Jula Wildberger

The Stoics and the State

Theory – Practice – Context

STAATSVERSTÄNDNISSE
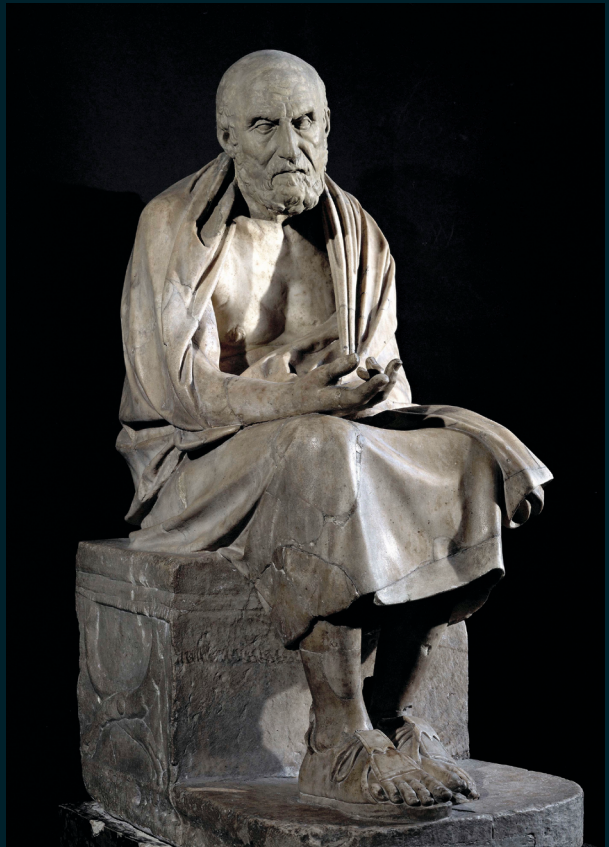
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Rüdiger Voigt

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Nomos

Editorial

Throughout the course of history, our understanding of the state has fundamentally changed time and again. It appears as though we are witnessing a development which will culminate in the dissolution of the territorially defined nation state as we know it, for globalisation is not only leading to changes in the economy and technology, but also, and above all, affects statehood. It is doubtful, however, whether the erosion of borders worldwide will lead to a global state, but what is perhaps of greater interest are the ideas of state theorists, whose models, theories, and utopias offer us an insight into how different understandings of the state have emerged and changed, processes which neither began with globalisation, nor will end with it.

When researchers concentrate on reappropriating classical ideas about the state, it is inevitable that they will continuously return to those of Plato and Aristotle, upon which all reflections on the state are based. However, the works published in this series focus on more contemporary ideas about the state, whose spectrum ranges from those of the doyen *Niccolò Machiavelli*, who embodies the close connection between theory and practice of the state more than any other thinker, to those of *Thomas Hobbes*, the creator of Leviathan, to those of *Karl Marx*, who is without doubt the most influential modern state theorist, to those of the Weimar state theorists *Carl Schmitt*, *Hans Kelsen* and *Hermann Heller*, and finally to those of contemporary theorists.

Not only does the corruption of Marx's ideas into a Marxist ideology intended to justify a repressive state underline that state theory and practice cannot be permanently regarded as two separate entities, but so does Carl Schmitt's involvement in the manipulation conducted by the National Socialists, which today tarnishes his image as the leading state theorist of his era. Therefore, we cannot forego analysing modern state practice.

How does all this enable modern political science to develop a contemporary understanding of the state? This series of publications does not only address this question to (political) philosophers, but also, and above all, students of humanities and social sciences. The works it contains therefore acquaint the reader with the general debate, on the one hand, and present their research findings clearly and informatively, not to mention incisively and bluntly, on the other. In this way, the reader is ushered directly into the problem of understanding the state.

Prof. Dr. Rüdiger Voigt

Abbreviations

Ancient authors and their works as well as standard lexica are cited with the abbreviations of the *Oxford Classical Dictionary*, ed. Simon Hornblower, Antony Spawforth, and Esther Eidinow, 4th ed. Oxford; New York: Oxford University Press, 2001. A list of these abbreviations is available online at http://classics.oxfordre.com/page/abbreviation-list/.

Names of authors and works are also given in unabbreviated form in the index of passages cited at the end of the book.

In addition to those of the *Oxford Classical Dictionary*, I use the following abbreviations:

DPhA	*Dictionnaire des philosophes antiques*, ed. Richard Goulet. Vols. I-VI. Paris: CRNS Éditions, 1989-2016.
OLD	*Oxford Latin Dictionary*, ed. P. G. W. Glare. Oxford: Clarendon Press, 1982.
Plut. *Stoic.rep.*	Plutarch. *De Stoicorum repugnantiis* = *Moralia* 1033a-1057b.
Stob.	Ioannes Stobaeus. *Anthologium*. (The two titles *Eclogae* and *Florilegium* by which this work is often cited refer to two halves of the same work, which had a separate manuscript tradition.)

