THE SPEECH ABOUT DUTIES (RESPONSIBILITIES) BETWEEN NORM AND FREEDOM OF EXPRESSION[1]

Abstract*: The great philosopher Marcus Tulius Cicero relate us in the "De Officiis" treaty ("About duties") ethics norm of obligation by notional and conceptual aspect of theoretics philosophy specified by art of eloquence about declamation, also practical aspects which results from embracement of rhetorical percepts applied to conversation for improvement of quality of human relations and interpersonal life.*

Keywords*: Norm, treaty, discourse, conversation, duties.*

In the treaty *De Officiis* (*About duties*) the Roman orator Marcus Tulius Cicero gives us several clues regarding the positioning of the discourse about duties on an intermediate position between the discourse in forum (the proper speech) and conversation.

> When speaking we distinguish two types: the discourse and conversation. The discourse can be used in judicial debates, in gatherings, in the Senate, conversation in meetings, discussions, family reunions and even at dinner. There were oratorical principles for discourses, but not for conversation, although I do no know if they can exist for it also (Cicero, 1972: 37).

The principles mentioned here regard the rules of forming and ordering of the discourse, that is its layout, in the process of writing, in the classical *sagvente* : *exordium* (the introduction), *captatio benevolentiae* (capturing the benevolence of the audience), *narratio* (the narration of the facts), *reprehensio* (the rejection of the opponent's arguments), *confirmatio* (the justification of the speaker's arguments), *peroratio* (the closing up), and also regard the goal to achieve in rhetoric: *docere* (the training), *probare* (argumentation), *movere* and *delectare* (to create emotion and to delight). Information regarding rhetoric is provided by its theoretician, Marcus Tulius Cicero, in writings such as *De orator (About the orator), Orator (The orator*), etc. Conversation, however, did not pretend to be oratorical art; it lacks varied audience and civic responsibility. Being exigent though, it does not have the same stake. While the judicial discourse involves audience that interferes only by giving a sentence based on the opinion formed due to the arguments of the advocatus, conversation requires dialogue: "Do not take away from the others their turn to speak just because you are the head of them, but[…]try to give each the turn to speak" (idem). And the recommendations go on: "[...] (the conversation) the speech should be calm and not violent [...]." (*ibidem*). It has to be noticed up to what limit conversation is nice, and after a reason for its beginning has been uttered, it should also have a limited time. Fronting makes hate stay away; otherwise it would all become unjust and unfair. The mild can appeal to reproof, but wisely, making use of seriousness and avoiding ofence.

> "It is not nice to talk about yourself by attributing accomplishments that are not real and by imitating the egotistic military, in the laughter that listens to you". (Cicero, 1972: 38).

Take into consideration that between these two types of speaking the specific

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genre of the treaty on duties can be placed. The rhetorics of obligation subscribes to the philosophical style. Categories specific to theoretic, speculative thinking will be used, concepts such as the good, *summum bonum* (the supreme good), or Greek terms which the roman thinker approximates to Latin lexemes: *eutaxia*, the right layout, the maintenance of the order, modesty, the sense of measure, the right moment for the action. And yet the discussion will not be about a superposition with ethics, which is a discipline of the philosophical norm according to the Antiquity, since the ethics used in the discourse from the treaty of duties is "diluted" in the practice of moral exercise, the endless expressions of good and evil being the arguments to use the principles of the ethic "compartment" of philosophy, daily. There is certainly an ethic norm, of philosophical influence, in the discourse on duties it will be constantly similar to that of theoretic philosophy, in the way in which roman philosophy, for example, corresponds to this requirement; the sense and practical thinking of the roman element being acknowledged. Thus we quote from "About duties" (responsibilities): "That is why you shall learn,-says Cicero to his son, Marcus, who is in Athens studying philosophy with peripatetic Cratippus –from the leader of this generation of philosophers, and you shall do that for as long as you want, however you shall have to want this as long as this kind of learning will not seem to you a waste of time." (Cicero, 1972: 1). It is noticed the way Cicero willingly criticises in the roman tradition the theoretical approaches that have no practical finality. Recognising as main virtues wisdom, rightness, courage and moderation, the treaty about duties (responsibilities) goes according to the philosophical uttering:

> If there were, in philosophy, many serious and useful problems debated intensely by the philosophers, those that seem to be widely spread are about duties. Indeed, duty (responsibility) cannot lack from any part of life, be it public or private activity, forum or home one, or either when doing something for yourself or for other people; and in growing responsibility(duty) you can find the honesty of life and when not taking it into account dishonesty. Who would dare to call himself a philosopher without pondering upon duties (responsibilities) (Cicero, 1972: 2).

Where would a eulogy of wisdom find a better place than in the philosophical discourse? Cicero exclaimed:

> Indeed, what is more wanted than wisdom? What is brighter? What is better for the human being? What is more worthy for him? Those who strive to achieve it are called philosophers, and philosophy, if you wish to understand this word, is nothing more than getting tired through wisdom. And wisdom is, according to the old philosophers, the science of divine and human things… (idem).

Cicero does not forget to outline the practical component of the utility of studying philosophy.

> […] and I do not understand why the one who despises the study of philosophy should be praised. For if it seeks the delight of the soul and no worries, philosophy can be compared with those studies that have as goal the finding of means to have a better and happier life. (*ibidem*).

On the other hand, when putting closer the duties with the norm of the discourse the necessity of multiple knowing can invoked. An example cannot be omitted, and history offers us a rich collection of brilliant examples, *exempla praeclare*, these often become the so called *placita philosophorum*, the philosophers' precepts.

The resemblance is considered to be on a larger scale; not because it did not exist but because it is for granted. Cicero, however, insists on difference, he shows distinction between the rhetoric of his discourse, in which "the power of words " is greater and the rhetoric of philosophical writing, in which one can find "the calm and

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paced means of expression."

When Cicero says: "In speech we distinguish two types: discourse and conversation." (Cicero 1972: 37), we believe that the author has in mind the oral style, *id est* is more than conversation itself, transposing it in a philosophical text is similar to rest, the favourable *otium* "the calm and paced genre of expression".

But, under apparent silent and measure, the philosophical discourse involves, with the use of weapons of persuasion, a campaign to conquer the spirit, the methods and means being found in actual speech; the utterance will be inclined towards decorum, because or *delectare* (entertainment). The same weapons as those for ordinary conversation, which has not yet given itself a code, nor was it encompassed in precise rules which could be the marking point in a rigorously elaborated rhetoric.

The practical size is essential in the speech About duties. Moral norm becomes guide, all in life ought should be well ordained: "the attitude, the walking, the sitting at the table, the look ,the gaze and the hand movement should be within the common sense…", nothing must be lightly regarded:

> For we are not created by nature […] for play and joke, but for sleep and other kinds of recreation, when we have accomplished our duties." (Cicero, 1972: 35).

The rules of life itself can be ordered according to the norm of the discourse:

> We must have in our actions such an order that, similar to well-ordered speech, everything in life must be suitable and in complete agreement. (Cicero, 1972: 40).

In conclusion, since for the speech norm is life (does not the discourse follow its natural metabolism?), for life the speech becomes norm. The thinking, words, our actions will be encumbered by what is appropriate – *to prepon* in old Greek language, by those made *convenienter cum natura* – according with nature, in the phrase of the roman orator.

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