



Examining the Influence of Stoicism in Carving Cicero's Notion of Natural Law: A Legal Philosophical Perspective

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Abstract

This article seeks to examine the roots of Cicero's jurisprudential thinking, which impacted upon the early development of the natural law philosophy. Cicero has been revered among the legal thinkers as a premium jurist from the Roman era whose intellectual contribution buttressed the foundation of Western conception of natural law. However, there has been few research carried out in exploring how Stoic philosophy carved Ciceronian ideas in natural law. It is in this context this article underpins a serious academic inquiry into the development of Cicero's idea of natural law and his affinity with the Stoic school of thought in the Roman Republic before it was ebbed away by the emergence of the empire. The results emanating from this article will show whether there has been a serious influence from Stoic thought to Cicero's understanding of natural law, if so how it penetrated the frontiers of legal thinking in the late Roman Republic.

Keywords: Rome, Cicero, Stoicism, Republic, Law

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Introduction

Reason and ideas have always put a pedestal value in the development of legal philosophy in Western civilization. Indeed, the philosophical thoughts that prevailed in Greco-Roman antiquity bear an existential relation to how legal philosophy stands today. From many of the classical authors who contributed to the growth of Western jurisprudence, the name of Marcus Tullius Cicero remains sublime due to his monumental contribution to the growth of Naturalistic School of Law. Yet, it is worth noting, Cicero never stood among the pantheon of thinkers as his ideas were not exactly an offshoot of an original thinking process. On the contrary he was an eclectic, whose intellectual training was profoundly shaped by the broader readings of Hellenistic philosophy most importantly Platonism and Stoicism.¹ However, this unoriginality of thought has not precluded his work from the annals of the history of ideas as a set of works embodying the finest juristic writings in the late Roman republican era. In particular, Cicero's flare to invoke natural law in Rome remained static even after the decline of Roman Civilization. To vindicate Cicero's sassy approach to natural law philosophy this article makes a theoretical inquiry on the footprints of Stoicism in the legal philosophy of Marcus Tullius Cicero from a legal philosophical perspective. In doing so, this article seeks to examine the way how Cicero confronted the *ius civile*² or civil law tradition, which remained the dominant legal discourse at the outset of his legal career as a forensic orator. Secondly, this article will elucidate the historical context of Cicero's engagement with Stoicism in which his political ideology took a steeping transformation that challenged the emerging despotism under Caesars. While tracing how his thoughts imbued with Stoicism, this article unfolds the universal element that stemmed from Cicero's complex and highly nuanced philosophical project, which ultimately appealed to form *ius gentium* (law of nations) under the Stoic notion of natural law.

¹ F.H Alonso, Cicero and Natural Law, Archives for Philosophy of Law and Social Philosophy, Vol.98, No.1, (2012)

² Paul du Plessis, *Borkowski's Textbook on Roman Law*, (6th edition, Oxford University Press, 2010).

Cicero and Natural Law Tradition in the Late Roman Republic

In evaluating the importance of Stoicism as a yardstick in Cicero's thinking, one should not forget his impressive academic upbringing at the hands of the finest educators of the day. Despite having been born outside the *Patrician* class, the rigorous training he received emboldened him to become a man of many talents, but his predilection of law took him to the fore as a great jurist of the late republic. Although jurisprudential questions arise much frequently in his writings, the most important questions he articulated on the legal philosophical issues appear in three treatises, *De Officiis*, *De Legibus* and *De Republica*. These three texts are canonical works of Cicero encapsulating his broader understanding of natural law and its applicability toward the betterment of republican tradition.³

Before moving to Cicero's definition of natural law, a terminological clarification is required to define natural law from the Stoic sense of usage. In Stoic understanding, law is a natural condition pervaded in the nature as a whole and among the wise human beings. The early Stoic belief in the natural law was tantamount to more philosophical than providing a political expression. In his reply to Greek sceptics who were adamant in denying the possibility of knowledge and hesitated the reality of existence, Zeno the founder of Stoic school affirmed that all men in the world are connected to the both *Logos* and *Cosmos* of the universe. The law begets from the rational system inherited within the man, which distinguishes man from the other animals as a specie who possess a unique relation to God.⁴ Zeno reiterates "The universal law, which exists in right reason and which pervades everything is identical with Zeus, the guider of the world order" Thus, the law of nature is a universally valid rational law resting in the nature of man

³ Seth Benardete, Cicero's *De Legibus* 1: Its plan and intention, *The American Journal of Philology*, Vol.108, No.2, (1987).