Inhaltsverzeichnis

1. Introduction

The Stoics are famous as originators of two central ideas in political theory: cosmopolitanism and natural law.[1] We have become so familiar with these concepts that it is difficult to imagine how paradoxical they must have seemed when Zeno of Citium (334/3-262/1 BCE), the founder of this school of thought, promoted them c. 300 BCE – so much so that they could have appeared to undermine the possibility of politics and a meaningful conception of the state in any sense. *Nomos*, law and arbitrary, local convention, was perceived as the virtual antonym of *phusis* ("nature"), and when Plato has Callicles talk of a "law of nature,"[2] it is meant as a provocation illustrative of that character's impetuous inconsistency. Especially in Athens, where Zeno taught, *polis* – the city state – and citizenship as a member of that *polis* were almost tribal notions; the Athenians defined themselves genetically, as a kin group distinguished from others by their blood and autochthonous origin in Attica, the territory of their city.[3]

Is there still space for political thought about how to assure the permanence and autarky of a state – topics central to Plato's and Aristotle's writing – if the real *polis* is coextensive with the cosmos? What is the point of discussing how laws and constitutions may negotiate a fair balance of interests and countervailing social forces, if the Common Law is as unchangeable as Nature and has been decreed since eternity? The Stoic conception of the state has far reaching peculiarities that distinguish it from its more famous predecessors but also from approaches and positions in mod-

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1 See Vogt 2008, 3-6, also concerning the differences between the modern concepts and original Stoic thought. Actually, the Stoics had two different terms: "(what is) just by nature" (*dikaion phusei*) and "Common Law" – not "natural law" (Vander Waerdt 1994, 274; Vogt 2008, 16, 161; Asmis 2008, 4). On the precursors and reception until Rousseau, see Kaufmann 2008. He sketches the main strands: "[…] ist es die platonisch-aristotelische Konzeption eines von Natur Rechten, die sie, inhaltlich entscheidend modifiziert, mit der monistisch-pantheistischen Logosphilosophie Heraklits und zugleich mit der sophistischen Relativierung der geltenden Gesetze verbinden. Die stoische Moral- und Rechtsphilosophie erfährt dadurch eine kosmologische Fundierung, wie sie die klassische griechische Philosophie nicht kannte. Anders als für Heraklit gelten die menschlichen νόμοι den Stoikern allerdings nicht mehr generell als Ausfluß des einen göttlichen Nomos; vielmehr unterscheiden sie gerade scharf zwischen dem Weltgesetz und den menschlichen Gesetzen, modern gesprochen: zwischen natürlichem und positivem Recht. Hinzu kommt, daß die Stoiker zum erstenmal innerhalb der Geschichte der abendländischen Philosophie nicht nur polis- bzw. bürgerbezogen, sondern dezidiert menschheitsbezogen über Recht und Gerechtigkeit philosophieren, so daß ein in jeder Hinsicht universales Naturrecht erst von ihnen begründet werden konnte" (242).
2 Plato. *Gorgias* 483e: *nomos tēs phuseōs*.
3 See Richter 2011 on this idea "that the political community is or ought to be coterminous with what we might call a biologically homogenous collectivity" (4, 6, 25f., and *passim*).

ern political philosophy, even if those philosophers locate themselves in a tradition of which the Stoics are the beginning, or at least a part.

1.1 A State?

Given that the term "state" is not an ancient one and connected to the rise of the modern nation state, the use of the word in a book about political ideas of ancient Stoics requires some justification. To which degree is that which the Greek Stoics call *polis* a state or not a state?

My first reason for preferring the term "state" is the lack of better alternatives. The more general concept of a polity – understood as a matrix or space of political action and its constituive institutions and practices – is too wide to do justice to the rigorous distinctions maintained by the Stoics between a *polis* in the proper sense and other political organisms that do not qualify for this appellation. I will therefore use the word "polity" for state-like entities that are not states in the narrow Stoic sense.

Nor was it possible to recur to the concept of a "city state." Unlike Plato and Aristotle, the Stoics do not think exclusively in terms of the city state, even though this form of polity is still the foil that provides preconceptions and starting points for new ideas. Living at a time of shifting political organizations, the founders of Stoicism had no reason to think of the city state as the political form par excellence,[4] and their basic ideas continued into the Roman Empire. There is not one single type of polity suitable to serve as the base or umbrella term for all Stoic conceptualizations of statehood. I will therefore use the word "city" or "city state" only when the referent is recognizably an actual city state or a polity conceived as such a city state.

The plurality and historical change of political structures also makes it difficult to align the terminology of our sources with our modern conceptual toolbox. But it also makes it difficult to pinpoint coherent usages within these sources themselves. For a Stoic writing in Greek in the second century of the Roman Empire, a *polis* is not the same as what the city state of Athens was for Zeno five-hundred years earlier. A further layer of complexity is added by mismatch between Greek and Roman terminology. Most Stoics wrote in Greek, while Seneca and Cicero expressed themselves in Latin. Latin *ius* and *lex* correspond to but also differ significantly from Greek *dikaion* and *nomos* (p. 158f.). One Latin translation of *polis* is *urbs*, which can refer to a large city or the urban center (Greek: *astu*) in contrast to the country side; *Urbs* capitalized as a name is the city of Rome (which can no longer be adequately described as a city state at the time when the Romans begin to write about Stoic philos-

