with nature (such as health and wealth) but are not essential to virtue and happiness are counted as genuine goods.[32] By this the Stoics mean that if rational weight is accorded to final objectives other than virtue it will not be rational to preserve the virtue of justice in every circumstance. Their argument seems to rest on the assumption that, given such an account, one cannot rule out the possibility that rational considerations distinct from virtue may sometimes outweigh the requirements of virtue so that an agent has overriding reason to act viciously.[33] Since the Stoics treat this outcome as a *reductio*, they restrict the scope of rational action to the virtue in which, according to them, *eudaimonia* consists. Whether or not this line of argument is defensible, it confirms that the Stoics' restriction of

[28] *Fin.* 3.22.

[29] Seneca, *Vit. beat.* 11.1. Cf. *Vit. beat.* 9.4.

[30] On pleasure as an indifferent, see DL 7.102, Cicero, *Fin.* 3.17.

[31] Seneca elsewhere writes that a virtuous agent "is never filled with regret because at the time nothing better could have been done than was done, no better decision could have been made than was made" (*Ben* 4.34, trans. Basore). Cf. also *Ben.* 4.21 and 4.33.

[32] Plutarch attributes a thesis of this form to Chrysippus (*Stoic. rep.* 1038d–e, 1040c–f). Cicero attributes it to the Stoics in several passages (e.g., *Fin.* 4.45). It is affirmed by Seneca (*Ep.* 76.22) and Marcus Aurelius (*Med.* 11.10).

[33] Were the Stoics prepared to grant the existence of rational aims beyond the scope of happiness, there would be far less significance in their claim that virtue is sufficient for happiness. For in that case considerations having to do with virtue would not exhaust the aims of rational agents, an implication Irwin accepts. The Stoics are prepared to argue, however, that such aims are not rational. See esp. Seneca *Ep.* 76.22: "If, however, you accept the view that there is anything good besides that which is honorable (*honestum*), all the virtues will suffer. For it will never be possible for any virtue to be won and held if there is anything outside itself which virtue must take into consideration. If there is any such thing, then it is at variance with reason (*quod si est, rationi repugnat*), from which the virtues spring, and with truth also, which cannot exist without reason" (trans. Gummere). Here the formal end of practical reason, as Seneca represents it, coincides with the Stoics' restriction of goodness and happiness to virtue alone. Cf. also Seneca, *Vit. beat.* 10.11.

happiness and goodness to virtue is not intended merely as a terminological point but as a substantive claim about the range of objectives rational agency may take as its end. In identifying happiness with virtue and the activities that flow from it, the Stoics mean to ensure the coincidence of virtue with what is rational in every case.

There are good grounds, therefore, for supposing that the Stoics restrict the scope of rational justification to their account of the human *telos* as consisting in virtue alone. Like Plato and Aristotle, they treat the concept of *eudaimonia* as the most basic justificatory concept and the life that satisfies it as the single object at which rational action, as such, will aim.[34] On this view, the considerations to which a rational agent will respond must serve her own happiness in the final analysis. Despite claims sometimes made for Stoicism as a presciently modern ethical theory, there is little reason to suppose that the Greek Stoics depart from the framework of eudaimonism either by casting their account of *eudaimonia* in agent-neutral terms or by positing some further rational objective beyond its scope. The formal aim of practical reason, as they conceive it, is to secure the good life for the agent, and a rational justification of motivation and action must ultimately be couched in agent-centered terms. Whether such an outlook can amount to an adequate moral theory is a further question.[35]

Stoic Naturalism

These considerations suggest that at least the conceptual foundations of Stoic ethics are broadly continuous with those of Platonic and Aristotelian ethics. To act on the reasons that apply to rational agents is to act in a way that is good for the agent and to do so, in the final analysis, because so acting is good for the agent. So understood, the acceptance of rational eudaimonism commits the Stoics to a formally egocentric or agent-relative account of rational justification. By itself, however, this framework places few constraints on a substantive analysis of human well-being or on the specific requirements of virtue. The way in which the Stoics fill in their account of the human good and the role they give to cosmic nature in fixing the content of rational obligation distinguish their theory from classical accounts and from rival Hellenistic views. Although

[34] For an older and more authoritative attribution of this view to the Stoics, see Sidgwick (1892): "In Platonism and Stoicism, and in Greek moral philosophy generally, but *one* regulative and governing faculty is recognized under the name of Reason—however the regulation of Reason may be understood; in the modern ethical view, when it has worked itself clear, there are found to be *two*—Universal Reason and Egoistic Reason, or Conscience and Self-love" (p. 197).

[35] Nagel argues, for instance, that a view according to which "the content of morality is derived from the necessary conditions for a good life . . . is wrong, because moral requirements have their source in the claims of other persons" (1989, pp. 195–97). Nagel attributes this view to Aristotle.

the Stoics assert the justificatory priority of human happiness, in identifying happiness with virtue and virtue with conformity to nature they are prepared to defend an account of well-being that is both objective and (even from the ancient point of view) highly revisionist.

This is an important point, for recent studies of Stoic ethics have taken divergent views of the Stoic claim that happiness consists in living according to nature, and questions about the import of eudaimonism have figured centrally in this debate. A number of commentators appeal to Stoic eudaimonism as grounds for minimizing the role of cosmic nature in particular in Stoic ethical theory. Julia Annas argues at length that since facts about the structure of the cosmos are extrinsic to any plausible account of human happiness, Stoic ethical theory must rest, like Aristotle's, on an account of specifically *human* nature instead.[36] Annas's argument largely depends on her assumption of a subjectivist constraint on any adequate eudaimonist ethics, namely, that in order to be of relevance to ethical theory, a given account of *eudaimonia* must be endorsable from the perspective of the agent whose welfare it purports to describe.[37] Since Annas finds that the aim of conforming to cosmic nature fails to satisfy this condition, she takes Stoic eudaimonism to exclude certain forms of ethical naturalism.