⁴ MC Horowitz, The Stoic Synthesis of the Idea of Natural Law in Man, *Journal of History of Ideas*, Vol.35, No.1, (1974), pp.14.

and in the constitution of the universe. It contains ontological and normative status.

Although the study of natural law in Cicero's writings replete a sense of ambiguity, his conviction of natural law is evident in *De Legibus* (On Laws). Following the early Stoic notion of harmony with nature, Cicero described the goal of life as "To follow nature and live as though by its law" (*naturam sequi et eius quasi lege vivere*). In "*De Legibus*" Cicero's definition of law portrays law as the highest reason in nature, which commands what ought to be done and forbids the opposites. It is worth pausing at the position held by Cicero on the primordial nature of law, which was fundamentally different from the republican way of positive law codification. Cicero challenged the rigid acceptance of positive laws in his contemporary Roman society derived from Twelve Tables as lesser authoritative sources before the natural law, which emanated from the universe.⁵ Contrary to the popular Roman juristic notion on the palatability of justice from positivistic form, Cicero affirmed the oneness of justice. In response to the contention forming the positivistic claim to justice, Cicero states:

"But if the principles of Justice were founded on the decrees of peoples, the edicts of princes, or the decisions of judges, then Justice would sanction robbery and adultery and forgery of wills, in case these acts were approved by the votes or decrees of the populace"⁶

The conception brought forward by Cicero on the oneness of justice evoked the reception of any legal system should be based on one law and at the same time, it further argued that justice should not be understood as conformity to written laws or national customs.

In *De Legibus* Cicero provides an apt analysis on the idiosyncratic nature of justice as he believed justice should follow two postulates:

⁵ CJ Classen, Cicero, the Laws and the Law Courts, *Latomus*, Vol.37, No.1, (1978),pp.604.

⁶ M. Grant, Selected Works from Cicero, (1st edition, Yale University Press), 1989.

first, that no harm to be done to anyone and second, the common interests should be preserved.

Another salient feature of Cicero's attitude toward natural law was his inclination to combine the natural law tradition with universal humanism, which came as a direct legacy of Hellenistic philosophy. The staunch humanist conviction he displayed in his legal philosophy was viable throughout his writings. Cicero explains the need for unity among mankind in the following manner.

“There is only one principle by which men may live with one another, and that this is the same for all, and possessed equally by all; and finally, that all men are bound together by a certain natural feeling of kindness and good will, and also by a partnership”.⁷

Simultaneously, Cicero was interested in highlighting the value of human freedom in his writings on natural law as a crucial factor. Notwithstanding the belief in law as a pure offshoot of the human reason, Cicero points out how the fragility of the human mind can degrade the purity of law by making despotic rulers.

Cicero on Tyranny

In general, Cicero's ideology on the despotic rulers, who breach the natural reason in the governance was mainly based on the political atmosphere he grew in the late Roman republic. In the Greek civilization, the notion of tyranny was indivisibly connected to the idea of power as the Greek tyrants always tended to own the power exclusively.⁸ Athenian tyrants like Peisistratus and Hippias epitomized the idea of holding absolute power. In contrast, the picture drawn by Cicero on the tyrants was a much complex one as the Ciceronian tyrant embodied a political figure whose intention was to rule than merely holding absolute power. Thus, tyrants become completely detached

⁷ Elizabeth Asmis, Cicero on Natural Law and the Laws of State, *Classical Antiquity*, Vol.27, No.1, (2008), pp.23.