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4 See p. 137ff.; on the city state as a conceptual foil: p. 140.

ophy). The Romans distinguished different types of cities (e.g. *municipium* or *colonia*). As a general term they used the polysemous *civitas*, a word which is the literal equivalent of the Greek *politeia*, but with an inverse etymology: *Civitas* derives from the noun *civis* ("citizen"), whereas the Greek word for citizen (*politēs*, literally: *polis*-man) derives from the noun *polis* denoting the state to which the citizen belongs. A *civitas* is often a city state or a city with some kind of self-government, but it can also be a larger state-like unit like a tribe or nation, and it is also used as a term for *politeia* in the sense of "constitution," "citizenship" (the legal status), and "citizen body" (the collective of citizens). However, unlike Latin *civitas*, *politeia* does not denote the nation or city state itself.[5] On the other hand, *politeia* in the sense of political life or practice cannot be rendered with the Latin word *civitas*; rather a Roman might use a phrase with *res publica* in this context or refer to the *forum* as the place where such activities are performed.[6] Both Greeks and Romans usually refer to a city state or nation by naming its citizens, e.g. "the Athenians," or, in the case of ancient Rome, *Senatus Populusque Romanus* (SPQR: "The Roman Senate and People"). The Romans may also talk of the *Imperium Romanum*, which is both the supremacy of Rome over its provinces and the whole territory with its political organization. The most general equivalent for both "state" and "politics" in Latin is *res publica*, which literally means "public affair" or "public property,"[7] that which is of concern to every citizen and belongs to all, an idea that English translations often render with the word "commonwealth." *Res publica* is also used for the Latin version of the title of Plato's political masterpiece, the *Politeia*, and of the works that emulate and engage with it, such as Zeno's *Politeia* or Cicero's *De re publica.*

When speaking about the Stoic theories in English, I use the word "state" to refer to the political organism that is called *polis* in Greek sources and most often *res publica* in Latin whenever such an organism is a state in the full Stoic sense. The word "state" is also used when there is good reason to believe that the entity discussed at this point is what is defined as a state (*polis*) in our sources. When *politeia* seems to refer to the constitutional or legal structure of a state, I translate it as "constituted polity." The original Greek or Latin terms will be indicated regularly as well, in order to allow for a critical assessment of my readings and attempts at disambiguation.

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5 That usage is attested only in late antiquity, in an analogous extension of the Latin word *civitas* (LSJ s.v. *politeia* I.4). More on the various meanings of the Greek word *politeia* below, p. 63.
6 For example: *accedere ad rem publicam, gerere rem publicam* (*OLD* s.v. *res publica* 1); *in foro versari, forum attingere* (*OLD* s.v. *forum* 4). The law court held by a magistrate in the provinces was also called a *forum*, and so *forum* became a term for towns at which such courts were held (*OLD* s.v. 6 and 7). Hence, for example, Forum Iulii, modern Fréjus.
7 On Cicero's famous explication of the word as *res populi* (*Rep.* 1.39), see, e.g., Christes 2007, 90-95.

A further reason for using the term "state," even at the risk of anachronism and at the cost of greater imprecision, regards my intentions in writing this book for the series *Staatsverständnisse*. When discussing "the state," we cannot help but negotiate political and ethical values. How we conceive of statehood and how we assess the quality or importance of existing token states is intimately linked to our willingness to commit, as citizens, to shared objectives and define the means we regard as acceptable for achieving them. Evidently, rethinking the state is a crucial task of our times, and if our understanding of the object of discussion is too narrow, we might deprive ourselves of avenues of thought worthy of exploration.

1.2 The Analytical Grid

For structuring my account and formulating questions that I may pose to the scattered and complex material, it was helpful to think in terms of the four constitutive categories of statehood distinguished by Bob Jessop: population, territory, institutions, and state idea.[8] The first two of these are reflected in Stoic definitions of a *polis*, or state, in terms of dwelling (*oikētērion*) and a people, while the categories of institution, also called "state apparatus" by Jessop, and state idea apply to the Stoic state only with fundamental but telling qualifications.

Apart from the law itself, institutions play a marginal and fuzzy role in Stoic conceptions of statehood. In the tradition of Max Weber's analysis of the state as the bearer of a monopoly of power, Bob Jessop thinks of institutions first of all in terms of state power.[9] This central element in modern theories is alien to the Early Stoic state. In any case, power to defend a territory against external forces could only characterize the particular state, not the world state. But particular states too define themselves by internal cohesion and not by defending a separate territory against other states. It was a central claim of Zeno's *Politeia* that even though humans will live together as communities located in different places, a reasonable person will see these particular states as parts of a shared whole, not as competitors for limited space or other resources (T50 on p. 77). This is one reason why Chrysippus and

