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Edited and Translated by
James E. G. Zetzel

CICERO
ON THE
COMMONWEALTH
AND ON
THE LAWS



Second Edition

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Editor's Note

So much has been written about Cicero, Roman philosophy, and the particular works translated in this volume during the past two decades, that a new edition is desirable, and I am very grateful to Cambridge University Press for suggesting it, and to Elizabeth Friend-Smith and Julene Knox for assistance along the way. I have tried to take account of the most important recent scholarship in the Introduction and Bibliography, and I have made use of Jonathan Powell's recent Oxford Classical Text in revising the translation. I have made a great many changes, some to correct errors, some to make my translation of technical language more consistent, most to try to make it more readable as English.

More than twenty years ago, Raymond Geuss encouraged me to undertake this translation; I repeat my thanks to him and Quentin Skinner for publishing it in this series and to the John Simon Guggenheim Memorial Foundation for the Fellowship during which I wrote a substantial portion of the first edition. My good friends Robert Kaster and Gareth Williams generously improved a draft of that book. Every page of the present version has benefited from the wisdom and suggestions of Katharina Volk and Gareth Williams (again!); Katharina Volk has read the Introduction twice, and has made it much better each time. I have also profited from the suggestions (published and by email) of Brad Inwood about philosophical terminology, and borrowed some important adaptations of the first edition made by Benjamin Straumann in his recent book. It is now fifty years since I first read these texts as an undergraduate, and I have tired neither of them nor of Cicero. I am fairly certain that there are sentences and arguments that I still do not fully understand, despite the efforts of my teachers and friends; the faults that remain are my own.

Introduction

Cicero's *On the Commonwealth* (*De re publica*) and *On the Laws* (*De legibus*) represent the most significant surviving contribution to political thought in the 700+ years between the death of Aristotle and Augustine's *City of God*. They are ambitious and complex works, difficult to interpret not merely because so little survives of the Hellenistic philosophy on which Cicero drew, but also because we possess only parts of them: *On the Commonwealth* is fragmentary, and perhaps a third of it is still extant, while *On the Laws* not only survives only in part (three books out of at least five), but was apparently left unfinished at Cicero's death. The goal of this Introduction is to offer some background for reading these texts and some explanation of their form, structure, and arguments.

Cicero's Public Career

Early in December 63 BCE, the consul Marcus Tullius Cicero, having unmasked the conspiracy of Catiline and supervised the execution of several of the leading conspirators, was hailed as Father of his Country and escorted home by a crowd of grateful Romans from all ranks of society; a public thanksgiving was decreed in his honor, the first such award ever made for non-military service to the state. That moment was the summit of a remarkable career: not only had Cicero's consulate been distinguished by signal success and acclaim, but the very fact that he had achieved that office – the chief magistracy in republican Rome – and had done so at the earliest legal age of forty-two was itself unusual. Cicero was born in 106 BCE in the town of Arpinum, some 115 km southeast of

Rome. The town had had Roman citizenship since 188, and Cicero's family were among its leading citizens; however, not one of them had ever held public office at Rome. Cicero's family did have strong connections among the Roman aristocracy, though, and he came to Rome very early (before the age of fifteen) to learn the ways of politics and law under the guidance of the leading orator (Lucius Licinius Crassus) and jurists (Quintus Mucius Scaevola the Augur and his cousin Quintus Mucius Scaevola the Pontifex) of the 90s and 80s. Cicero began his career as an advocate at the end of Sulla's dictatorship, and he first held public office as quaestor in 75. To enter the ranks of the Roman aristocracy in Cicero's day was possible, but in the first half of the first century BCE it was rare for a "new man" – the first in his family to achieve high office – to become consul and thus achieve nobility (as the Romans defined it): it usually took several generations to reach the highest offices, and more rapid elevation was generally the result of military rather than oratorical talent. Cicero rose to eminence in the courts and as a public speaker, as a supporter of moderate reform within the traditional social order based on landed wealth and hierarchical deference; his early speeches attack corruption and abuse of power within the system rather than the system itself. His success was based in part on his rhetorical and political skills, in part on his reassuring conservatism at a time of extraordinary military and social upheaval. Elected as a safe alternative to Catiline, the bankrupt and unsavory aristocrat whose electoral failure drove him to conspiracy and revolution, Cicero managed briefly to unite the discordant elements of Roman society against the genuine danger posed by Catiline: the honors and acclaim that he received were well earned.