A second line of interpretation, running in the opposite direction, evidently takes the cosmic naturalism of Stoic ethics to exclude rational eudaimonism. According to John Finnis, the Stoic requirement to conform to cosmic nature "is taken [in Stoic theory] as rendering superfluous all further questions . . . about the point or good-for-man of conforming to it."[38] Michael Frede suggests that one reason one ought to conform to nature, according to the Stoics, "is precisely that this is what nature means us to do."[39] Nicholas White argues

[36]See Annas (1993), pp. 159–79. For Annas's assumption that there is a tension between eudaimonism and an appeal to cosmic nature, see esp. p. 161: "Ethical theory begins from reflection on the agent's final good and how this is to be made determinate in a way which will enable the agent to make sense of her life and correctly order her priorities. The appeal to cosmic nature, however, does the opposite of what is required; it pulls the agent away from the kind of attachment to her own concerns which is needed for useful reflection on her final end to be possible." Annas concludes that Stoic ethical theory does not depend on Stoic cosmology for either its content or its normative justification. She is followed in a number of studies by Christopher Gill. See esp. Gill (2004), pp. 101–25.

[37]Annas (1993), pp. 161–62: "Suppose I did come to have a definite conception of cosmic nature and its demands on me; this would still not be relevant to any of the concerns I need ethical theory for, until endorsed by reflection from the relevant point of view. But that point of view is the agent's point of view on his life as a whole and how best to order his priorities. The cosmic point of view, then, is useless for ethics unless endorsed as part of a theory that is eudaimonist in form."

[38]Finnis (1980), p. 377.

[39]Frede (1999). According to Frede, the Stoics hold that in the ideal case "we come to realize that appropriate action, if done for the reason that it accords with nature—i.e. for the reason that it is what nature means us to do—constitutes what is good, and recognizing this, it henceforth is our overriding aim to act in this way" (p. 81). Frede suggests that such a motive is "no longer self-regarding" on the Stoic account (p. 84).

that Stoic ethics cannot accurately be described as a "self-realizationist" theory such as Aristotle's, which "[fixes] upon certain features of a human being that are thought to constitute its somehow essential nature and urges that those features be developed."[40] Though these characterizations of Stoic theory may be consistent with some forms of eudaimonism, they appear to treat the requirement of conformity to cosmic nature as an independently rational obligation, one not derived, that is to say, from a rational requirement to realize the human good as such.

While these lines of interpretation disagree about the relevance of cosmic nature in Stoic ethics, they appear to agree in assuming that Stoic appeals to cosmic nature are in tension with a commitment to rational eudaimonism. This assumption is difficult to square with the role assigned to *eudaimonia* in the sources I have considered, however. There is no evidence that the Stoics themselves acknowledged any problematic opposition between the eudaimonist and naturalist commitments of their ethics or that they marginalized one to explain the other. On the one hand, Annas's account of Stoic eudaimonism appears to prove too much. To the extent that *eudaimonia* is understood in subjectivist terms, that is, as strongly conditioned by the beliefs and desires with which an agent begins, it may prove to be in tension not simply with appeals to the teleological order of the cosmos but, much more generally, with any appeal to objective, naturalistic foundations at all.[41] If the content of *eudaimonia* is strongly constrained by what agents themselves can be brought to believe or endorse, then given the truth of rational eudaimonism, the requirements of practical reason will also be constrained in this way. On such a view there is little antecedent reason to suppose either that an account of human nature (which Annas allows) will prove of particular relevance to ethics or that practical reason, so conceived, will be seen to support the other-regarding requirements of traditional morality. Yet as Annas herself acknowledges, Stoic ethics supports significant commitments to the welfare of others. Although the Stoic analysis of

[40]White (1979), p. 146. Cf. also Annas (1993), p. 171n43. White's assertion that Stoicism is not a "self-realizationist" theory is puzzling. Diogenes Laertius's report of Stoic theory characterizes the human good as "the natural perfection of a rational being *qua* rational," and Cicero's synoptic account of Stoic ethics in *De finibus* 3 gives a central place to the Stoic analysis of human nature and to its development in the ideal case. According to Seneca, "if every thing, when it has perfected (*perfecit*) its own good, is praiseworthy and has reached the end of its own nature, and man's own good is reason, if he has perfected reason, he is praiseworthy and has attained the end of his nature" (*Ep.* 76.9–10, trans. Long and Sedley). Cf. also Cicero, *Fin.* 3.33; Seneca, *Ep.* 41.79, 89.4; Cicero, *Leg.* 1.25, *Tusc.* 5.39; Marcus, *Med.* 6.44.

[41]That is, as naturalistic foundations are ordinarily understood. There is no antecedent reason to deny the label of naturalism to ethical theories, such as those of Hume or Hobbes, which begin from the psychological commitments of human agents. But since contemporary uses of the realist label do not usually extend to subjectivist theories of this sort, and since ethical naturalism is typically understood to entail a commitment to realism, subjectivist views are not often characterized as naturalist theories, at least in contemporary discussion. See, e.g., Railton (1996).

practical reason is formally self-interested, it should be distinguished carefully from accounts that make the content of the reasons that apply to an agent strongly dependent on her beliefs and motivations. Annas's claim that eudaimonism excludes cosmic naturalism rests on assumptions the Stoics themselves do not accept.[42]

On the other hand, although Stoic eudaimonism does not imply a subjective conception of well-being, it equally does not imply that the requirement to conform to cosmic nature applies independently of an obligation to realize the distinctive good for human beings.[43] Although facts about the cosmos do not introduce the most basic justification for living a rationally ordered life, the Stoics regard the cosmic order as an expression of substantive norms of rationality that determine what such a life consists in. This assumption is apparent, for instance, in the Stoic doctrine that the cosmos has the character of a city, citizenship in which imposes duties of mutual concern upon its members.[44] Though this claim is not confined to facts about human nature alone, it plays a substantive role in fixing the obligations that apply to human agents *qua* rational. Stoic naturalism is more extensive, in this respect, than its classical and Hellenistic counterparts.[45]