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8 Jessop 2016. Jessop thus adds one more category to Georg Jellinek's (1900) three constituents of statehood: *Staatsvolk*, *Staatsgebiet*, and *Staatsgewalt*. Rüdiger Voigt (2015, 39) considers but rejects the addition of a constitution to this threesome. Even though constitutionalism is alien to at least Early Stoic thought (p. 166, a Stoic might think of the particular laws for a local state as equivalent to a modern constitution. Like the law of a local Stoic state, a modern constitution is a changeable adaptation to the particular socio-political context in which it forms the base rules for a state, and both are formulated with a view to more universal principles. A modern constitution presupposes human rights and conceptions of just government, whereas the Stoic looks to the Common Law of which the local law is a particular adaptation. A certain overlap with the concept of a state objective, at least as I will use it in this book, also obtains if the state is defined as a guarantor of rights and social protection (Voigt 2014, 353).
9 Jessop 2016, 25, 49, and *passim*.

probably already Zeno himself declared that in a proper state military force is useless.[10]

When trying to understand the Stoics, we should never forget that material possessions, bodily health, and even life (one's own or that of someone else) are "indifferents" (*adiaphora*) – objects that evoke action impulses and whose motivational force and thus value is always context-dependent, relative to the actual options at hand. Indifferents are called so because whether a person attains them or not is irrelevant for her attaining a good life. Further, among the indifferents those pertaining to *skheseis* – social relations and opportunities to care for others – have a particularly high relative value, so much so that they are treated as a separate category in the writings of Imperial Stoics such as the *Discourses of Epictetus* and Hierocles.

The "Beautiful City" (*Kallipolis*) that Plato devises in his *Politeia*, has a soldier class because of the consumptive needs of this luxurious city: It needs a larger territory and must fear attacks by neighbors interested in the city's territory and possessions – with the result that the city's territory and economy have to grow even further to provide for its military forces. In this respect, the Stoic state is more like the "City of Pigs" which Socrates sketches first but which his interlocutors reject as inadequate.[11] Like the inhabitants of that simple city, a Stoic sage has no need for things that can only be obtained by prevailing over others. Nor would she feel very strongly about keeping the kinds of possessions that a polity can only preserve for its citizens if it is able to defend its borders against external foes.

In ancient Greece, territorial sovereignty and autonomy were framed in terms of "freedom" (*eleutheria*), but the Stoics redefined freedom in a radically different way. Even if military service or dying for one's fatherland appears as a civic duty in Stoic doxographies and later Stoic writings, as part of the sociable acts a sage would perform if circumstances so warrant because of the *skhesis* she has to her home country, neither military power nor internal policing of citizens is constitutive of statehood as Stoics understand it.

Nor is state power conceived as necessary for law enforcement and protecting citizens' rights. Stoics derive their conception of political freedom from personal

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10 Phld. *On the Stoics*, col. 15f. Dorandi. Since the source is given as Chrysippus' *On the Politeia* – most likely a commentary on Zeno's *Politeia* (Schofield 1991, 26) – we can infer that Zeno himself did not see any use in weapons either (Baldry 1959, 10 n. 12; see also Schofield 1991, 50f.; Bees 2011, 225). Philodemus also informs us that Chrysippus followed Heraclitus in identifying Zeus with War (Phld. *On Piety*, PHerc 1428, col. 7 Henrichs = *SVF* 2.636; discussion, e.g., in Schofield 1991, 74-6, 80). We lack sufficient context to ascertain what Chrysippus might have meant. One possible explanation is that Chrysippus thinks of Zeus, i.e. the active principle God, as the origin of opposites (on which see Wildberger 2006, 3.3.3.5), especially such opposites like virtue and badness, by which some people – the wise ones – are equal to gods and free, while the others are slaves, just as in the passage from Heraclitus Chrysippus must have alluded to (frg. 22 B 53 Diels and Kranz).

11 Book 2, 373d-374a; Kallipolis: Book 7, 527c; "luxurious" (*truphōsa*): 2, 372e; City of Pigs: 2, 372d.

eleutheria as the opposite of slavery. As Phillip Mitsis proposes, we may here grasp the germs of a concept of natural human rights as "the authorized exercise of a capacity or power grounded in nature."[12] Such a right, as it were, to act according to their own judgment, is in principle given to all human beings. In this sense, Mitsis was successful in refuting Richard Sorabji's claim that the Stoics have "an ethics of duty, not an ethics of right."[13] It is however, important to keep in mind, first, that the term "duty" does not point to some burdensome obligation. We must rid ourselves from the modern stereotype of the Stoic resigning to inevitable fate and doggedly performing her duty with clenched teeth. This is a Neo-Stoic idea (p. 206) and due to Cicero's transformation of *kathēkon*, the target effect a reasonable person aims to achieve with an action (p. 83), into Roman *officium* ("service" or "duty"), a term characteristic of that culture based on reciprocity and patronage, in which social obligations are services to be rendered according to one's place in a web of dependencies in return for services received. The original *kathēkon* has a much wider meaning and can be any kind of action effect that makes sense in a particular situation. According to the Early Stoics, a reasonable person goes for a *kathēkon* as that which suits her; for her, it is the thing to do. She likes what she does, and a perfect person is blissfully happy with all that she does and all that happens to her. Freedom in the Stoic sense is nothing but the authorization to follow one's heart's desire and do what one really wants.[14]

Second, such a 'right' differs from a right in modern discourses of law or justice in that it is not a right that must be guaranteed or protected by anyone else than the bearer of the right, let alone by state power; it is in the full power of the right-owner herself.