The actions that deserved honor, however, were the source of a downfall even more rapid than his rise. Legitimate fear of armed insurrection led Cicero to execute citizens in 63 on the basis of a resolution of the senate, without a formal trial. In the violent factional politics of the late 60s and early 50s, his actions in 63 left Cicero vulnerable to his enemies; the coalition which he had created against Catiline dissolved in the face of mob violence and rampant corruption; and he was sent into exile in 58 at the instigation of the tribune Publius Clodius Pulcher – only to be recalled eighteen months later when political circumstances changed. Cicero relied on his own abilities at a time when the possession of money and armed troops had far more political effect than eloquence, decency, or parliamentary skill. Although honored for his eloquence and expertise, Cicero remained without real

influence through the turbulence that preceded the Civil War between Pompey and Caesar; and having half-heartedly chosen to support Pompey, he had virtually no place in public life under Caesar's dictatorship in the 40s. Only at the end of his life, after the assassination of Caesar on March 15, 44, did Cicero regain some measure of power, leading the senate in its support of Brutus and Cassius against Antonius. But in the bewildering military and political circumstances of 44–43, Cicero's mistaken judgment that he could control and use the young heir of Caesar (then Gaius Julius Caesar Octavianus, eventually to become Augustus) had fatal consequences: at the formation of the Second Triumvirate (Antonius, the young Caesar, and Marcus Lepidus) in November 43, he was proscribed. After he was killed on December 7, his head and hands were cut off and placed on the Rostrum in Rome, a sign of the ruthlessness of the Triumvirs and a symbol of the end of traditional republican politics.

Rome in the Late Republic

A fundamental upheaval in Roman public life began in 91, when Cicero was fifteen, starting with the outbreak of Rome's war with its Italian allies (the Social War) in 91, followed rapidly by an assault on Roman influence and power in the eastern Mediterranean instigated by Mithridates, king of Pontus. Dispute over who was to command in the war against Mithridates (who was not finally defeated until 63) led to a civil war in two stages: L. Cornelius Sulla, awarded the command by the senate, marched on Rome to seize it from Marius, who had been given it by popular vote; after killing or exiling his enemies in Rome and defeating (not decisively) Mithridates in the East – including a brutal siege of Athens – Sulla returned to Italy in 82 and captured Rome itself, leading to his dictatorship and the wholesale proscription of his enemies, and to a reactionary reform of Roman government.

The violence, corruption, and political warfare that began in 91 did not end until the future Augustus achieved sole power in 31 BCE, long after Cicero's death; by that point, the traditional constitution of republican Rome had been destroyed. And yet, what is meant by "constitution" in a society that has no foundational document and not even a comprehensive code of laws? What means did Romans have to define, much less to restore, the basic principles of their political institutions? In his speeches as well as in the more overtly political writings translated

here, Cicero (and he was clearly not the only one) searched for definitions of the fundamental rules, and limits, of political behavior, and for the principles that underwrote them. "Right" and "rights" (*ius, iura*) became rhetorical catchwords used on all sides to justify or criticize questionable actions in terms of some imagined or hoped-for fundamental law. Radical uncertainty about political legitimacy and obligation was a central feature of Roman public life in Cicero's lifetime; providing a response to that uncertainty was central to his political dialogues.

