

CICERO'S "OFFICES"

*Essays on
Friendship &
Old Age and
Select Letters*



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INTRODUCTION

NOTES ON CICERO'S CHARACTER

By THOMAS DE QUINCEY

NOMINALLY it is not easy to assign a period more eventful, a revolution more important, or a personal career more dramatic, than that period—that revolution—that career which, with almost equal right, we may describe as all essentially *Ciceronian*, by the quality of the interest which they excite. For the age, it was fruitful in great men; but, amongst them all, if we except the sublime Julian leader, none as regards splendour of endowments stood upon the same level as Cicero. For the revolution, it was that unique event which brought ancient civilisation into contact and commerce with modern; since, if we figure the two worlds of Paganism and Christianity under the idea of two great continents, it is through the isthmus of Rome imperialised that the one was able virtually to communicate with the other. Civil law and Christianity, the two central forces of modern civilisation, were upon that isthmus of time ripened into potent establishments. And through those two establishments, combined with the antique literature, as through so many organs of metempsychosis, did the pagan world send onwards whatever portion of its own life was fitted for surviving its own peculiar forms. Yet, in a revolution thus unexampled for grandeur of results, the only great actor who stood upon the authority of his character was Cicero. All others, from Pompey, Curio, Domitius, Cato, down to the final partisans at Actium, moved by the authority of arms: "*tantum auctoritate valebant, quantum milite*;" and they could have moved by no other. Lastly, as regards the personal biography, although the same series of trials, perils, and calamities would have been in any case interesting for themselves, yet undeniably they derive a separate power of affecting the mind from the peculiar merits of the

individual concerned. Cicero is one of the very few pagan statesmen who can be described as a thoughtfully conscientious man.

¶ Readers of sensibility acknowledge the effect from any large influence of deep halcyon repose, when relieving the agitations of history; as, for example, that which arises in our domestic annals from interposing between two bloody reigns, like those of Henry VIII. and his daughter Mary, the serene morning of a child-like king, destined to an early grave, yet in the meantime occupied with benign counsels for propagating religion, for teaching the young, or for protecting the poor. Such a repose, the same luxury of rest for the mind, is felt by all who traverse the great circumstantial records of those tumultuous Roman times in the Ciceronian epistolary correspondence. In this we come suddenly into deep lulls of angry passions; here, upon some scheme for the extension of literature by a domestic history, or by a comparison of Greek with Roman jurisprudence; there, again, upon some ancient problem from the quiet fields of philosophy. And all men are already prejudiced in favour of one who, in the midst of belligerent partisans, was the patron of a deep *pacific* interest. But amongst Christian nations this unfair *personal* bias struck deeper: Cicero was not merely a philosopher; he was one who cultivated ethics; he was himself the author of an ethical system, composed with the pious purpose of training to what he thought just moral views his only son. This system survives, is studied to this day, is honoured perhaps extravagantly, and has repeatedly been pronounced the best practical theory to which Pagan principles were equal. Were it only upon this impulse, it was natural that men should receive a *clinamen*, or silent bias, towards Cicero, as a *moral* authority amongst disputants whose arguments were legions. The author of a moral code cannot be supposed indifferent to the moral relations of his own party views. If he erred, it could not be through want of meditation upon the ground of judgment, or want of interest in the results. So far Cicero has an advantage. But he has more lively advantage in the comparison by which he benefits, at *every* stage of his life, with antagonists whom the reader is taught to believe dissolute, incendiary, almost desperate

citizens. Verres in the youth of Cicero, Catiline and Clodius in his middle age, Mark Antony in Cicero's old age, have all been left to operate on the modern reader's feelings precisely through that masquerade of misrepresentation which invariably accompanied the political eloquence of Rome.

¶ I do not make it a reproach to Cicero that his reputation with posterity has been affected by these or similar arts of falsification. Eventually this had been his misfortune. Adhering to the truth, his indiscreet eulogists would have presented to the world a much more interesting picture; not so much the representation of "*vir bonus cum malâ fortunâ compositus*," which is, after all, an ordinary spectacle for so much of the conflict as can ever be made public; but that of a man generally upright, matched as in single duel with a standing temptation to error growing out of his public position; often seduced into false principles by the necessities of ambition, or by the coercion of self-consistency; and often, as he himself admits, biassed fatally in a public question by the partialities of friendship.¹

Of the translations that follow, the "Offices" is by Thomas Cockman (first published, 1699); the essays on "Friendship" and "Old Age" (1773, 1777) and the appended selection of Familiar Letters (1753) are by W. Melmoth. It is proposed to add the Orations and the Letters to Atticus in a select later volume.

