

CICERO (106-43 B.C.)

Introduction

Cicero was a lawyer, statesman and orator. He was one of the outstanding Roman political philosophers. He was not an original political thinker. However, his concepts were accepted widely. He interpreted the Greek philosophy in a new way. He was instrumental in spreading Stoic ideas of Universal brotherhood. His style of writing was very good. That made him very famous. He studied Philosophy in Athens. Athens was the best place to learn Philosophy. Cicero studied Law in Rome.

Rome was the best place to learn Law. Cicero studied Plato and Aristotle also. His Latin books were very famous. 'De Republica' and 'The Laws' were his famous works. Interestingly, these titles were borrowed from Plato.

Cicero lived a 100 years after Polybius. The political situations in Rome were not good. Chaos and confusions prevailed in Rome. The system of Checks and balances were not working properly. There were civil wars in the state. Dictatorships were coming up. Julius Caesar was an example. Imperialism was growing. Polybius was not in favour of the changes. He was a supporter of the old system. He thought that old institutions should be preserved.

One of the reasons for the failure of the Roman Empire was its inability to bridge the gap between the rich and the poor. Even though the administration was effective and efficient, the administration did not take into consideration the increasing dissent within the Empire. The antagonistic classes were fighting each other fiercely. This was the background of the involvement of Cicero in the philosophy and practice of the science of Politics in Rome.

Influence on Cicero: The greatest influence on Cicero was Polybius. He supported the concept of mixed form of constitution. Cicero also classified governments into normal and perverted forms. He classified Monarchy, Aristocracy and Democracy as normal forms. Tyranny, Oligarchy and military forms were the perverted forms. According to him, a mixed form is the best form of government. According to Cicero, only the mixed form of government can check abuse of power. It only can check the tendency of degeneration.

Cicero was influenced by Plato's Republic also. He was very much influenced by the concept of Justice. The stoic ideas of law of nature also influenced him. He tried to spread the stoic ideas of universal brotherhood and world citizenship. His ideal view was of a world city and a Roman Empire. He believed in the natural equality of man and the natural law. His emphasis on the Stoic idea of natural law was well received. The universal law of nature binds all men together. This natural law exists in all people of all the world. This is the fundamental principle of world-citizenship. There is a fundamental equality between man and man. All men are created by God as equals.

Cicero on State: According to Cicero, the state is a product of natural instinct of men. State is not the result of force. It is not the result of fear also. But it came into being because of the mutual interest of the people. Objective of the state is the welfare of the people. People obey laws because it is for their good. It is not forced upon them. It is a kind of partnership on law. It is not an artificial association. The following is a summary of Cicero's ideas about the State:- The individual is prior to the State. The state is not prior to the individual. The ultimate objective of Cicero was to elevate the individual above the State. While doing so, he

emphasized that the State consists of the individuals. The state is formed by individuals. If the State was to be formed by the individuals, the individual should be prior to the State.

Society is prior to the State. Society and State are different from each other and they are different entities. By saying so, Cicero was emphasizing the legal personality of the State. When individuals come together for a common life, it is only the society. It does not constitute the State. But certain changes necessitated the formation of the State. Legally, the state is different from the society and the individual. Therefore, The state acquires a legal personality not available to the society.

Authority of state does not rely on a particular individual or a group of individuals. It relies on the people as a whole. The people are the source of law and authority. Cicero wanted to give emphasis on the essential equality of men. He also wanted to negate the superiority of certain classes of people in the State. Therefore, it was very essential to state that the authority of the state does not rely on a particular class of people in the State. It has to rely on the people as a whole.

All individuals are equal. From a very practical point of view, Cicero wanted to strengthen the Roman state system. He wanted to protect the cosmopolitan nature of the Roman state. Therefore, it was very essential to adhere to a stand point that men are equal and no race or class is superior than the other.

All men are members of the commonwealth. Cicero did not conceive of a system whereas only men of Roman origin would be considered as citizens and others would enjoy only secondary status. His idea of a commonwealth was truly cosmopolitan in character. Law of the state is common to law. All the people belong to the commonwealth. It is a collective power. Such a stand point was very essential for the maintenance of law and order in a cosmopolitan state.

The state should be subject to the law of nature. The laws of the state should be according to the laws of nature. It was impossible to rely on a particular set of law which could be applicable to the varied populations of the Roman Empire. Cicero wanted to establish a common ground for law making. According to him, nothing other than natural law is the best bet to make a foundation for a legal system which could be applicable to all alike.

The best form of government is the mixed form. According to Cicero, each system of government had its own strengths and weaknesses. According to him, a combination of the best characteristics of each system would make a good system of governance. Therefore, he wanted take the best from all the three systems of governance.

For the convenience of rule, there shall be a kind of sovereignty in the State. But the ultimate authority of the state resides in the people and not in the sovereign authority. This concept of Cicero makes the people all powerful. It also paves the way for the formation of an efficient system of governance based on sound principles.

The most important contribution of Cicero was that he spread the ideas of natural justice and human equality in Rome. These were Stoic ideas. Romans were never heard of natural justice and human equality before.

Commonwealth: This is a great idea by Cicero. According to Cicero, Commonwealth consists of the entire mankind. Human race is not a race of isolated individuals. It consists of human beings who are social animals. Society is natural to him. The State is also natural to him. It is

rational. It is based on reason. Reason binds men together. Law keeps them together. It is the law based on natural law. It provides him mutual aid and just government. It is good and desirable. The people are the authority of the state. Power vests with the people. Power does not belong to the Monarch or an elite group of people. The power of the people is exercised on the basis of natural law. Therefore, State is a moral institution. According to Cicero, a mixed constitution is the best form of government. It is a combination of Monarchy, Aristocracy and Democracy. It combines the strengths of all the three forms. At the same time it avoids the weaknesses of these three forms.

Law: According to Cicero, law is supreme. It is essential to a household, a city, a nation, the human race, the physical nature and the universe. According to Cicero, Law is supreme Reason. Reason is common to both God and Man. So law has a divine connection. The entire universe is regulated by the power of God. Man is part of the Universe. He is created by God. Man is the only creature with the power of reason. He is the only creature with the power of thought. Law is the expression of supreme reason or God. Law is the eternal principle, which governs the universe. Law makes people to do what is right. Law prevents him from doing what is wrong. Law is divine. Law is the mind of God. Justice means submission to Law. Justice means submission to the will of God. Law govern the magistrates who govern the people.

Estimate of Cicero

Cicero's ideas became very famous because it's revolutionary ideas. It contained the following basic ideas: 1. That the people are the ultimate authority of the state. The power of the state rests with the people. 2. That the power of the state could be exercised only in accordance with law. 3. Law of the State should be based on natural law. Cicero was profoundly influenced by the current politics of his times. It was a time of constant war among the elite. Therefore, Cicero was particularly interested in the traditional constitutional element which had given Rome a stable government and a peaceful society.