In broad outline, Stoic ethics might fairly be said to rest on a substantive and objective account of human well-being according to which happiness depends exclusively on the perfection of reason, the cognitive capacity that regulates belief and action in human agents. This perfection, in turn, centrally requires a grasp of the teleological structure of nature as a whole. The conception of practical reason on which this picture depends should be distinguished carefully from accounts according to which the content of reason's requirements is substantively determined by an agent's beliefs and motivations, but it should also be distinguished from agent-neutral theories that divorce the content of practical rationality from a formal conception of the agent's benefit. To questions

[42]For criticisms of Annas's account of cosmic nature in Stoic ethics, see Inwood (1995), Cooper (1995), Betegh (2003).

[43]A range of Stoic sources suggest this order of priority, e.g., Cleanthes, *Hymn to Zeus* (SVF 1.537 = LS 54I): "[T]he wretched . . . neither see nor hear god's universal law (*theou koinos nomos*), by obeying which they could lead a good life in partnership with intelligence" (trans. Long and Sedley); Stob., *Ecl.* 2.75: "And the virtue of the happy man and his good flow of life are just this: always doing everything on the basis of the concordance of each man's guardian spirit with the will of the administrator of the whole" (trans. Long and Sedley); Seneca *Ep.* 92.3: "What is a happy life? Peacefulness and constant tranquility . . . How are these things reached? If all of truth has been seen, if orderliness, moderation, and seemliness are preserved in actions . . ." (trans. Long and Sedley); Cicero, *Leg.* 1.56: "[T]o live on the basis of nature (*ex natura vivere*) is the highest good. This is a life of moderation based upon virtue, or following nature and living, as it were, according to her law" (trans. after Keyes).

[44]See, e.g., SVF 2.528 (= LS 67L); Cicero, *Leg.* 1.23–25, *Fin.* 3.64–67, *Off.* 3.21–24, *Nat. d.* 2.154; Epictetus, *Diss.* 2.10.3–7; Marcus, *Med.* 4.4; Seneca, *Ot.* 3–4. Cf. also Philo Judaeus, *Jos.* 29–31.

[45]See, e.g., DL 7.87; Plutarch, *Stoic. rep.* 1035c–d; Cicero, *Fin.* 2.37, 3.31, 3.73, *Off.* 1.153, 2.5, *Tusc.* 4.57, 5.7; Seneca, *Ep.* 88.33, 89.5. For discussion of some of these passages, see Kerford (1978).

of justificatory priority the Stoics accept the fundamental answers given by Platonic and Aristotelian ethics: a good human life is one that is structured by an appropriate understanding of human nature and by a corresponding account of what is beneficial to human beings as such. At the same time, the Stoics hold that the principles of reason, which determine the actions appropriate to virtue, are expressed in the order of the cosmos as a whole and grasped through an experience of that order. Though this position is prefigured, in some respects, in the *Timaeus* and the *Laws*, the Stoics are the first to develop it carefully and extensively.

I have focused on these antecedent features of Stoic ethics because they are important for fixing the sense in which the Stoics can be said to defend a law-based account. On the one hand, Stoic ethics clearly includes some of the core features associated with natural law theories. The Stoics are committed to the view that natural facts supply the basis for the ethical requirements that apply to human beings, and they believe that these requirements are wholly accessible to the faculty of reason.[46] On the other hand, if it is a criterion of a law-based ethics that it endorse principles that obligate independently of their relation to some further end or good, there is little reason to attribute such a view to the Stoics. The rational principles expressed in the cosmos as a whole apply to human beings, in the Stoics' view, in virtue of what is good for them as rational agents.[47] The justification for living according to cosmic nature rests on the Stoic conviction that knowledge of the rational pattern instantiated there is a sufficient condition of a virtuous disposition and, consequently, of human happiness.

Natural Law and the Will of Zeus

Two further questions are relevant to an attempt to relate this account to later theories of natural law. The first, which is metaphysical, concerns the relation implied by Stoic theory of normative facts to theological facts. Stoic sources explicitly identify natural law both with right reason (*orthos logos*/*recta ratio*) and with the will (*boulêsis*/*voluntas*) of Zeus.[48] As with their descriptions of the

[46]These commitments, as I understand them, are shared by Aristotle and Aquinas and are central to the natural law tradition as such. I have not tried to offer a more comprehensive characterization of the essential features of natural law theories, a question on which there appears to be little scholarly consensus. For recent relevant discussion, see, e.g., Murphy (2008); Irwin (2007), pp. 545–71; Irwin (2008), pp. 70–88; Irwin (forthcoming).

[47]Cf. Schofield (1991): "The thesis that social morality flows from adherence to the dictates of natural law [as the Stoics understand it] . . . is a thesis solely about what is enjoined upon man or any rational animal *qua* rational social animal" (103).

[48]See DL 7.88; Epictetus, *Diss.* 1.17.13–19, *En.* 26; SVF 3.180.

human *telos*, the Stoics clearly regard these descriptions as extensionally equivalent: the content of natural law is identical to the content of right reason, which is also the content of Zeus's rational will. Once again, these characterizations raise questions about justificatory priority. Though their adherence to rational eudaimonism implies that the obligation to conform to natural law rests on a prior conception of the human good, the Stoics might nonetheless regard the principles to which human nature must conform to secure this good as rational because Zeus wills them.