The following is a list of the English translations of the foregoing works of Cicero:—

Offices: Robert Whittington, 1534 (Wynkyn de Worde); N. Grimalde, 1556, several later editions; J. Brinsley, 1616; R. L'Estrange, 1680, and later editions, ed. by W. H. D. Rouse (Temple Classics), 1900; T. C. Cockman, 1699, several later editions (in Lubbock's Hundred Books, No. 76); G. B. Gardiner, 1899.

Laelius: J. Tiptoft, Earl of Worcester, 1530 (?); J. Harrington, 1550, ed. E. D. Ross, 1904; Anon., 1700; Robert Hicks, 1713; W. Melmoth (with Cato), 1773 (in Lubbock's Hundred Books, No. 76); Benjamin E. Smith, 1897.

Cato: Robert Whittington, 1535 (?); T. Newton, The Worthye Booke of Old Age, etc., 1569; W. Austen, 1671; J. Logan, with

¹ From Thomas De Quincey's *Miscellaneous Essays*, "Richard Bentley, and Other Writings" (1857).

preface by Benjamin Franklin, 1744, 1751 (Philadelphia), 1788 (London); with memoir, 1750; W. Massey, 1753; W. Melmoth, 1773.

Letters: Complete translation, E. S. Shuckburgh, 1899-1900 (Bohn); *Selections* by T. W. (Latin and English), 1575; G. E. Jeans, 1880; 2nd ed. 1887; 3rd ed. 1901; S. H. Jeyes, 1883; R. Y. Tyrrell, 1891; A. Watson, 4th ed. 1891 (Clarendon Press); Anon. (letters as included in Tyrrell's Selection), 1903.

Letters: *Ad Familiares*: J. Webbe, 1620 (?); W. Melmoth, 1753, 1772, 1778.

Two or more works including the *Offices*, or *Cato*, and *Laelius*: 1481 (Caxton) with Tiptoft's *Laelius*; T. Newton, 1577; S. Parker, 1704; J. D. 1744; W. Guthrie, 1755; C. R. Edmonds, 1850 (Bohn); Dr. McKay, 2nd ed., 1855; E. S. Shuckburgh, 1900; Cassell's National Library, 1905; King's Classics, 1906.

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ment with freedom and impartiality, for I lay no manner of restraint on you: your improvement in the Latin is what I chiefly desire, which I am confident must follow from a careful perusal of them. Nor let any one think that I am vain and pretending when I speak thus: for, allowing to some others the precedence in philosophy, should I assume to myself what is the part of an orator, viz. to speak suitably, methodically, and handsomely on any subject, seeing I have spent my whole life in that study, I think it is no more than what I might reasonably and fairly lay claim to. I cannot but very earnestly desire you, therefore, my dear Cicero, to read my books with care and diligence; not my orations only, but these pieces also that concern philosophy, which are now of a bulk almost equal to them; for though in the former there is more of the force and power of eloquence, yet is the smooth and even style of the latter by no means to be neglected: and of all the Grecians, I find not one that has employed his pen in both these kinds, and been at once successful in the language of the bar, and this other more gentle and easy style of philosophical discourses; unless Demetrius Phalereus may be reckoned for one, who is subtle enough in his disputes of philosophy, but, methinks, in his oratory, wants that spirit and vehemence that is requisite: however, has so much of sweetness in him, that one might know he had been Theophrastus' scholar. Whether I have had any better success in both these ways, must be left to the judgement of others to determine: I can only say that I have attempted them both. And it is my opinion, that if ever Plato had undertaken to plead, he would have been a most copious and powerful orator; and if Demosthenes had studied and discoursed of those things, which he learned of Plato, he would have done it with a great deal of ornament and majesty. The same I think true of Isocrates and Aristotle; each of whom, pleased with his own way of writing, neglected to cultivate and improve the other.