If there were major upheavals in Roman political life in the early first century, there was an equally important transformation in Roman intellectual life. (It should be noted that there are antecedents for both developments, but the pace of change increased significantly in the 80s and later.) Roman generals and magistrates in the East had often found time to listen to lectures by obliging Greek philosophers or look at (and sometimes appropriate) works of art. But in Cicero's youth, it became far more common for young Roman aristocrats to travel to Greece for intellectual as well as governmental purposes, and the presence of Greek intellectuals in Rome increased significantly – not least as a consequence of Sulla's treatment of Athens. Some came willingly to the new financial, military, and now cultural capital of the Mediterranean; others, like Virgil's Greek teacher Parthenius, arrived as enslaved prisoners of war. For many years, Cicero himself provided a home for the blind Stoic philosopher Diodotus. The Epicurean Philodemus of Gadara, many of whose copious writings have been unearthed in the excavations of Herculaneum, was the house-Greek of Cicero's enemy Piso (one of Caesar's fathers-in-law) and was well known to Cicero, who also defended in 62 the Roman citizenship of the elderly Greek poet Archias from Syrian Antioch. Even as a young man, Cicero wrote two works indicative of the range and sophistication of his interests: a treatise *De inventione*, adapting a technical work of Hellenistic rhetoric, and a verse translation of the elegant and learned Hellenistic astronomical poem, the *Phaenomena* of Aratus. The influx of Greek intellectuals and the increasing appreciation of Greek literature had a powerful effect on Roman letters, particularly beginning in the 50s: both Catullus, writing learned poetry in the manner of the Alexandrians, and Lucretius, expounding Epicureanism in Latin verse, were the beneficiaries of Greek learning and exercised an immense influence on Latin poetry in the next generations.

Cicero's deep and extensive knowledge of Greek culture was atypical only in its range and intensity, but even he shows a certain ambivalence.

As with the question of the Roman “constitution” in politics, so too there was a serious question – which goes back well before Cicero’s birth – about the proper relationship between Rome’s own traditional culture and the imported sophistication of Hellenistic Greece. Cicero himself in his speeches, as also through characters in his dialogues, expresses distinct ambivalence (sometimes genuine, sometimes ironic) about the proper role of Greek culture in Rome – and yet his doubts are expressed in texts that simultaneously reveal his extensive immersion in Greek literature and philosophy. Cicero’s works constantly display a creative engagement with Greek ideas and texts, using, manipulating, and adapting them in and for a Roman context.

Cicero the Writer

It was Hellenistic philosophy and literature that Cicero knew best. As a young man, he studied with Philo, the head of the skeptical Academy (who lectured on both philosophy and rhetoric) and with Philo’s successor Antiochus of Ascalon, who turned the Academy away from skepticism towards a more dogmatic stance, which attempted to reconcile Platonism, Aristotelianism, and Stoicism. The long set of dialogues (which he describes as “Aristotelian” because they followed the manner of Aristotle’s lost dialogues in consisting of set speeches from different points of view rather than Socratic dialogue in the manner of Plato) which he wrote between late 46 and his return to active politics late in 44 were intended to explore the views of the Hellenistic schools (especially Stoicism and Epicureanism) on major philosophical issues. Even when, in his earlier dialogues, he follows a Platonic model, the argument generally reflects the debates of the Hellenistic age. More broadly, Cicero’s writing – whether oratory or philosophical dialogue – reflects the manner of much Hellenistic literature: learned, allusive, witty, and above all elegant.

It is often said, and not unjustly, that Cicero turned to writing only when he could not play an active part in public life. That is true, although his correspondence shows that his interest in new books and ideas was constant even when he was most politically engaged. But in the late 50s and early 40s, very clearly, Cicero’s writing was a substitute for political action. After the Civil War, from his obituary for oratory and freedom in the *Brutus* of early 46, through the philosophical corpus of 46–44 (on epistemology, cosmology, ethics, the emotions, and religion), to his discussion of the tension between utility and honorable behavior in

On Friendship and *On Duties*, written after the assassination of Caesar, Cicero viewed his writing as part of his civic role and as addressing topics of contemporary importance. But no set of writings is more attuned to the problems of public life than the three Platonic dialogues written in the late 50s.