> For the Stoics [...] an individual's personality is not tied in any fundamental way to an external thing as property, or [...], even to one's own life or body. [...] What is in one's power, however, is one's own moral personality, which consists essentially in one's *eleutheria* and is grounded in one's power of giving or withholding assent (*sunkatathesis*). [...] we should not [...] expect the Stoics to attach rights to what they consider matters of indifference [...].[15]

As we will be shown in more detail below (p. 101ff.), only the individual agent herself can take away her own freedom and deprive herself of the right or power (*exousia*) to be the decisive origin of her own actions. A state may take measures to help and encourage individual agents *not* to deprive themselves in that way, but the exertion of state power is likely to play a marginal role in this, if at all. The freedom of full citizen sages is an unalienable property, something not threatened by any

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12 Mitsis 1999, 161; on the question, see also below, p. 166f. with n. 553.
13 Mitsis 1999, 165, referring to Sorabji 1993, 140.
14 This is a variation of Socratic intellectualism. See, e.g., Schofield 1991, 49.
15 Mitsis 1999, 172.

force outside the subject. As a result, a sage cannot be coerced by any state institution either. The sage is perfectly suited to obey laws and follow commands (p. 94), but does so by choice, with free assent, because it suits her, and not in explicit or implicit submission to a force beyond her control.

While the aspect of state power is thus marginalized, only to return with significant force in modern receptions of Stoicism, the fourth aspect of Jessop's conceptual grid, the state idea or *raison d'état*, is so central to the Stoic theory of the state that it would eclipse the other aspects if it were not possible to discuss them as expressions of and contributions to the fourth. This is so because, as Katja Vogt argues in her account of Early Stoic political philosophy, the state is the central expression of the cosmological teleology of that school. The world exists in order for there to be a state as that form of community in which all life forms, and in particular the rational life forms capable of reflective observation and conceptual thought, live the best life possible for them – including the creator of that cosmos himself, as was confirmed just a few years ago with the discovery of a piece of inscription in the mountains of south-eastern Turkey (T58 on p. 93).

For the Stoics this is a fact of nature, and so the term "state objective" is more appropiate than "state idea." Nevertheless, since this objective fact must be conceived as something of value, an end of individual strivings, and then expressed in actions, practices, and institutions both by individuals and their communities if they wish to be states, citizens, and political animals in the proper sense of these words, the state objective is also an idea, an ideal to aspire to and implement in one's local context.

In what follows, I will first set out the actual evidence for a Stoic definition of the term *polis* (ch. 2), a task that will involve already some conceptual exploration but also close reading and fine-grained philological work. As Malcolm Schofield's influential book on *The Stoic Idea of the City* (1991) amply demonstrates, any serious study of Stoic thought consists to a large portion in the reconstruction of lost texts, their exact wording, and the exact meaning of those words. Chapter 2 thus serves as a warning, as it illustrates the uncertainty of whatever claim a reader makes about Stoic thought. It will be impossible to continue at the same level of detail throughout the book, and some readers may not be interested in all those tricky little issues anyway. All the same, I will let the sources speak for themselves as much as possible, building my account through exegesis of literal quotations, for which I have either carefully adapted the best existing translations or, more frequently, proposed a new translation of my own.

The following chapters will elucidate the single definientia identified in the second chapter: that the state is a dwelling (chs. 3 and 4), that it is administrated (ch. 4) by law (ch. 5), and that it is a population thus administrated (ch. 6). Already in this context it will be necessary to address the concept of a world state or cosmic polity

(ch. 4), while the role of particular polities and their relation to the whole is the topic of chapter 7.

We find traces of all three traditional aspects of statehood in the Stoic definition of polis: the population, the territory (in the definiens "dwelling"), and state institutions both insofar the state is "administrated by law" and, in one definition, has urban structures and institutions associated with the city center. The state objective, the fourth aspect that Bob Jessop adds to the triad, is implicit in those terms, and the quest for such implicit connotations informs the discussion from chapter 2 to chapter 7. Particularly relevant to this aspect are sections 3.2, 4.3.3-4, 5.4, 6.6 and 7.2.

Chapters 8 and 9 supplement the systematic outline in the first part with a diachronic account of ancient Stoicism from the beginnings in the third century BCE to the second century CE. At the same time, this section continues to explore questions raised in chapter 7 about the role of particular polities in that it considers how the theories of individual philosophers are reflected in what we still know about their political practice. It will also be interesting to see how they adapt the conceptions of their school to the changing socio-political contexts in which they live. Chapter 8 treats the Early Stoics and compares their practice to what we know about Stoic discussions of political involvement generally. Chapter 9 is devoted to Stoicism after it has arrived in Rome: the Middle Stoics and, in a longer section, the Imperial Stoics, whose thought is much better preserved and among whom there are two, Seneca and Emperor Marcus Aurelius, who had a leading function in the government of the empire.