II.—*The reasons why he writes on this subject—The general use and importance of it—What sects of philosophers have a right to lay down any rules or precepts concerning it.*

But having resolved to write something at present, and a great many others hereafter to you, I thought I could begin

on no better argument than that which is fittest for your age, and most becoming my authority as a father; for, of all those useful and important subjects, which philosophers have handled so largely and accurately, the precepts they have delivered about Offices or Duties seem of the largest extent and comprehension; for they take in every part of our lives, so that whatever we go about, whether of public or private affairs, whether at home or abroad, whether considered barely by ourselves, or as we stand in relation to other people, we lie constantly under an obligation to some duties: and as all the virtue and credit of our lives proceed from the due discharge of this, so all the baseness and turpitude of them result from the non-observance of the same. Now, though this be a subject which all philosophers have employed themselves about (for, who ever dared to assume that name without laying down some instructions about duty?), yet have some sects of them given such accounts of man's happiness and misery, as destroy the very being of virtue and honesty: for he that makes any thing his chiefest good, wherein justice or virtue does not bear a part, and sets up profit, not honesty, for the measure of his happiness; as long as he acts in conformity with his own principles, and is not overruled by the mere dictates of reason and humanity, can never do the offices of friendship, justice, or liberality: nor can he ever be a man of courage, who thinks that pain is the greatest evil; or he of temperance, who imagines pleasure to be the sovereign good. Which things are all so obvious and plain, that one would think they could never stand in need of a dispute: however, I have largely discoursed on them in another work.¹ These sects, therefore, unless they are resolved to be inconsistent with themselves, ought wholly to abstain from speaking anything about duties; nor indeed can any constant, unalterable, rational rules of them at all be given, unless it be by those who go on this principle—that it is virtue alone, or at least that chiefly, which ought to be desired for its own sake. So that only the Stoics, Academics, and Peripatetics, have a right to lay down any rules on this subject; for as to the opinion of Aristo, Pyrrho, and Herillus, that has been exploded a good while ago; who might have claimed a privilege to treat about duties, as well as the former three, had they but left

¹ In his treatise On the End of Good and Evil.

the possibility of choosing, and allowed at least so much difference between things, as to put us into a capacity of finding out our duty, and distinguishing it from that which is not so. I shall follow therefore at this time, and on this subject more especially, the Stoics; not as a bare translator of them, but, according to my usual custom, shall take out of their stores so much, and after such a manner, as in my own judgement I shall think most convenient. Seeing then the whole of our following discourse is designed to be about Offices or Duties, I think it will be necessary for me, in the first place, to determine and fix the signification of the word "Office," which I cannot but wonder to find omitted by Panaetius: for every clear and rational discourse on any subject ought first to begin with an explication of that subject, so that we may have a distinct conception of what we are afterwards to discourse about.

III.—*The whole subject consists of two parts, ordinary and perfect duties; and what they are—The general method he designs to take in the whole work.*

The whole subject of duties then, in its greatest latitude, comprehends under it these two parts: the first is taken up in explaining what is good, and what our greatest good; the second in certain directions and precepts, according to which on all occasions it is our duty to govern our lives and actions. To the first part belong such questions as these, whether all duties are perfect or not? and, whether one can be greater or less than another? with several others to the same purpose. Not but that the duties of this second part, the rules and precepts of which are laid down, have some tendency and relation to our chiefest good; but only it does not so plainly appear, because they seem to concern more immediately the government of our lives and regulation of our manners; and these are they which I design to explain in the following treatise. There is also another distribution of duties, some of them being called middle or ordinary, and others perfect or complete. To the latter, I think, we may give the name of right or straight. By that which we have called right or straight, is meant a virtue that is wholly complete in all its parts, without any manner of flaw or imperfection; and by that which we have called ordinary,