⁸ Mario Mion, Athenian Democracy: Politicization and Constitutional Restraints, *History of Political Thought*, Vol.7, No.2, (1987), pp.566

from the orbit of other political institutions, which was seen as an aberration of the human mind. In fact, Cicero's position regarding the nature of tyrants seemed to have stemmed from Rome's late republican political chaos.⁹ During the last period of the republic, the waves of populist discourse became prevalent that corrupted the rule of law by public manipulation. Cicero opposed to the rapid emergence of the political personalities whose manoeuvres drastically debilitated Rome's political institutions. Indeed, the members of the ruling elites lost their loyalty to the republican tradition by paving the path to its decline. Cicero was openly in favor of the rebelling against the tyrants as he regarded tyrants as creatures worse than the animals, thus killing a tyrant was palatable than killing a man.¹⁰ Just as law contradicting nature must not be called law, men lacking reason and instincts do not count as human beings. Given that law is the supreme form of the reason, it only exists among the rational human beings. Therefore, the exclusion of the tyrant be it through death or exile is a necessary precondition for the existence of human community; otherwise, this community will not be able to survive as a legal order.¹¹

His abhorrence toward despotism is primarily attributed to his belief that any kind of political authority, which does not admit the natural law is an evil for the common good. Cicero's defense of Milio, Cicero characterizes Claudius as a tyrant and it was carried out not due to Claudius' nature as an absolute monarch, but it related to his strong will to remain in power, which was an anathema for Cicero's belief in natural reason.

Fascination with Cosmopolitanism

Cicero's staunch conviction in seeing the man as a part of one world community has derived from the Stoic roots existed prior to

⁹ Barbara Levick, *Morals, Politics and the Fall of Roman Republic*, *Greece and Rome*, Vol.29, No.1, (1982), pp.45.

¹⁰ Emilio Biagni, *Roman Law and Political Control : From a primitive society to the dawn of the modern world*, *GeoJournal*, Vol.33, No.4, (1994), pp.331.

¹¹ Gisela Striker, *Cicero and Greek Philosophy*, *Harvard Studies in Classical Philology*, Vol.97, No.1, (1995), pp.56.

his writings. Thought of the Diogenes the Cynic, Zeno of Citium, Chrysippus (the one who developed Stoicism into a full philosophical system) often reflected in the writing of Cicero, when he contemplated the cardinal relevance of one human community. As a matter of fact, his writings contained a unique ability of blending natural law theory with the cosmopolitanism. The firm humanist conviction that inspired his legal philosophy appears time and again throughout his work in text as eloquent as the following.

“There is only one principle by which men may live with one another, and that this is the same for all, and possessed equally by all, and finally that all men are bound together by a certain natural feeling of kindness and good and also by a partnership in justice”.¹²

The underlying value personified by the law was highlighted in Cicero’s writings as a common factor to all the humanity, albeit it is neither a product of human ingenuity nor of the will of the masses. From a vantage point, this resembles the Stoic ideals that advocated to regard the world as one big city, in which gods and men coexist in one another. This is the precise context that Cicero propounds a consensus between all the people under the orbit of natural law. The distinction between *ius natural* and *ius civile* becomes much notable, wherein the *ius naturale* represents the immutable, universal set of principles that stands above the later, whose written norms are only force within the particular boundaries of the cities where they were formed.