A Roman Plato

In the period between 55 and his reluctant departure to govern the province of Cilicia in the spring of 51, at a time when he was frustrated by his lack of political standing, Cicero wrote three dialogues (the first works of their kind written in Latin) in imitation of Plato: *On the Orator* adapted and replied to the *Gorgias* and *Phaedrus*; *On the Commonwealth* is Cicero's version of the *Republic*; and *On the Laws* – which was left incomplete – is modeled on Plato's *Laws*. The topics he chose, quite clearly, were important to him and politically relevant, and Plato, whom he always deeply admired as a writer, provided a suitable framework, even though (or perhaps because) Cicero found the Greek philosopher's views on rhetoric and government both wrong and unrealistic. The use of strongly characterized speakers of divergent views in a fully realized dramatic setting – particularly true of the Platonic dialogues Cicero most extensively employed, *Gorgias*, *Phaedrus*, *Republic*, and *Laws* – was eminently suitable for Cicero's project in the 50s, an attempt to transpose Greek ideas about public life into a Roman context and to provide a more rigorous philosophical model for Roman public behavior and institutions than had previously existed. *On the Orator*, written in 55, was placed in the dramatic setting of 91 BCE, just before the outbreak of the Social War, using as speakers figures whom Cicero had known as a young man. In the dialogue, he combined a technical discussion of rhetoric with a broader exposition of the civic role of the genuine orator, arguing (against Plato and others) not only that rhetoric was itself an *ars* (Greek *technê*: a discipline with rational rules capable of being taught and transmitted) but also that it was the master art to which philosophy, at least ethics, should be subordinated. He also transposed the notion of *ars* itself from the schoolroom to the forum: the consummate orator becomes a figure capable of transmitting to society the ethical and social values learned through both study and practical experience.

On the Orator gives clear indications of Cicero's larger concern with the political importance of ethical values and with the link between

oratory and true leadership; above all, it displays Cicero's belief that political wisdom and moral character – in *On the Orator* seen as constituents of rhetoric itself – were crucial elements in fostering the larger goals of society through their manifestation in particular individuals. In *On the Commonwealth*, which he began to write less than six months after finishing *On the Orator*, he attempted to give a fuller account of the values and nature of public life, again with an emphasis on the importance of wise and moral individuals in government and society. Cicero's correspondence gives some indications of the process of composition and of his ideas about the work's contents: he first describes it as *politika* (Greek: concerning public life), then as “about the best commonwealth and the best citizen” before settling on the title *On the Commonwealth*. The original plan was for a nine-book work set in 129 BCE at the home of Scipio Aemilianus; when a friend criticized this as limiting the opportunities for comment on current affairs and appearing too improbable (the conversation takes place twenty-three years before Cicero's birth), he considered turning it into a dialogue with himself as the main speaker, but rapidly thought better of that and returned to the original setting, but in six books.

The setting was extremely important for Cicero. P. Cornelius Scipio Aemilianus Africanus, twice consul and censor, adoptive grandson of the elder Scipio Africanus (the conqueror of Hannibal) and himself the destroyer of Carthage in the Third Punic War in 146 BCE and of Numantia in Spain in 133, was a man whom Cicero greatly admired as not only a great general and orator, but also someone renowned for his intellectual accomplishments as much as for his success in public life. A friend of the Greek historian Polybius (whose account of the Roman constitution Cicero used extensively in the first two books of *On the Commonwealth*) and the Stoic philosopher Panaetius as well as of the Roman poets Terence and Lucilius, Scipio emerges in Cicero's presentation as an ideal example of the successful fusion of public action and educated thought, someone who could well be imagined to have offered an explanation, as he is made to do in the dialogue, of the philosophical underpinnings of Roman government.

The conversation is imagined to have taken place on a holiday early in 129, during a political crisis: Scipio was leading the conservative attempt to eviscerate the law for agrarian reform passed by his cousin Tiberius Gracchus as tribune of the plebs four years earlier. That legislation and the concomitant violence and upheaval had resulted in the murder of

Gracchus by a mob led by another relative, Scipio Nasica Serapio; and the tribunate of Gracchus was regarded by Cicero and his contemporaries as the beginning of the social upheavals which lasted into their own time. The dialogue envisages Scipio as the one person whose stature and abilities could have halted such developments; but it takes place only a few days before the real Scipio died suddenly and mysteriously. His death may have been natural, but Cicero believed that he had been murdered by supporters of the Gracchan laws. As in *On the Orator*, which takes place a few days before the sudden death (of a stroke or heart attack) of the protagonist Crassus and the outbreak of the Social War, *On the Commonwealth* represents a very precise moment during a political crisis, the deleterious effects of which could have been prevented by the protagonist were it not for his sudden death. In that respect, both Scipio and Crassus are Roman equivalents for the Socrates of the *Phaedo*, speaking inspired words at the very end of their lives. In the dialogues, they simultaneously explain and represent in themselves the best possibilities of moral oratory and statesmanship.