such a one as a fair and reasonable account may be given for the doing of it. Now these fair and reasonable accounts are all to be drawn from several heads, which are by Panaetius reduced to three, and may be called general heads of deliberating or doubting concerning any action, whether it should or should not be done. The first is, when it is consulted or doubted, whether the action that is under consideration be honest or dishonest; in which inquiry men are often divided between several opinions. The second is when it is inquired and consulted, whether the action that is under deliberation will supply us with the pleasures and conveniences of life, furnish us with plenty of outward things, such as riches, honours, power, etc., which may put us into a capacity of doing good to ourselves, and to all those for whom we are more nearly concerned; all which inquiry comes under the general head of profit. The third ground or reason of doubting is, when that thing which seems to be profitable for us comes into competition with that which is honest; for then our interest drawing us one way, and honesty pulling us back another, the wavering mind is, as it were, torn in sunder between the two, and is racked with doubting and anxious thoughts. There is no greater fault in any division, than not to take in all the several parts of the matter to be divided; and yet two are omitted in the now-mentioned one of Panaetius: for men not only consult and deliberate whether such an action be honest or dishonest; but also of two honests that are both proposed to them, which is the most so; and in like manner of two profitables, which is the most profitable. From whence it appears, that what he thought was contained in three, ought rather to be divided into five heads. We must then, in the first place, discourse about honesty, and this we shall do under these two inquiries: whether the thing proposed be honest or dishonest? and, of two that are honest, which is the most so? which will make up the subject of our first book. We shall treat in our second of profit or interest under the same heads. And lastly, in our third we shall endeavour to show, when a seeming advantage and honesty come into competition, how a good man should determine his judgement.

IV.—The excellence of the nature of man—How the several virtues are agreeable to its dictates, and result from them—Wherein honesty in general consists.

The first thing to be taken notice of is this, that every creature doth by nature endeavour to preserve its own self, its life and body; and to shun and avoid those things which appear prejudicial and hurtful to it; but to seek and procure whatever is necessary for the support of its being, and advancement of its happiness, such as food, shelter, and the like. There is likewise common to all sorts of animals a desire for the continuance and propagation of their several species; together with a love and concern for their young ones. Now there is this special difference between men and brutes; that the latter are governed by nothing but their senses, never look any farther than just to what strikes and affects them at present, and have a very little, or hardly any concern, for what is past or to come: but the former are creatures endowed with reason, which gives them a power to carry their thoughts to the consequences of things, to discover causes before they have yet produced their effects; to see the whole progress, and even the first seeds, as it were, and appearances of them; to compare like occurrences with like, and by joining what is past and what is to come together, to make a just estimate of the one from the other; whereby they are able at once to take a view of their whole lives, and accordingly to make provision for the necessities of them. And the same force of reason makes all men by nature to love one another, and desire an intercourse of words and actions. It begets in them, likewise, a somewhat extraordinary love and affection for their own children; and strongly inclines them to frequent public meetings, and keep up societies one amongst another. For the same reason also they are very industrious to provide for the necessities and conveniences of life; and that not only for themselves in particular, but for their wives, their children, and others whom they have a kindness for, and are obliged to take care of; which concern is very proper to rouse up the spirits, and make them more vigorous and active in business. But of all the properties and inclinations of men, there is none more natural and peculiar to them than an earnest desire and search after truth. Hence it is that our minds are no

sooner free from the thoughts and engagements of necessary business, but we presently long to be either seeing, or hearing, or learning of something; and esteem the knowledge of things secret and wonderful as a necessary ingredient of a happy life. Whence it appears that nothing is more agreeable and suited to the nature and minds of men than undisguised openness, truth, and sincerity. Next to this love and affection for truth, there follows in the soul an impatient desire and inclination to pre-eminence; so that whoever has the genuine nature of a man in him, will never endure to be subject to another, unless he be one that instructs or advises, or is invested with a just and lawful authority for the benefit of the public: whence there arises a greatness of soul, which sets it above all the petty concerns and trifling enjoyments of this present world. It is another, and that too no mean prerogative of our reasonable nature, that man alone can discern all the beauties of order and decency, and knows how to govern his words and actions in conformity to them. It is he alone that, of all the creatures, observes and is pleased with the beauty, gracefulness, and symmetry of parts in the objects of sense; which nature and reason observing in them, from thence take occasion to apply the same also to those of the mind; and to conclude that beauty, consistency, and regularity, should be much more kept up in our words and actions; and therefore command us, that nothing be done that is effeminate or unbecoming; and that so strict a guard be kept over every thought and action, as that no indecency be either conceived or practised by us. From these inclinations and instincts of nature arises and results that honesty we are seeking for; which, however little valued and esteemed it may be, is nevertheless virtuous and amiable in itself; and which we may justly say, though it were commended by no one, is yet in its own nature truly commendable.

V.—The admirable beauty of honesty—Four general heads from which all the several duties arise.

Thus, son Marcus, have I given you a rough draught, and just the outlines, as it were, of honesty; which, could she be seen in her full beauty with mortal eye, would make the whole world (as Plato has said) be in love with wisdom.