Such an interpretation, if correct, would align Stoic theory with voluntarist conceptions of natural law in an important respect. Ockham, for example, rejects the framework of rational eudaimonism, and he does not believe, as the Stoics do, that principles accessible to unaided reason exhaust the obligations that apply to human agents. Yet on some interpretations, Ockham treats the divine will as antecedent to even the most basic principles of *recta ratio*.[49] The content of right reason is fixed, on such an account, by the will (*voluntas*) of God, who is not Himself bound by them. It is worth asking whether the Stoics intend a similar order of priority with respect to the principles of *orthos logos*. John Cooper suggests, for instance, that according to Stoic theory, "the standards and norms of reason. . . are ultimately constituted by Zeus's or nature's own thinking."[50] Brad Inwood writes that the divine will "is an imperative expression of what god wants men to do and what he wants to happen in nature."[51] We might suppose that Stoic ethics combines a eudaimonist account of the obligation to live as reason directs with a voluntarist account of reason's requirements.

It may not be possible to settle this point conclusively with respect to early Stoic theory, but it is worth considering some of the evidence that bears on it. The issue may be sharpened somewhat by a consideration of Stoic cosmology. Though the Stoics are sometimes described as pantheists and materialists, both terms are misleading. God, understood as *logos* or *ratio,* is certainly *in*

[49]See, e.g., Irwin (2007): "Ockham does not simply hold, as Aquinas holds, that the divine will and correct reason necessarily agree; he also holds that correct reason prescribes a given action only because God wills it" (p. 715). Strongly voluntarist readings of Ockham have been challenged. According to a second interpretation, were God to countermand a basic requirement of right reason, this commandment would not remove the basic requirement but would instead generate a conflict within reason itself. See, e.g., Adams (1986, 1999).

[50]Cooper (2004), p. 231. But cf. p. 218: "While we do not find in our sources any special elaboration of such "rules" or "standards" of right reason, it is clear that the Stoics do suppose that rational nature presents itself to itself as answerable to such standards. . . . But, in principle, all of these are standards to which rational beings, as such, are committed simply by their nature as rational."

[51]Inwood (1985), p. 108. Neither Cooper nor Inwood explicitly commits the Stoics to any such doctrine, and no Stoic source raises the question in these terms. The Stoic identification of right reason with Zeus and the content of divine *boulēsis* invites a basic and important question about the structure of Stoic theory, however.

everything, on the Stoic account, but he is not to be *identified* with everything. The Stoics are corporealists in that they conceive of both *logos* and qualityless primary matter as bodies that are spatially extended and causally efficacious. But the articulate, highly organized matter that is everywhere the object of human perception arises only through the thorough interblending of these two principles: the one divine, active, and rational, the other inarticulate, passive, and non-rational. Zeus, who is sometimes characterized in personal terms, sometimes in impersonal ones, is intermingled with but not identical to the otherwise formless material on which he acts.[52] Given that Zeus is co-extensive but not identical to the cosmos as a whole, one might ask (and given the Platonic backdrop to their views, the Stoics no doubt did ask) whether Zeus himself fixes the standards of rationality that structure the natural order or whether, like the demiurge of the *Timaeus*, he organizes the world in accordance with independently fixed principles.[53]

Some of the features of natural law identified by Cicero may appear to suggest the former answer. Cicero identifies law with the divine mind (*mens dei, mens divina*) and characterizes it both as heavenly law (*lex caelestis*) and as the right reason of supreme Zeus (*ratio recta summi Iovis*). Divine reason is said to have the power to enact or ordain (*sancire*) law, and law is said to have come into existence simultaneously with the divine mind (*orta est simul cum mente divina*).[54] The *De republica* in particular describes Zeus as the "author" (*inventor*), "judge" (*disceptator*), and "legislator" (*lator*) of eternal and unchanging law.[55] These characterizations are consistent with the view that the natural order is rational and therefore binding on rational agents because it is the product of divine legislation. If they accurately reflect earlier Stoic views, then in spite of their commitment to rational eudaimonism, the Stoics may seem to accept a broadly legislative account of the principles by which a human life is rendered happy because rational.

Cicero, however, is our only source for the strongly legislative cast given to the doctrine of natural law in these passages. Though they clearly preserve much of what is essential to the Stoic conception, the characterizations of the *De republica* in particular go beyond anything affirmed in explicitly Stoic sources that survive. To the Greek Stoics, and to Chrysippus in particular, we may securely attribute the identification of law with right reason, the claim that law is prescriptive for agents whose nature is rational and political, and the

[52]Cooper (2009) provides a detailed account of these aspects of Stoic cosmology.

[53]The Stoics clearly reject the Platonic conception of incorporeal, intelligible paradigms, and there are other fundamental differences between the cosmology of the *Timaeus* and that of Stoicism. Here I mean only to raise a question of explanatory priority. For recent discussions of Stoic cosmology and its relation to the *Timaeus*, see Sedley (2002) and Gourinat (2009).

[54]For these characterizations, see *Leg.* 1.23, 2.8–11.

[55]*Rep.* 3.33.

assertion that law is diffused and implanted in the order of nature as a whole.[56] It is difficult, on the other hand, to find any clear precedent in early Stoicism for Cicero's descriptions of Zeus as the *inventor, disceptator,* and *lator* of natural law.[57] Though Chrysippus identifies reason and common law with Zeus, this identification may indicate nothing more than the extensional equivalence I have indicated. Nothing in the reports of early Stoic theory suggests that Zeus's will transcends the most basic principles of right reason or that his creative activity is prior to their fundamental content.[58] The legislative terminology applied in these passages may reflect an amalgam of Stoic and Platonist views, or it may simply be due to Cicero himself.[59]

There are independent indications, moreover, that the Stoics do not intend the voluntarist order of priority. Though they do not accept the immaterial paradigmatism of the *Timaeus,* Stoic accounts of Zeus's creative activity suggest that in ordering the cosmos, Zeus is himself responsive to independently determined standards of rational and aesthetic perfection.[60] This point emerges most clearly in Cicero's treatise on the nature of the gods, which, unlike material from the *De legibus* and *De republica*, is framed as an explicit report of Stoic theological views. Zeus's creative activity is there characterized, continuously with Greek sources, as an artisanal fire concerned to realize in the structure of the cosmos the most orderly arrangement possible and one directed towards three specific ends: it secures the permanence of the world, ensures that it lacks nothing, and causes it, finally, to manifest every sort of excellence and beauty.[61] Such an expression of artifice, Cicero says, requires foresight and counsel on the part of Zeus. This point is not sufficient to show that divine will does not establish or specify any of the principles of right reason, on the Stoic account, but it does suggest that in giving order to the cosmos, Zeus himself is

[56]See, e.g., DL 7.88; SVF 3.314 (= LS 67R). Cf. Schofield (1991), pp. 69–74; Dyck (2004), p. 109.