The other participants in the conversation are also carefully selected. Scipio's principal interlocutor (at least in the surviving text) is his closest friend in real life, Gaius Laelius, a man of considerable learning; he is portrayed as an ironic and practical man, who repeatedly returns the conversation from the higher philosophical flights of Scipio to the real world of Roman life. He is accompanied by his two sons-in-law, Quintus Scaevola (the Augur) and Gaius Fannius; the former (one of Cicero's teachers) appears in Book 1 of *On the Orator* as an elder statesman and expert on law. Another figure of the younger generation is Publius Rutilius Rufus, who is said by Cicero to have been his source for the conversation: a man of Stoic beliefs and rectitude, he was exiled unjustly in the 90s for extortion, and spent the rest of his life at Smyrna, in the province of Asia, which he had been convicted of having mistreated. Quintus Aelius Tubero, Scipio's nephew, was also a Stoic and a man of serious scholarly attainments; his career was cut short because he refused to compromise his philosophical beliefs in order to win election. Three other figures fill out the cast: Spurius Mummius, whose brother Lucius destroyed Corinth in the same year that Scipio destroyed Carthage, is presented as a hardened defender of aristocratic privilege; Lucius Furius Philus, one of Scipio's closest friends, was a public figure of great integrity and learning, who is made unwillingly to argue the case for injustice against justice; and Manius Manilius, one of the leading legal

experts of the second century, was considerably older than any of the other participants, and had been Scipio's commanding officer in Africa in 149 at the beginning of the Third Punic War. Taken as a group, the participants in the dialogue represent what Cicero felt to be the highest levels of intellectual and civic accomplishment in the second century, and also span three generations of Roman eminence: one of the central concerns of *On the Commonwealth* is the way in which knowledge of morality and tradition can be passed on and kept alive; in viewing the conversation, the reader witnesses a living example of the values and social behavior that Cicero most admired.

The dramatic structure and setting of *On the Commonwealth* are deeply influenced by Plato's *Republic*: there too there is more than one generation (the old man Cephalus; Socrates and Thrasymachus as mature men; Cephalus' son Polemarchus and Plato's brothers Glaucon and Adeimantus of the next generation); there too the conversation takes place on a festival; and there too the topic of justice is dealt with both as an internal quality of individual morality and as an element of social order. In Cicero's sequel to *On the Commonwealth*, the unfinished *On the Laws*, a Platonic model is equally evident. In Plato's *Laws*, the main speaker is the Athenian Stranger, generally identified in antiquity – and by Cicero – with Plato himself; it is set on a long summer day with a contemporary date. Cicero's equivalent presents himself as the main speaker, with his brother Quintus and his close friend Atticus as interlocutors; the conversation takes place at Cicero's ancestral home in Arpinum at an unidentifiable date in the late 50s. The primary difference between the two is that Plato's *Laws* proposes laws not for the ideal commonwealth of the *Republic*, but for a second-best society, while *On the Laws* proposes a legal code and customs for the government whose framework is described in *On the Commonwealth*, namely the ideal constitution of Rome of the mid-Republic. If one ignores that difference (as Cicero himself does), then the two pairs of dialogues are precisely parallel: one in the historical past, one in the present; the second a deliberate sequel to the first. It is sometimes suggested that the nine-book version of *On the Commonwealth* Cicero abandoned in October 54 would have included some of the material now found in *On the Laws*, and that is possible. But by the time he finished *On the Commonwealth*, he must have had in mind the creation of an independent work on the Platonic model. *On the Laws*, however, was never finished.