Now whatever is contained under the notion of honesty arises from one of these four heads; first, a sagacious inquiry and observation for the finding out of truth, which may be called by the general name of prudence: secondly, a care to maintain that society and mutual intercourse which is between them; to render to every man what is his due; and to stand to one's words in all promises and bargains; which we call justice: thirdly, the greatness and unshaken resolution of a truly brave and invincible mind, which goes by the name of magnanimity or fortitude: and lastly, a keeping of our words and actions within the due limits of order and decency; under which are comprehended temperance and moderation. Now every one of these several heads, though they all have a mutual connection and dependence on one another, has yet its peculiar class, as it were, and respective set of duties arising from it. From that, for example, which is mentioned first, and under which prudence and wisdom are contained, arises the duty of seeking, contemplating, and finding out of truth, which is the proper and peculiar business of those virtues: for it is then, and then alone, that we justly esteem a man prudent and wise, when we find that he is able to see and discover the truth of things; and of an active, vigorous, and piercing mind, to give an account of the reasons of them; so that it is truth that is the proper object of both these virtues, and that about which they are only concerned. The other three heads more peculiarly belong to the active life, and their business lies in procuring and keeping what is useful and necessary for the preservation of it; as in holding up mutual love and correspondence among mankind; in an elevated greatness and strength of mind; which appears, as in getting things profitable and pleasant for ourselves and dependents, so more especially in despising and being above them. Then, as for the last, viz. order, uniformity, moderation, and the like, it is plain they belong not only to contemplation, but have also a respect to our outward actions; since from keeping of these within the bounds and limits of order and moderation, we are said to observe what is virtuous and becoming.

VI.—*Prudence or contemplation of truth, the first of the general virtues, is the nearest allied to the nature of man—Two cautions concerning it.*

Having thus explained how the whole nature and power of honesty is deduced from some one of these four parts, we are now to discourse of them each in particular. And, first, of Prudence, which is wholly taken up in the knowledge of truth, and has the nearest affinity of any with the reasonable nature of man. For how are we all of us drawn and enticed with the desire of wisdom! how noble and glorious a thing do we imagine it to excel in knowledge! and how mean and reproachful do we count it, on the other hand, to slip, to be in error, to be ignorant, or to be imposed on? In gratifying this so natural and virtuous inclination in the mind of man, there are two grand faults to be carefully avoided: the first is an over-great hastiness and rashness in giving up our assent, presuming that we know things before we really do so. Whoever desires (as I am sure all ought) to avoid this error, must in all his inquiries allow himself time, and diligently consider the matter with himself, before he proceeds to pass his judgement on it. The second fault is, that a great many men bestow abundance of study, and a world of pains, on very difficult and obscure subjects; and such as, perhaps, when they are found out, are of but very little, or no concernment. Would men but be careful to shun these two mistakes, whatever study or pains they might spend on virtuous, worthy, or profitable subjects, it would not without reason be highly commended. Thus Caius Sulpicius¹ was heretofore praised for his skill in astronomy: Sext. Pompeius,² since my memory, for his in geometry: many have been famous in the study of logic, and more in that of the civil laws: the more peculiar business of all which parts of learning is the finding out of truth. No man, however, should be so taken up in the search of truth, as thereby to neglect the more necessary duties of active life: for, after all is done, it is action only that gives a true value and commendation to virtue. Not that we are able to be always employed without intermission, but often retire from business to study; beside that the mind, which is in perpetual motion and agitations, of itself will supply us with study and thinking, whether we set ourselves to it

¹ C. Sulpicius Gallus.

² Uncle to Pompey the Great.

or not. In a word, the general aim and design of our thought, and application of mind, is either the attainment of such things as are honest, and tend to a virtuous and happy way of life, or else the improvement of our reason and understanding in wisdom and knowledge. And this may suffice for the first of our general heads of duty.