By way of a conclusion, the final chapter (ch. 10) discusses three adaptations of Stoic thought in early modern and modern political thought: by Justus Lipsius, Immanuel Kant, and Martha C. Nussbaum. It illustrates the presence of Stoicism in our political thought and conceptions of the state today, but also significant absences or differences. The chapter will thus demonstrate the fecundity of Stoic thought and provide an opportunity to explore its peculiarities in even sharper relief against the backdrop of well known established theories. Thus, one or the other road for further exploration not yet taken by the Stoics' modern readers may present itself as an invitation to continue the dialogue.

2. Definitions: Four Sources for a Stoic Concept of the State

2.1 The State of Our Sources

Except for a scatter of literal quotations and a few snippets on papyrus, the original writings of Stoics before the first century CE are lost to us.[16] We know about them through three strands of tradition: (i) systematic, handbook-like doxography; (ii) the works of later Stoics in the first two centuries CE; (iii) quotations, paraphrases, and adaptations by authors engaging with Stoicism for some agenda of their own, which range from hostile inter-school polemic to creative reshaping in the service of the source author's own new theory. Ancient philosophers did not hesitate to present a straw man caricature of their opponents if it helped them drive home their point, and not everyone quoting a Stoic text fully understood, or bothered to understand, what the words originally were supposed to mean. This problem is aggravated when report coincides with translation, notably in the philosophical writings of Cicero (106-43 BCE), one of our best sources of coherent and reasonably disinterested exposition. In Cicero we find all three strands of transmissen intertwined: He had the declared aim of providing critical overviews in Latin, for which he drew on already existing doxography; he saw himself as an original thinker in a Skeptic tradition and wrote polemic critiques of Stoicism in his dialogues; most notably for our purposes, his political thought is deeply inspired by Stoicism but eclectic and driven by concerns rooted in Cicero's political experience and Roman traditions.

Of the later Stoics, three did not publish anything themselves. Marcus Aurelius' *Meditations* were not written for publication. The book is an exercise diary for personal use. The thought of Musonius Rufus (before 30-before 101/2 CE; *DPhA* M198) and Epictetus (c. 50-125 CE; *DPhA* E33) is known only through what was published as elaborated lecture notes by their students, of whom one, Arrian, the author of the *Diatribes of Epictetus* and a *Handbook* of key teachings, was himself a prominent philosopher and historian, and also senator and a leading figure in the administration of the Roman Empire.[17] At that time the Stoic classics now lost to us were read in the original by those seriously interested in philosophy. Roman Stoics of the Imperial age saw no need to explain the previous development of their school in much detail and often leave it to their audience to tell apart their own contribu-

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16   On the question of sources, see Mansfeld 1999 and Erskine 1990, 3-5. Schofield 1991 is overall a detailed and sophisticated effort in source criticism.

17   Arrian (c. 85-165 CE; *DPhA* A425) was consul under Hadrian and governor of the province of Cappadocia for several years. He studied with Epictetus c. 108 CE.

tion, which may have been significant – or maybe sometimes less significant than modern scholars postulate. On the other hand, even where a source author calls himself a Stoic, we must consider the possibility that he integrates, or eclectically aggregates, ideas from other schools, e.g. Epicureanism and Platonism. In case of the latter, matters are further complicated by the fact that the revival of Platonism since the first century BCE was characterized by frequent forages into Stoic territory, while the Stoics themselves already had read and learned a lot from Plato's dialogues.[18]

It will be impossible to lay out all these intricate issues whenever a source is adduced in this book, but we need to keep them in mind, not least of all when we attempt to outline what can be established as the diachronic consensus about what may be called a Stoic theory of the state. The trouble starts directly with the definition of our object of study.

2.2 Chrysostom: "Human Beings Administrated by Law"

Chance has it that the most complete version of what may have been a Stoic definition of *polis*, or "state,"[19] comes from a rhetorical showpiece by "golden-mouthed" Dio Cocceianus Chrysostomus (c. 40–c. 120 CE; *DPhA* D166), one of the great concert orators of the first and second century. That period of the so-called Second Sophistic saw a number of star performers embodying a seamless blend of philosopher and rhetorician. Chrysostom had been a student of the Stoic Musonius Rufus, a Roman discoursing in Greek, and presented himself as a philosopher with Cynic leanings – in particular during the time of his exile, when the stance of a Cynic allowed him to embrace with dignity the social status imposed on him by Emperor Domitian. The speech in question, *Oratio* 36 or *Borystheniticus*, was delivered in Chrysostom's home town Prusa (now Bursa in Turkey, not far from Istanbul) probably not long after his return from exile after Domitian's death in 96.[20] As a member of the local aristocracy, Chrysostom was born to play a leading role in his home town, and in this speech he recommends himself as a high-minded expert in political matters. He does not offer any specific advice on current affairs, but narrates to his fellow citizens how during the wanderings of his exile he came to give a speech to the citizens of Olbia (a name that means "The Blessed One"), a half-barbarian town situated where the river Dnjepr, then Borysthenes, flows into the Black Sea a little west of the Crimea. The reported speech takes up the lion's share of the oration.

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18 See, e.g., Bonazzi and Helmig 2007; Bonazzi and Opsomer 2009; Harte et al. 2010. The two founding fathers of Stoicism, Zeno and Chrysippus, had studied in the Academy. For the interaction with Aristotelianism, see, e.g., Inwood 2014.
19 On Stoic definitions of the *polis*, see Schofield 1991, 61 and *passim*; Laurand 2005, 59–120 *passim*; Vogt 2008, 65 n. 1.
20 Nesselrath 2003, 14–15.