However, it would be highly inaccurate to entirely place Cicero as a thinker who developed his legal acumen under Stoic wisdom as he often showed a vast array of discontent toward the pure Stoicism. Cicero’s quasi-philosophical character Scipio Africanus the younger’s speech in the “Republic” vividly tells the number of fraudulent and immoral acts committed by the founding fathers of the Roman republic

¹² Thomas Pangle, Cicero’s critique and transformation of the Stoic ideal, *Canadian Journal of Political Science*, Vol.31, No.2, (1998), pp. 260.

to sustain Rome in its infancy stage.¹³ But those heinous crimes committed by the pioneers of Rome through a series of despicable acts went unpunished as they were inevitable for the preservation of the republic. Also, Cicero remained a skeptic toward the Stoic idea of the providence and his reluctance to accept Stoic divine providence was presented through a character named Gaius Cotta in the dialogue “On the Nature of the Gods”.¹⁴In his speech, Cotta doubts the possibility of a divine providence before the serious callousness that mankind faces as he questions why gods gave reason to the humans in such a way as to allow most to abuse it, also Cotta questions why gods failed in punishing the wicked for abusing the reason. Nonetheless, Cicero’s disagreement on some Stoic elements has not completely staved off his fascination with Stoicism as an intrinsic feature in his philosophy. Furthermore, it seems to have emboldened Cicero to project himself as an admirer of cosmopolitanism. *De Officiis* (On Duties), which is the most important work embodying the Cicero’s moral code of international relations affirms his Stoic applicability for the statecraft. Indeed, *De Officiis* was a manual written by Cicero for the young Romans, who were about to initiate their carriers as the administrators of the Roman republic. This work is divided into three parts: the first deals with the issue on the conflict between duties and moral virtues. And; the second part shows how duties manifest themselves when we focus on our natural pursuit of the expedient (utile), that is, the secondary, external goods of the body, of prosperity and of honour; the third part teaches how to judge conflicts between the apparently moral and the apparently expedient. After having upheld the importance of virtue, Cicero provides his most conspicuous position on the law of nature, which he calls “law of nations”. Cicero states.

“Therefore, to any path to take something from another, and for a man to enhance his wellbeing by another man’s loss, is more

¹³ J. Powell, Cicero’s Republic, *Bulletin of the Classical Studies*, No.76, (2001), pp.156.

¹⁴ W.W How, Cicero’s Ideal in His de Republica, *The Journal of Roman Studies* , Vol.20, No.3, (1956), pp.71.

contrary to nature than is death, poverty, pain or any other ill that befall the body or external things¹⁵”.

In order to prove his contention, Cicero brings a well-crafted analysis, which illustrates the whole human race one community living in a naturally united society. In developing his argument, Cicero compares this society to the parts of the body, and in such an organic community, the whole and all the parts will obviously die if the parts cease to consider their own welfare as merged into that of the whole. Cicero views the acts that have been perpetrated by humans against the nature as acts that lead to spoil own soul, because it is nature that has instilled the reason into human soul. He makes a powerful defense in the following manner.

“If nature has prescribed this, that a human being should want to take care of another human being, whoever he maybe, simply for the reason that he is a human being, then according to the same nature it is necessary that the interest of each is a common interest. If this so, we are all embraced by one and the same law of nature”¹⁶

Although he advocated the idea of living as one community as a supreme ultimatum that humans should embrace, his answers for some moral qualms took a different narrative. In particular, Cicero believes that it is vitally important to look at the overall objective of any activity carried out by persons or nations to the common good of mankind. The main lesson that Cicero conveys through “On Duties” is describing the greatest good of humanity lies in promoting virtue or excellence as the supreme end. This position shared by Cicero is tantamount to the Stoic understanding of accepting that everything the earth holds was created for the use of mankind. Concerning man’s inherent inclination to live as a sociable creature, it should be noted that Cicero’s opinion was largely attributed to the original Stoic position as this doctrine affirms the eternal harmony among

¹⁵ M. Grant, *Selected Works from Cicero*, (1st edition, Yale University Press), 1989, pp.345.

¹⁶ *Ibid.*,330.

God, Man and Nature.¹⁷ Yet this underrating of harmonizing all three factors have completely denied the human free will. It is a rather a coherent system built up by Cicero symbolizing the value of inter human relationships. First it required into man's nature, the validity of his perception, the nature of his highest virtue, the condition of his happiness, the degree of his freedom and his relation to the forces which control the world; it ended by asserting a theory of freedom and a rule of conduct demanding the highest respect for a man and systematically based on the theory of humanism.