[57]Though Cicero's descriptions resemble Philo's references to a divine *nomothetês* or lawgiver (e.g., *De vita Mos.* 2.48, *Fug.* 66, 69), such descriptions are absent from clearly orthodox Stoic accounts. Texts that may be firmly associated with the early Stoics do not present Zeus as giving and therefore transcending the law but simply as identical to it (on which point see esp. Horsley [1978, pp. 52–54]). It should be emphasized, however, that law is said to be identical to perfected *human* reason as well. Though a few Stoicizing sources employ the epithet *nomothetês,* they apply it to the Stoic *sage* and to the perfected rationality in which human virtue consists (e.g., SVF 3.332, 3.619, 3.273, 3.301; cf. Plutarch, *Stoic. rep.* 1037f–1038a). This point suggests that right reason, in the Stoics' view, has the force of law wherever it appears.

[58]I.e., I do not mean to suggest that the content of right reason is in *no way* determined by Zeus's activity, in the Stoics' view.

[59]For discussion of Platonist antecedents and their possible influence on Cicero's account of natural law, see Koester (1970) and esp. Horsley (1978). Cf. also Dyck (2004), pp. 12–15, 50–51,103–5; Annas (1993), pp. 303–4. Watson (1971) emphasizes Cicero's possible role in shaping the doctrine of natural law as it appears in his treatises.

[60]On the aesthetic character of the Stoic conception of goodness, see Frede (1999), Bett (2010).

[61]*Nat. d.* 2.57–58. Cf. SVF 2.1027 (= LS 46A).

guided by independent norms.[62] If that is what the Stoics intend, their account of rationality cannot be voluntarist, as it were, all the way down.

Two additional Stoic doctrines, moreover, suggest a more comprehensive rejection of voluntarism. In the first place, the Stoic doctrine of world conflagration, according to which the train of events unfolding in the cosmos is a pattern destined to recur eternally, and down to the smallest detail, implies that Zeus's rational agency is guided by independent standards at a quite specific level. For one reason the same cosmic pattern is destined to recur, according to the Stoics, is that it already instantiates the most rational arrangement possible.[63] This is not the only argument by which the Stoics support the doctrine of world conflagration, but this particular rationale for the qualitative identity of successive world stages would not be available to them if they also supposed that reason's content is simply fixed and explained by the content of Zeus's will. If facts about the divine will explain the rationality of the cosmic arrangement, the Stoics should not explain the necessity of its recursion, *qua* rational, by reference to its intrinsic features.[64]

There is a more general reason, finally, to doubt that Stoicism implies a voluntarist account of right reason. This arises from the fact that the Stoics explicitly treat the structure of rational human agency in the ideal case as closely isomorphic to that of Zeus. This isomorphism is expressed, in general terms, in the Stoic claim that human reason is a fragment of the divine nature. It is much more explicit, however, in the Stoic doctrine that Zeus himself is subject to the same psychological phenomena as human agents, albeit on a cosmic scale. Cicero writes that the world-nature undergoes "all the voluntary motions (*motus voluntarii*), conations (*conatus*), and strivings (*adpetitiones*) which the Greeks call impulses (*hormai*), and follows these up with actions in the same way as we ourselves."[65] Since the practical deliberation of fully rational human agents is structurally analogous to that of Zeus, we can plausibly look to the Stoic analysis of human rationality to answer some of the questions that arise in the theological case.

[62]Cf. Menn (1995): "The knowledge Zeus needs in order to produce the world is knowledge of what is *kata phusin* [according to nature]. He is not like the God of Descartes, who arbitrarily decrees what the laws of nature will be: since Zeus's will is determined by his normative knowledge of what actions are *kathêkon* [appropriate], the norms must be independent of his will" (p. 27). Cf. Algra (2003): Zeus's "workings do entail a degree of imperfection and are bound by certain constraints" . . . "as a rational principle [Zeus] incorporates the laws of rationality" (p. 172).

[63]Cf. SVF 1.98 (= LS 46G). Long and Sedley (1987) write, "Since every previous world has been excellent . . . god can have no reason to modify any succeeding world" (p. 311). For further discussion of the Stoic doctrine of world conflagration, see Long (1985).

[64]Cf. e.g., *Nat. d.* 2.33–39.

[65]*Nat. d.* 2.58, trans. after Rackham. Cf. Algra (2003): "Behind [the Stoics' anthropomorphic conception of god] "lies the firm conviction that god's rationality—or, for that matter, the rationality of the cosmos—does not differ in kind from human rationality" (p. 168).