Embellishing his account with Platonic imagery, as was the fashion of the times, Dio seems to provide what is overall a Stoic description of the cosmos as a world state and its relation to individual states. Chrysostom does not mention Stoics explicitly and introduces the second part of his account as a speech in Plato's style, but significant deviations from Plato's original imagery nicely fit Stoic ideas and for many ideas we have parallels in other Stoic sources. Some of these are incompatible with Platonism, e.g. the idea that God is immanent within the world.[21] Dio Chrysostom is the only author who unequivocally presents his formula as a definition. After asserting that he must first define the topic of his speech, he says that a *polis* is

> T1 [a] a multitude of human beings living in the same place and administrated by law (*hupo nomou dioikoumenon*).[22]

Chrysostom does not attribute the definition to any particular school. Rather, he aligns himself in the most general terms with educated men (like him) who are capable of producing abstract definitions, an ability that he has just demonstrated to his uncough audience with a definition of man as a "mortal rational animal."[23] That definition is compatible with Stoic thought and relevant to the topic, but not the peculiar Stoic version as an animal that is also sociable or political by nature[24] which one might have expected in a political context. Chrysostom refers back to his definition of a *polis* later, but there uses the expression

> T1 [b] organized group (*sustēma*) of human beings[25]

as a synonym for the "multitude" (*plēthos*) in the definition at 36.20.

Parallel sources attribute similar terminology to Stoics, which further supports the assumption that Chrysostom draws on Stoic material. However, it is impossible to reconstruct a single standard definition from all our sources taken together. The parallel sources do not even define anything; rather, they use definition-like phrases in arguments. Such a phrase might just express commonly accepted ideas adduced to persuade a non-Stoic audience. It all depends on what the argument is supposed to achieve, and so we must keep an eye on our source authors' own agenda and the

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21 Schofield 1991, 57-62, 84-92; Nesselrath 2003, especially 18-22 and his commentary on the translation; Forschner 2003, 139-153; Bees 2011, 109f. (also on systematic differences between Stoic and Platonic political thought: 208-60). In a characteristically Platonic manner, Chrysostom presents the cosmological basis for the political ideas in his speech as a myth attributed to a specific source, here Zoroastrian priests. Just as Platonic myths are Plato's, we can be fairly certain that this one is a fiction by Chrysostom himself, who drew on elements of Zoroastrianism as they were received and presented in Greek sources to which he had access (de Jong 2003; contrary to this, Bees [2011, 154-174] argues that the myth reflects an original Zoroastrian influence on Zeno and other Stoics). On Chrysostom as a contributor to Imperial Stoic political thought, Gill 2000, 603-7.
22 Dio Chrys. *Or.* 36.20 = *SVF* 3.329.
23 Dio Chrys. *Or.* 36.19.
24 See p. 43 n. 78 and *Dig.* 1.3.2 = T51 on p. 84.
25 Dio Chrys. *Or.* 36.29 = *SVF* 2.1130.

function of the arguments in their respective contexts. The fact that the doxographies, which usually abound in definitions and classifications, are so reticent in this respect may be an *argumentum ex silentio* that there was no generally acknowledged standard definition for them to quote, at least not one formulated by the revered masters of the Early Stoa.

2.3 Clement of Alexandria

The closest parallel to Chrysostom's definition comes from the Christian author Clement of Alexandria (c. 150–after 222 CE; *DPhA* C154), who frequently uses Stoic terminology to frame his religious views and in this manner has transmitted much valuable information. For the most part, his references to Stoicism are of a general nature, and here too we need not assume direct engagement with a specific Stoic treatise or author, but we can be certain that Clement was widely read and had access to original works of Stoics. Clement names "the Stoics" as precursors to the idea that a true political community, that which he calls his "Jerusalem," is constituted by the divine. After reporting a distinction between a true state in heaven and non-states "here," Clement switches to direct speech, which we should take as a mark of agreement rather than a sign that he is no longer speaking in Stoic terms.

> T2 I would pray for the spirit of Christ to make me soar on wings[26] to my Jerusalem. For the Stois too call the heaven a state (*polis*) in the proper sense (*kuriōs*), but those here on Earth no longer states. [They say] that they are called so but are not. For the state (*polis*) is something wise (*spoudaion*) and the people (*dēmos*) a wise-and-urban (*asteion*) organized group (*sustēma*) and multitude of human beings administrated by law, like the assembly (*ekklēsia*) by the word (*logos*), neither expugnable nor subjugable (*atyrannētos*), a city on Earth, a product of divine will "on Earth as it is in Heaven."[27]

Unlike our modern sourcebooks for Stoicism, I have given a longer excerpt with the full sentence containing the definition-like phrases. Stoicism and Christian theology blend inextricably in Clement's work, and it is far from clear where the one ends and the other begins. Just as the introduction to the passage looks at the Stoic world state through a Christian lens, the Stoic description of the state now defines a Christian organization. Following Hans von Arnim's selection for his fragment *SVF* 3.327, scholars assume that the Stoic material in this passage ends with "administrated by law." The illustration of the role played by law, then, does not refer to speech in the

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26 The Greek word *pterōsai* ("make winged") may allude to the wings souls grow from erotic arousal in Plato's *Phaedrus*. In the context of the passage Clement cites materials from a range of philosophers, including Plato. For the destination of the flight and the contrast of two cities, see Paul's letter to the Galatians (4.24-6).