On the Commonwealth

Although *On the Commonwealth* was widely known until at least the fifth century CE, it cannot be shown to have existed entire after that and survives only in fragmentary form today. The principal source for it – and the only copy of most of it – consists of 151 leaves of a palimpsest, a manuscript written in the fourth century but erased and reused for a text of Augustine's *Commentary on the Psalms* at the monastery of Bobbio near Milan in the seventh century. Luckily, it was not erased very carefully, and the lower text is almost entirely legible; it was discovered in 1819 in the Vatican library by Angelo Mai and published in 1822, the last major Ciceronian text to be printed. The surviving portion is roughly a quarter of the whole work; it contains most of the first two books (except for the opening of Book 1 and the conclusion of Book 2), a small part of Book 3, and a few pages of Books 4 and 5: nothing continuous survives from the last third of the dialogue. Other sources, however, supplement the palimpsest: there are a great many quotations from *On the Commonwealth* in lexicographic and grammatical handbooks, and it was used extensively by Lactantius in the *Divine Institutes* early in the fourth century and by Augustine in *City of God* in the fifth. At roughly the same date the Neoplatonist Macrobius used the *Dream of Scipio* (the conclusion of *On the Commonwealth*) as the platform for a commentary which expounds the basic tenets of Neoplatonism; his work was widely read in the Middle Ages and is responsible for the preservation of the *Dream*.

From all these sources, reconstruction of the argument of *On the Commonwealth* is reasonably certain, if not in all details. The dialogue was divided into six books; each pair of books was equipped with a preface in Cicero's own voice and represented one day of conversation. The first two books deal with constitutional theory: Book 1 presents a traditional analysis of constitutions into three good forms (monarchy, aristocracy, democracy) together with their degenerate counterparts, and argues that the best form of government is in fact the so-called mixed constitution, incorporating elements of the three good simple forms. The second book applies this theory to Rome: Scipio describes the gradual development of the constitution from the time of Romulus to the restoration of republican government after the fall of the Decemvirate in 450/449, arguing that the form of government in place thereafter (perhaps until nearly Scipio's own time) was in fact the best example of the best (mixed) type of constitution.

Up to this point, the argument closely resembles that developed in Book 6 of Polybius' *Histories*, a work Cicero knew well by a man Scipio himself also knew well. The constitutional theory of both Cicero and Polybius draws on the work of Aristotle's school, notably Dicaearchus and Theophrastus, while the historical material of Book 2 draws on Polybius and, in all probability, on the lost historical work of the elder Cato, the *Origines*. Near the end of Book 2, however, the argument changes, along with the philosophical sources, at just the point where the manuscript becomes very fragmentary. Two things clearly take place in the dialogue: there is a move from historical arguments about constitutional form to normative arguments from nature (2.66); and there is similarly a move from considering "good" government in terms of its practical effectiveness and stability to examining it in terms of its moral values (2.69–70).

These topics occupy the second day of the conversation. Book 3 contains what was undoubtedly the most famous section of the dialogue in antiquity, a reformulation of the pair of speeches delivered by the Academic Carneades in Rome in 155 BCE in which he had argued on successive days that justice was essential to human social existence and, conversely, that injustice was essential. Cicero presented the arguments in reverse order: first Philus presents the case for injustice in Carneadean terms, and then Laelius advances a very different argument in favor of justice. This speech is unfortunately very fragmentary: but it is clear that Laelius argued in Stoic terms from the existence of natural affection to the existence of natural moral values and thus to a definition of natural law, defined as right reason and explained as a fundamental feature of the structure of the cosmos itself and therefore providing a permanent standard of justice for individuals and governments alike. From that conclusion Scipio took the next step, applying the idea of natural law to constitutional forms, demonstrating not only that the degenerate forms of government (tyranny, oligarchy, mob rule) are not properly called "commonwealths" at all, but that only a constitution which embodies a just distribution of rights and authority is legitimately so named, and hence that the Roman constitution itself, as described in Book 2, is the only proper, rather than the best, form of government.