When we do so, however, it is clear that the Stoics wish to explain the rationality of choice and action by reference to facts that are fixed independently of an agent's psychology. Because motivational states are propositionally structured mental attitudes, on the Stoic account, their rationality is to be measured by their representational fit with the world. Indeed, the Stoics claim that the faculty of reason itself is constituted by conceptions (*ennoiai*) and preconceptions (*prolêpseis*) built up from pre-rational assents (*sugkatatheseis*) to true and reliable impressions. Though it certainly includes discursive and inferential functions, reason consists, first and foremost, in an accurate conceptual grip on the world and in knowledge of its independently constituted features.[66] Whether an agent is practically rational depends on whether, as a consequence of the conceptions she possesses, she assents only to those evaluative impressions that are reliably true. There is good reason to suppose that the Stoics extend at least the central features of this analysis to the divine case, and that Zeus's perfected reason is similarly thought to depend on assent to true impressions. In both its divine and human forms rationality is said to be a property instantiated by the leading part of the soul, the *hêgemonikon*, and in both cases it is characterized in terms of truth and knowledge.[67] In each case, too, the Stoics describe the faculty of reason as a craftsman or artificer structuring and ordering motivation through the psychological mechanisms of assent and impulse and, more fundamentally, through a knowledge of what is good.[68]

These elements of Stoic doctrine strongly suggest that the Greek Stoics do not conceive of the content of natural law as an artifact, as it were, of the divine will, but rather identify it with knowledge that Zeus himself possesses to a perfect degree, in accordance with which he has organized the cosmos, and which is likewise available, on a lesser scale, to human agents.[69] The imperative to conform to nature is fundamentally an imperative to acquire, to the fullest extent possible, a character that instantiates this knowledge and expresses it in action.[70] This suggests that the older Stoic position fits more closely with intellectualist rather than voluntarist approaches to the content of natural law, and it helps to explain Chrysippus's remark, borrowed from Pindar, that law is king of things both human and divine.[71]

[66]According to Chrysippus, "Reason is a collection of certain conceptions and preconceptions" (SVF 2.841 = LS 53V), trans. Long and Sedley. Cf. Cicero, *Tusc.* 4.65. For discussion of the Stoic account of reason, see Frede (1994); Schofield (1991), pp. 70–71; Cooper (2004), pp. 216–18.

[67]See esp. SVF 2.913 and the discussion in Kerford (1978), pp. 130–32.

[68]Given the state of the sources, it is impossible to say how the Stoics understand the knowledge on which Zeus's own rationality is supposed to depend, or how they might attempt to characterize it at the most fundamental level, if indeed they attempted to do so. The Stoics would perhaps say that it is knowledge of axiological principles that apply to any aesthetically perfect whole. See, e.g., *Nat. d.* 2.35. Cf. Bobzien (1998): the "specific element in providence seems to be an element of value or evaluation: god can only will what is best, hence what is good".(p. 47).

[69]Cf. Cooper (2004), pp. 222–23.

[70]See esp. Cicero, *Leg.* 1.18–19, 23.

[71]SVF 3.314 (=LS 67R).

No Stoic source, to my knowledge, affirms that natural law is rational and authoritative *because* Zeus wills it, and this interpretation is difficult to square with the account implicit in the texts that survive.

Knowledge of the Law

That the Stoics regard the facts that determine the content of virtue and happiness as part of the natural order is clear, and to this extent their theory is a naturalist account. It is also clear that they extend the scope of the knowledge in which virtue consists so that it includes an understanding of cosmos. This association of law with nature raises a further, epistemological question about the relation between knowledge of the natural order and knowledge of the rational law it is supposed to embody. Stoicism has come in for special criticism in this regard from John Finnis, who writes that the Stoic theory of natural law in particular involves "an illicit inference from 'is' to 'ought.'" On this score Finnis distinguishes the Stoic position sharply from that of Aristotle and Aquinas, for whom, in his view, the principles of practical reason are epistemically basic, self-evident and indemonstrable.[72] According to Finnis, since Aristotle and Aquinas begin from ethical principles that are known non-inferentially, inferences to ethical conclusions do not present a special problem in their case.[73] By contrast, the Stoic theory of natural law is open to two criticisms: (1) Unlike Aristotle and Aquinas, the Stoics commit themselves to inferences from *is* to *ought*, (2) in speaking of a law of nature, the Stoics "confuse 'is' laws and 'ought' laws."[74]

Much might be said about the questions these criticisms raise; my aim here is merely to outline what I take to be the Stoic approach. One thing to notice, in passing, is a tension between Finnis's charges. If the Stoics assign a normative status to the principles by which the cosmos is organized, then even if they are mistaken or confused on this score, it is not obvious that in inferring normative conclusions from claims about nature they are guilty of moving from *is* to *ought*. For the principles from which they begin are, by their own lights, normative principles. This point suggests a measure of caution in accepting both of Finnis's accusations. It also suggests, correctly, that the moral epistemology implicit in Stoic ethics is a complex affair. Finnis's own position (which, in his view, Aristotle and Aquinas share) combines a commitment to the autonomy of ethics—roughly, the claim that there are no reasonable inferences from non-ethical truths to ethical ones—with an intuitionist account of moral knowledge,

[72]See esp. Finnis (1980), pp. 29–36 and Chapter 3.

[73]According to Finnis (1980), Aristotle and Aquinas "would readily grant that *ought* cannot be deduced from *is*" (p. 47).

[74]Finnis (1980), pp. 34–35, 35n39. Cf. pp. 374–78.

roughly, the view that some ethical truths may be known non-inferentially.[75] Both of these views remain controversial among contemporary naturalists, some of whom accept naturalism while rejecting one or the other of them.[76] I do not think it is obvious where the Stoics stand on either question.