Universalized Principles in *Ius Gentium*

The real philosophical basis signifying Cicero's approach to the legal universalism can be inferred from the book III of the "On Duties". The book III characterizes the unshaken union existing between the ethical principles of humanism and the natural law theory as Cicero highlights the greater importance of *Ius Gentium* than the *Ius Civile*. Regarding the validity of legal universality, he states

"For there is a bond of fellowship although I have often made this statement, I must still repeat it again and again which has the very widest application, uniting all men together and each to each. This bond of union is closer between those who belong to the same nation, and more intimate still between those who are citizens of the same city-state. It is for this reason that our forefathers chose to understand one thing by the universal law and another by civil law. The civil law is not necessarily also the universal law; but the universal law ought to be also the civil law. But we possess no substantial, life-like image of true Law and genuine Justice; a mere outline sketch is all that we enjoy. I only wish that we were true even to this; for, even as it is, it is drawn from the excellent models which Nature and truth afford"¹⁸

¹⁷ Elizabeth Asmis, Cicero on Natural Law and the Laws of State, *Classical Antiquity*, Vol.27, No.1, (2008), pp.29.

¹⁸ M. Grant, Selected Works from Cicero, (1st edition, Yale University Press), 1989, pp.367.

In reference to the comment made by Cicero elucidating the universality of the *Ius Gentium*, it makes clear that the founding pillars of the *Ius Gentium* stem from the humanistic principle of the natural law “the common bond of the mankind”. In fact, Cicero owes his intellectual debt to the Stoic thinkers as his position on *Ius Gentium* was widely influenced by Stoic wisdom. It is not surprising to find Cicero’s admiration of Stoic attitude toward universality, but he never absorbed it completely to the development of his political and legal philosophy.¹⁹

Despite the salient claims suggested by Cicero regarding the status of *Ius Gentium* coinciding with *Ius Naturale*, his exact position in *Ius Gentium* (law of the nations) remains obscure as he makes no palpable distinction between the law of nations and civil law in the practice. Having stated the law of nations as a union existing among the people in the same nation, Cicero explains *Ius Civile* (*Civil Law*) as a legal system rooted in more intimate connection “among those of the same city”. But Cicero has failed to provide an exact picture of the scope of *Ius Gentium*’s relation with Civil law as he reaches a perplexing conclusion by stating

“Everything in the civil law need not be in the law of nations, but everything in the law of nations ought also to be a part of the civil law”.²⁰

Indeed, this ambivalence of Cicero in framing his position in *Ius Gentium* raises the question of whether Cicero was really aspired by Stoic thoughts to uplift natural law into a greater practice in the dying days of the Roman republic. The doctrine of *Ius Gentium* that Cicero cherished in his writings stands as a Janus-faced theory weighing between two concepts. From one side, it postulates the interconnectivity between *Ius Gentium* and *Ius Civile*, where the

¹⁹ Paul J du Plessis, *Cicero’s Law: Rethinking Roman Law of the Late Republic*, (1st edition, Edinburgh University Press, 2016).

²⁰ *Ibid.*, pp.278.

later draws a larger influence. On the other hand, *Ius Gentium* stands an ideal set of rules under the canvas of the natural law, whose abstractness transcends the laws or traditions of any specific state. In answering the ambiguity created by Cicero, one should look for the rhetorical methods adopted by him, which aptly distinguishes Cicero the Stoic from Cicero the jurist. It is not a question to inquire that Cicero was a fervent believer in the natural law, yet justification of civil law (*Ius Civile*) had its origin from the traditional customary based laws in Rome derived from the time of the Twelve Tables of the early Roman republic. Thus, Cicero took the highest concern in *Ius Civile* as a matter of juridical factor for his position in *Ius Gentium*. Elizabeth Asmis argues that Cicero's vision of depicting laws under ancient values harks back to a romanticized version of early Roman republic. Such a vision fit his own political conservatism, which demanded that institutions, like law, be anchored in the wisdom of the ancients and in long-standing communal acceptance.