In Book 4 the argument becomes too fragmentary for convincing reconstruction; what is clear is that Stoic ideas are again applied, this time as a solution to the problem of maintaining a just government. Scipio apparently argued from the presence of natural morality in

humans (as a part of the moral Stoic cosmos) to an equation between the traditional institutions of Rome and the natural moral code, showing that such institutions are shaped and maintained by individuals of exceptional ability who transmit these values to the people at large and foster institutional morality through their example and actions. The final day of conversation (Books 5 and 6) is almost completely lost except for the *Dream of Scipio* with which it ended. It is clear from Cicero's own references to it and from a few fragments that these books concerned the training and function of the individual statesman; the last book dealt with the role of the statesman in a crisis (in part, probably, based on Theophrastus' treatise on that subject), thus bringing the conversation back to the initial occasion for the dialogue, the crisis in Rome in 129. The *Dream* at the end provides a vision of the genuine and posthumous rewards that await the true statesman, placing moral government and civic responsibility in a cosmic framework that corresponds to the Myth of Er at the end of Plato's *Republic*, but – as Cicero does throughout *On the Commonwealth* – making individual morality contingent on the values of civic life and public service.

In looking at the remains of *On the Commonwealth*, it is important to remember that while what survives of the text is predominantly about constitutional theory and Roman constitutional history, those topics – the first day's conversation – were no more than a preliminary framework for the real work of the dialogue. *On the Commonwealth* begins (in Cicero's preface) as a protreptic: a rejection of withdrawal from the active life and an exhortation to the reader to participate in the public world of politics. That opening protreptic is balanced by the concluding *Dream*, which concentrates on the eternal rewards for political engagement, and the last two books as a whole were not about the structures of government, but about the education, training, and actions of the ideal statesman. And the Ciceronian statesman is not like the reluctant philosopher-kings of Plato's *Republic*: civic responsibility is the center of life, not a mere distraction from philosophic contemplation of the Good. Although Cicero adapts Plato, he almost always rejects his ideas, and it is telling that the one sentence of Plato Cicero repeatedly quotes with approval is from Plato's ninth letter (which he believed genuine, although modern scholars do not), that we are born not for ourselves but for others.

That emphasis on individual behavior – both moral and courageous – in public life is not surprising; indeed it is a consistent theme, from Cicero's earliest work, *On Invention*, in which he is concerned in the

preface about the problem of the immoral orator, to *On the Orator*, the work closest in time and spirit to *On the Commonwealth*, which focusses on the individual speaker rather than the theory of rhetoric, to his last philosophical works, *On Friendship* and *On Duties*, which again stress questions of individual behavior in troubled times. As someone who relied on his own personal abilities as an orator to serve his country, Cicero understandably emphasized just that aspect of civic life. The figure of the statesman is adumbrated in the (unfortunately fragmentary) conclusion of Book 2: the person whose knowledge, skill, and character make him a model and source for civic order. This figure – the *rector* (ruler) or *moderator* (guide) – has been the source of vast scholarly (and political) confusion; but it is clear that he is not necessarily the holder of some constitutional position, but is the representative of a class of loyal and capable citizens – such as the participants in the dialogue themselves. As Cicero/Scipio says of Lucius Junius Brutus (2.46), “he was the first in this state to show that in preserving the liberty of citizens no one is a private person.”

It was in the fragmentary middle third of the dialogue that Cicero made the link between the structures of government, both ideal and Roman, and the figure of the statesman, and he seems to have done so in two stages. First is the discussion of justice in Book 3: on the one hand, the concluding arguments of both Philus and Laelius about the justice of states show that it is the behavior of individuals that brings about governmental injustice; and on the other hand, Scipio’s argument, based on Laelius’ proof of natural law and morality, shows that any structure of government, whether one of the simple forms or the mixed constitution, must be based on the fundamental principles of natural morality. Thus proper government (at least in foreign affairs) clearly requires the proper behavior of individual leaders. The second stage comes in Book 4 (introduced, in part, by Cicero’s preface to the pair of books at the beginning of Book 3), in which it is demonstrated that Roman institutions, particularly the censorship and the educational system, embody in reality the qualities that Stoic ethics advocates in theory, and thus serve to produce statesmen who possess the moral and intellectual qualities required for good government. The reciprocity between state and statesman that Cicero sees as fundamental to civic success is made explicit in his preface to Book 5, quoted by Augustine: “For if the state had not had such morals, then the men would not have existed; nor, if such men had not been in charge, would there have been