I shall set aside the first question, whether the Stoics are committed to something like an intuitionist view of moral knowledge, both because it may seem to be the less pressing of the two and because addressing it would require a lengthy consideration of Stoic epistemology.[77] With regard to the second question, whether the Stoics involve themselves in inferences from *is* to *ought,* there is some initial plausibility in Finnis's claim. Stoic texts include a number of inferences about what is rational and therefore obligatory from claims about the way in which nature is organized. At least three examples of such inferences can be firmly associated with Chrysippus: a derivation (1) of the principle that it accords with nature's purpose to care for and preserve oneself, (2) of the principle that it accords with nature to care for one's offspring, and (3) of the principle that it accords with nature to care for other human beings as such. The Stoics may have intended a close connection between (2) and (3) so that these claims reduce, in effect, to a demonstration of self-regarding duties and other-regarding ones. In each case Chrysippus appears to have supported his conclusions not by appealing to a teleological analysis of human nature, but by a probabilistic inference to the types of behavior that nature as a whole intends for a creature in equipping it with faculties and motivation of a particular sort. In support of the duty to self-preservation, for instance, Chrysippus argues that nature would not make a creature that possessed an aversion to itself and would consequently undermine its own existence. That, the reasoning goes, is not something that a self-consistent artificer would do. Nor would it create an animal that possessed neither attraction nor aversion to anything at all. The remaining possibility is that it accords with nature for creatures to care for themselves, a mode of behavior consistent with the faculties they possess.[78]

It is clear that these arguments are ultimately intended to support conclusions about basic forms of behavior that are rational for human beings. It is also clear that they depend on an appeal to cosmic teleology and not merely, as

[75]Sturgeon (2003).

[76]See, e.g., Sturgeon (2003, 2006). Sturgeon himself rejects the second commitment. As Sturgeon (2003) notes, Foot (1958) arguably rejects the first.

[77]Answering it might also require more evidence than our sources supply. If Stoicism involves a rejection of intuitionism, then since the Stoics maintain that moral knowledge is possible, they will be committed to the view that moral knowledge is inferential. In view of the role the Stoics assign to inference and reasoning from analogy in the acquisition of moral conceptions (*ennoiai*), I do not think this possibility can be ruled out in advance of a careful consideration of the sources, which I have not attempted here.

[78]See, e.g., DL 7.85; Cicero, *Fin.* 3.62–68, *Off.* 1.11–12; Plutarch, *Stoic. rep.* 1038b.

in Aristotle, on an appeal to the goal-directed functions of individual organisms. It is difficult to see how they support Finnis's criticisms, however, for although they require a normative premise, namely, that nature's purposes are rational, this premise is explicit in any number of Stoic texts, and the Stoics are prepared to defend it on independent grounds.[79] The Stoics do not argue, in these passages, that it is rational to care for self and others because that is what nature intends, but because that is what rational nature intends. This claim may be false, certainly, and it was frequently so regarded in antiquity, but this does not show that the patterns of inference in which it figures are illicit. Stoic appeals to nature's design are not offered in isolation, as it were, but in conjunction with the claim that cosmic nature is itself a paradigmatic expression of rationality.

What is striking, moreover, about the principles that inferences of this form are supposed to support—that it is rational to care for oneself and for others—is their generality. Normative appeals to nature for which there is clear evidence in Stoic sources are hardly derivations of narrowly controversial moral views. The Stoics do not appear to be in the business of deriving narrowly specific social injunctions (e.g., about the best political order, or about human sexuality, or about the status of women, all topics of interest to Stoics early and late), directly from claims about nature.[80] Though they clearly do regard the natural order as the (metaphysical) basis for such injunctions, there is little evidence to suggest that the specific content of the virtues may be filled in, according to Stoic theory, by claims about what is natural. The clear appeals to nature associated with Chrysippus are not intended to support narrowly controversial moral injunctions but to supply broad spheres of obligation with naturalistic foundations. They are, moreover, teleological in character.

At the same time, Stoic ethics clearly does make room for debate about more finely grained principles.[81] Stoic sources defend such principles, however, not by appealing directly to claims about nature but by appealing to conceptions (*ennoiai*) and preconceptions (*prolêpseis*), which may well be evaluative in character, and by

[79]For Stoic arguments for this premise, see Cicero, *Nat. d.* 2.29–39. For further Stoic arguments, together with an unsympathetic review of them from an Academic perspective, see *Nat. d.* 3.20–28.

[80]See, e.g., Seneca, *Ep.* 94–95. Cf. Cicero, *Off.* 1.15–161; Ramelli (2009) collects the fragments of Hierocles's ethical treatises with an English translation and commentary. Accounts of Musonius Rufus's lectures are collected in Lutz (1947). Inwood and Gerson (2008) includes useful selections from Musonius, Epictetus, and Seneca (pp. 177–205). Though these Stoic sources certainly identify appropriate action with what accords with nature, they regularly appeal to normative conceptions (*ennoiai*) and preconceptions (*prolêpseis*), and they clearly rely on a teleological account of nature as a whole.

[81]A good deal of recent literature on Stoicism and natural law has focused on the status of rules in Stoic ethics. At issue is the question of whether the Stoics conceive of law as "a deontological system incorporating universal, exceptionless and substantive moral commands" as opposed to "a somewhat looser and more procedural understanding of moral 'law'" (Inwood, 1999, p. 96). Cf., e.g., Mitsis and DiFilippo (1994), Mitsis (1999), and Vander Waerdt (1994).

a dialectical refinement of these starting points.[82] Although the Stoics regard the content of these conceptions as derived from experience and as fixed and explained by the natural order, their methodological approach to specific moral claims does not move narrowly from the factual to the normative. Although nature, Seneca says, has "given us the seeds of knowledge" she "could not have taught us" our "initial conception of the good and honourable."[83] That conception is derived through the operation of analogy (*per analogian*), which draws from our observations of appropriate action in others a likeness or image (*species, imago*), on which the conception (*notitia*) of the good is based.[84] Similarly, according to Cicero, it is through perception of the order and harmony that governs conduct (*agendarum ordo et concordia*) that we acquire an understanding of the human good.[85]

There is no need to assume, then, that Stoic claims about the content of the good life take off from judgments about nature that are value-neutral. The Stoics clearly reserve a preeminent role for ethical and value-laden conceptions, and this methodology seems to underlie many of the fine-grained judgments preserved in Stoic discussions of specific normative principles. It would be a mistake to distinguish too narrowly between these more specific evaluative conceptions and what the Stoics intend in speaking of knowledge of cosmic or common nature, for the Stoics regard the conventionally recognized virtues, wherever they are found, as expressions of nature's rationality and, indeed, as part of the good with a view to which nature as a whole has been organized. Although an understanding of the good is acquired through an experience of the natural order, this order includes the expressions of human virtue on which this understanding is based. Stoic texts give us little reason to suppose that ethical knowledge, as the Stoics conceive it, may be acquired in the absence of normative starting points.