The question arises before the modern scholars interested in Cicero's jurisprudence is that whether he was really a Stoic relied on Stoicism for interpreting the natural law. Reaching a static conclusion regarding how he placed Stoic thoughts in natural law has become a complex scholarly inquiry with the aforesaid references to the civil law. In examining this ambiguity, one should never forget political realities that encompassed Cicero during the declining years of Roman republic and also his vocational background as a jurist. However, in carving his analysis on the general texture of the law, Cicero proposes to gaze at the nature of the world as the basic source for everything. According to the Stoics, the supreme rationality of the world is identical with law (also called "common law"), nature (also called "common nature"), and god (Zeus).²¹ The only difference lies in the function

²¹ C.W Harris, The Stoics and Its Relation to Modern International Organization, *Social Science*, Vol.30, No.3, (1955)

that is viewed as belonging to this rational force: law is reason viewed as a commanding and prohibiting force; nature is reason viewed as a creative force, and god is reason viewed as ruler of the world. Viewed as a (the) “force of nature, “law is the force that orders the creative processes of nature by its commands and prohibitions. Conspicuously, Cicero omits god from his initial definition of “law.”

In *De Legibus*, Cicero has provided rather brief references about the Stoic thoughts to buttress his main arguments. At one-point Cicero has touched upon the moral aspect of Stoicism by citing Antipater’s definition of the goal of life as “omitting nothing, as far as lies within oneself, to obtain the things that nature demands” to live “by virtue as though by law. Even though Cicero’s scope of Stoic applicability in natural law remains obscure without providing conspicuous guidance, sometimes moving to *Ius Civile*, he presents an array of explanations from Stoic ethics. Thus, reading Cicero becomes vitally relevant to comprehend the naturalistic transition of Greek Stoics into modern humanism.

The most visible factor that one can grasp from examining Cicero’s natural law scholarship lies in the subtle way he interpreted natural law doctrine. Despite his all proclivities, ambiguities in making firm connectivity between Stoicism and natural law, he always points out the importance of human reason as a core element connected with the universe in deciding good and bad. Nonetheless, his claims to project himself as a Stoic have been often complex with many loose references in his writings. The dialogue he authored “On Duties” (*De Officiis*), which has already been discussed above stands as a testimony for Cicero’s universalistic thinking that portrays himself as a Stoic. In the *De Officiis*, Cicero claims that he would follow the teachings of Stoicism. “So as this particular time in my inquiry I follow the Stoics chiefly”.²² But, in another

²² M. Grant, *Selected Works from Cicero*, (1st edition, Yale University Press), 1989, pp.400.

sentence of the dialogue Cicero provides a clue to the reader that he would adhere to his own judgment in interpretation.

A modern legal historian, who tries to fathom the affinity between Stoicism and the natural law philosophy of Cicero needs to look for binary oppositions of his character as a Stoic and a republican statesman. In this context, Cicero the statesman's usage of Stoic thought was not mainly confined to an academic pursuit. Especially after the Luca conference, Cicero's whole political ambition took a shift as he was determined to preserve the republic from its moral decay. Thus, Cicero tried a set out the intellectual preconditions on which a republican society depends. The development of his natural law concept was very much akin to those political trajectories that prevailed around him and indoctrination of Stoicism into his legal philosophy did not entirely perpetuate the original Stoic ideals. As demonstrated, Cicero's notion of natural law heavily relies on frequent references from Stoicism. He writes

“Well, then the most learned men have determined to begin with law, and it would seem that they are right, if, according to their definition, Law is the highest reason, implanted in nature, which commands what ought to be done and forbids the opposite. This, reason when firmly fixed and fully developed in the mind is Law. Now, if this is correct as I think to be in general, then the origin of justice is to be found in law, for law is a natural force; it is the mind and reason of the intelligent man, the standard by which justice and injustice are measured”²³