VII.—*The second general virtue, which consists in the maintenance of human society—Two parts of it, justice and liberality.*

Of the other remaining three, that which consists in upholding society, and keeping up mutual love and good nature amongst mankind, seems of the largest and most diffusive extent. It comprehends under it these two parts: first, justice, which is much the most glorious and splendid of all virtues, and alone entitles us to the name and appellation of good men; and, secondly, beneficence, which may also be called either bounty or liberality. Now the first thing that justice requires of us is this; that no one should do any hurt to another, unless by way of reasonable and just retribution for some injury received from him: and whatever belongs either to all in common, or particular persons as their own property, should not be altered, but made use of accordingly. Now no man can say that he has anything his own by a right of nature; but either by an ancient immemorial seizure, as those who first planted uninhabited countries; or, secondly, by conquest, as those who have got things by the right of the sword; or else by some lawcompact, agreement, or lot. It is by some of these means that the people inhabiting Arpinum and Tusculum came to have those lands, which are now called theirs; and the same may be said as to private men's estates. However, since at present, by some of these ways, each particular man has his personal possessions, out of that which by nature was common to all, it is but just that each should hold what is now his own; which, if any one endeavour to take away from him, he directly breaks in on common justice, and violates the rights of human society. "But seeing (as is excellently said by Plato) we are not born for ourselves alone; but that our native country, our friends and relations, have a just claim and title to some part of us;" and seeing whatsoever is created on earth was merely designed (as the

Stoics will have it) for the service of men; and men themselves for the service, good, and assistance of one another; we certainly in this should be followers of Nature, and second her intentions; and by producing all that lies within the reach of our power for the general interest, by mutually giving and receiving good turns, by our knowledge, industry, riches, or other means, should endeavour to keep up that love and society, that should be amongst men. Now the great foundation of justice is faithfulness, which consists in being constantly firm to your word, and a conscientious performance of all compacts and bargains. The vice that is opposite to justice is injustice, of which there are two sorts: the first consists in the actual doing an injury to another; the second, in tamely looking on while he is injured, and not helping and defending him though we are able: for he that injuriously falls on another, whether prompted by rage or other violent passion, does as it were leap at the throat of his companion; and he that refuses to help him when injured, and to ward off the wrong if it lies in his power, is as plainly guilty of baseness and injustice as though he had deserted his father, his friends, or his native country. Now that former injustice, which consists in the wilful and actual wronging another, has oftentimes no other cause but fear; when he, who designedly does a man an injury, is afraid lest himself should be forced to undergo one, if he does not secure himself by doing it beforehand. But, generally speaking, the great source and fountain of all such injustice is the satisfying some irregular and exorbitant appetite; and in a more especial manner, the desire of riches; of which we shall therefore say something in particular.

VIII.—*The desire of riches and honours a cause of injustice.*

Riches then are most commonly desired, either to supply us with the necessaries of life, or furnish us with the pleasures and conveniences of it; or else, as it often is observed to happen in persons of great and aspiring minds, as a means of obtaining an interest in the public, and a power of obliging and gratifying one's friends; to which purpose was that saying of the late Marcus Crassus, that

whoever designed to be a leading man in the commonwealth, ought never to think he had estate enough, till he could maintain an army with its yearly revenue. Others take pleasure in splendour and magnificence, in a handsome, noble, and plentiful way of living: all which things have begot an insatiable greediness after money, without which they can never be supported and maintained. Not but that a moderate desire of riches, and bettering a man's estate, so long as it abstains from oppressing of others, is allowable enough; but a very great care ought always to be taken that we be not drawn to any injustice by it. There is another desire that makes men as apt to be forgetful of justice, as that after riches; the thirst, I mean, of empire, glory, honours, etc. For that saying of Ennius, "There is no inviolable faith or friendship in the matter of a kingdom;" though applied by him to that one case only, is yet fully as true in a great many others; for wherever the subject of contention is such, as that only one party can meet with success, and the rest must fall short of what they desire; things are usually carried to so great a height, as that it is very difficult not to break in on faith and friendship. This hath appeared but too manifestly of late, in that rash and most impudent attempt of Caesar's; who has broken through all those ties and obligations, that either by gods or men could be laid on him, for the compassing and getting of that dominion to himself, which he had vainly proposed in his depraved imagination. But in this case, it is one very great unhappiness, that the thirst after honour, empire, power, etc., falls most on men of the greatest souls and most exalted natures; wherefore the greater care ought to be taken that nothing of offence be committed in this kind. Now it makes a great difference in all acts of justice, whether they proceed from some violent passion, which is for the most part of short continuance, or are done with design and previous deliberation: for those that are the effects of a sudden gust of passion ought not to be esteemed of so heinous a nature, as those that proceed from premeditated malice. And this may suffice for the first sort of injustice, which consists in the actual doing of wrong, and the causes of it.