Conclusion

Though the Stoics remain strongly committed to the eudaimonist framework of classical views, their modification of the character and scope of ethical naturalism from within this framework distinguishes their theory in important respects. Stoic naturalism is, in the first place, more thoroughgoing than its

[82]See, e.g., Cicero, *Off.* 3.76; Epictetus, *Diss.* 1.22, 1.28.26–30, 2.11; DL 7.46–7.

[83]*Ep.* 120.4 (trans., Inwood).

[84]Cf. *Off.* 3.16.

[85]*Fin.* 3.21. Cf. 3.33. The order and harmony to which Cicero refers grounds the goodness of both divine and human virtue. The good, as Cleanthes puts it, is "well-ordered, just, holy, pious, self-controlled, useful, honorable, due, austere, candid, always helpful, fearless, undistressed, profitable, unpained, beneficial, contented, secure, friendly, precious, consistent, fair-famed, unpretentious, caring, gentle, keen, patient, faultless, everlasting" (SVF 1.557 = LS 60Q, trans. Long and Sedley).

classical antecedents. Plato and Aristotle challenge the antithesis of nature and convention that had become, by the fifth century, a standard sophistic trope, and they strongly defend the naturalistic basis of justice and the conventionally recognized virtues. Yet both also recognize the legitimacy of some requirements rooted in convention and artifice, where these are understood to contrast meaningfully with the claims of nature. By contrast, the Stoics attack the classical opposition between *nomos* and *phusis* from two directions. On the one hand, they hold that social forms and conventions may be regarded as rational only to the extent to which they accord with nature. Though they do not deny that social convention may sometimes fix or determine the content of ethical requirements, they do deny that such conventions, when they are rationally justified, may be meaningfully contrasted with nature.[86] At the same time, the Stoics characterize nature itself as a rational artisan, identifying both law and artifice, rightly understood, with what is natural in the deepest sense. On the resulting picture nature (*phusis*) is to be contrasted neither with law (*nomos*) nor artifice (*technê*), but is instead regarded as a paradigmatic expression of both.[87]

These claims mark a contrast with, or perhaps an extension of, classical views, but arguably they do not capture the most distinctive or influential features of Stoic ethics. Conjoined to the Stoic claim that virtue is sufficient for happiness, the Stoic commitment to rational eudaimonism implies a striking axiology of virtue and one that anticipates, at points profoundly, later developments in ethical thought. Since Stoic theory admits no final, rational aims distinct from virtue and happiness, the goodness of virtue is non-derivative, on the Stoic account, independent of outcomes external to the agent. The Stoics express this point in their claim that virtue is a "self-sufficing" principle, by which they mean that the value of a virtuous disposition is not derived from any further, distinct outcome (such as health or wealth) it may secure.[88] The activities that flow from a virtuous character are good in virtue of their origin rather than their outcome. Such a picture reverses the axiology of consequentialism and, indeed, of any broadly instrumental analysis of practical reason.[89]

This axiological point, moreover, has a motivational corollary. Since happiness consisting in virtue is the single end of rational desire, no desire for any objective that cannot be realized through one's own agency can be rational, in the

[86]Cf. Cicero, *Off.* 3.23; *Leg.* 2.10–11.

[87]When they wish to contrast nature with convention, the Stoics prefer *thesis* rather than *nomos*, thereby preserving their identification of nature and law. See DL 7.128, Stob. *Ecl.* 2.94 (SVF 3.611). Cf. Stob. *Flor.* 3.39.36., translated in Ramelli (2009), pp. 71–73.

[88]Mar. Ant., *Med.* 5.14; Cf. *Fin.* 3.24.

[89]This view would be difficult to defend apart from the Stoics' commitment to a cognitive (i.e., representational) account of motivation. An agent does not act, on the Stoic view, because she possesses a non-cognitive desire for an external object, but wholly on the basis of her assent to evaluative impressions with propositional content.

Stoics' view, and no outcome outside the scope of virtue can be the final focus of a rational agent's motivation. Although the justification for human motivation and action rests upon an appeal to the human *telos*, the Stoic analysis of virtue excludes from an account of the *telos* any additional good at which virtuous action may aim. Here, then, is a respect in which Stoic ethics is nonteleological. Virtuous action is not justified by any contribution to the human good that is distinct from itself, on the Stoic account, but simply by the internal aim of realizing in the actions and decisions of the agent the same principles of rational order that govern the cosmos as whole. This feature of Stoicism aligns the Stoic analysis of virtue with Kant's thesis about the unqualified value of the good will and, indeed, with Kant's analysis of moral motivation.

While Stoic theory did much to solidify the association of *nomos* and *phusis* in the centuries prior to Cicero, what is true of Greek Stoicism does not always emerge clearly or with emphasis in Cicero's treatises. The conceptions of law, divinity, reason, and nature are repeatedly fused in the *De legibus* and *De republica,* and Cicero's treatment of natural law does not carefully distinguish questions about the comparative priority of these conceptions or about the fundamental grounds of obligation in Stoic ethics. If the *eudaimonist* framework of earlier Stoicism is neglected, it becomes easier to regard the prescriptions of natural law not simply as principles to which one must adhere in order to live a life that is happy because rational, but as a source of obligation in their own right. This aspect of Cicero's treatment obscures our view of early Stoicism, but it helps to explain how the doctrine preserved in his accounts inspired later, diverse articulations of natural law theory.

{ PART II }

Medieval Jewish Philosophy