Despite the apparent similarities between Stoics and Cicero, his understanding of natural law was significantly different from Stoics as Cicero went on to question the dichotomy of the man-made laws. His view affirms that man-made laws exist as long as they are concordant with nature. If not, such laws cannot be legitimized as

²³ Edward Devine, Stoicism on the Best Regime, *Journal of the History of Ideas*, Vol.31, No.1, (1978),pp.234.

valid laws. The robust criticism of Cicero toward the man-made laws which are not in harmony with the nature was a subtle attack he framed in “*De Legibus*” on threat of totalitarian rise of some political figures in Roman republic. As it was stated in this article, Cicero’s perplexity of agreeing with the Stoic belief in divine providence was the cardinal factor that did not transform him to a complete Stoic thinker. Yet the fragments of Stoicism continued to bolster his position as a defender of both natural law and the republican tradition.

Conclusion

This article began with the premise of considering Cicero as a thinker whose legal philosophy was nourished by Stoicism, which stood as a prevalent school of thought among the nobility in the Roman republic. The analysis that I have traced in the first half of the article has shown the profound effects of Stoics in Cicero to carve his thoughts on the natural law. But it should be reiterated, he was not an original thinker. Thus, Cicero’s understanding of natural law under the Stoic influence remained fragile with constant lapses. Furthermore, this article has attempted to trace the gravity of Stoic influences that shadowed Cicero on the *Ius Naturale*. Emulating Stoicism, Cicero admits that human laws are enforceable if they are only compatible with the natural law and denies the name of *lex* (laws) to unjust laws. His static claim on the immutability of natural law over the changeable human-made legislations can be widely seen throughout the writings of Cicero.

In *De Legibus*, Cicero asserts that natural law cannot be eliminated or rescinded, which raised a question from his fellow fictional participant in the dialogue Quintus about the validity of the type of laws that Cicero is determined to propose. In his answer, Cicero vociferously protects the authority of natural law. In his proposition of forming a written code of laws, his aim was simple as it intended to make a permanent system of laws that cannot be altered.

Ostensibly the code of laws he proposed in *De Legibus* seems to be a continuation of natural law. But beyond this depiction, there is a fundamental difference between the two systems. Natural law is inherently everlasting while the code of law proposed by Cicero in *De Legibus* is intended to be simply lasting. In contrast with the everlasting existence of natural law, Cicero's laws have a contingent durability. Most importantly the code of laws of Cicero has a striking discontinuity with natural law or Stoicism regardless of his claims. While contravening his goal to harmonize natural law, Cicero takes Roman constitution as his framework to which he expects to fit his laws as a politician.²⁴

The political ambition he pursued till the very last moment of life with a benign sense of love for the preservation of the republican system in Rome is the pivotal factor that drastically reduces the image of Cicero as a pure Stoic practitioner. On the other hand, Cicero believes that the Roman constitution is just by nature by citing the Stoic definition of law in "*De Republica*". Cicero's overall position on natural law under Stoic thoughts has left a twisted legacy to modern-day classists and legal historians. It is mainly due to the convoluted nature of his writings signifying the applicability of natural law. All in all, it is plausible to assess that his devotion to natural law under the Stoic influence was an act carried out in pursuit of republicanism. In *De Legibus*, he writes

"We must reflect and speak about *iure nat* ⟨*ura*⟩ by ourselves, but ...about the law of the Roman people (*iure populi Romani*) ⟨we must attend to⟩ what has been left behind and passed on"²⁵

This reference clearly reflects Cicero inner stance as a statesman and a jurist who looked for most pragmatic avenues for harmonizing

²⁴ Walter Niegorski, Cicero's paradoxes and his idea of utility, *Political Theory*, Vol.12: No.4, (1984), pp.557.

²⁵ M. Grant, Selected Works from Cicero, (1st edition, Yale University Press), 1989, pp.400.

natural law and the republican system of Rome. In doing so, he utilized Stoic conception of nature to bolster his theoretical position.