27 Clem.Al. *Strom.* 4.26.172.2 = *SVF* 3.327. Clement cites and alludes to *Matthew* 6:10: "Thy kingdom come. Thy will be done in earth, as *it is* in heaven."

assembly of the people but to the word of God imparted to the *ekklēsia* in the sense of a community of the faithful or, even more technically, the Church.[28] However, we cannot exclude the possibility that the illustration was already made by a Stoic to hightlight the fact that it is as a form of speech (*logos*) that the law administrates the citizens, who are rational beings endowed with speech (*logikoi*) and assemble around the divine law, agreeing with its wise prescriptions. If it was not his own, Clement would have cited the illustration because he could attribute a new Christian meaning to it. If, in turn, it was Clement's invention, he was able to draw on the Stoic conception of law as *logos* (p. 71f.) for that purpose.

2.3.1 "Neither Expugnable nor Subjugable"

Clement proceeds to characterize the true state as one that cannot be dominated: No outside enemy can conquer it (it is not "expugnable"); nor does it suffer internal domination by a tyrant. In contrast to a king, who rules by hereditary power or some other mode of generally accepted succession, a tyrant is someone who seizes illegitimate power and oppresses his fellow citizens with force. With the two composite neologisms characterizing the indomitable state the tone becomes loftier, but we should keep in mind that the Stoics too liked to use such negative composites to describe what a sage is not subject to.[29] Since the Stoics regarded the wise person as the only one free from domination and immune to any violence or harm by outside force,[30] they may very well have applied this tenet to a wise city or a people of sages too. Only with the reference to the Earth as the location of the divinely willed state do we reach a reasonably certain boundary between Clement and the Stoics. While the Stoics he cites deny that there are such states on Earth ("they are called so but are not"), Clement mentions the Earth two times and underscores his point with a citation from the Bible, namely that his Jerusalem can be found both on Earth and in Heaven.

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28 LSJ s.v. II. On the associations the word had with the political institution for the Christian communities at the time, see Zamfir 2013, in particular 48f. and 71-3 with further literature, and ch. 2.3 for the possible impact of Stoic and other non-Christian cosmo-theological conceptions.

29 Compare, e.g., Arr.*Epict.diss.* 2.10.1 with *adouleutos* ("unenslavable") and *anhypotaktos* ("unsubordinable"), and from the list in Adler's index in *SVF*, vol. 4: *ahēttētos* ("undefeatable"), *anepideēs* ("unneedy"), *apathēs* ("impassionable," i.e. incapable of falling into a passion), and *aparempodistos* ("unhinderable").

30 This is a *leitmotif* in Epictetus' *Dissertations*, for example. For the idea of internal domination, compare Sen. *Ep.* 114.24 contrasting two different roles for our mind, that of a (good) king (*rex*) and that of a tyrant (*tyrannus*). The fact that the Roman philosopher uses a Greek term points to an older Stoic model.

2.3.2 The Wise State vs. the People as an Organized Group

Another problem with the passage is that Clement does not define "state" at all. The phrase that is the definiens of *polis* in Chrysostom, describes the people (*dēmos*) in Clement. Modern translators tend to stretch the syntax, combining the two subjects as if the whole sentence would characterize only one thing,[31] but this is not the literal meaning. Word order and details of expression[32] indicate that Clement talks about two different referents: (i) the state as something wise and (ii) the people as "some organized group and multitude of human beings administered by law." There is a close connection to Chrysostom's definition, of course, in that Chrysostom defines the state as a people in similar terms. In Chrysostom, people with these definitory properties are the state. However, Clement also omits the reference to a shared territory that we find in Chrysostom. Both differences could be explained by the assumption that the Christian wanted to prepare the identification of the state with the "assembly" or Church, and that the state he has in mind is a world-wide organization not demarcated from others by a specific territory. On the other hand, we cannot exclude that it was Chrysostom who added the idea of a territory for the purpose of his discourse since he envisages an ideal model for a city state in the ordinary sense, and that Clement just faithfully renders his Stoic source's focus on a true world state without a specific territory in contrast to the separate organizations that do not deserve to be called "states."

Apart from the literal repetition in two authors of whom neither drew on the other, the use of the word *sustēma* in itself might be another piece of lexical evidence for a Stoic origin.[33] The Stoics distinguished between such structured compounds in contrast to mere aggregates (*athroismata*), for example in their definition of knowledge, and frequently used the related verb *sunistanai* to describe the creation of living organisms by Nature. On the other hand, we should not forget that the same word *sustēma* was used to refer to political bodies or structures already by Plato and Aristotle and from then on became part of the vocabulary for social units, an expres-

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31 See, e.g., Schofield 1991, 24: "For a city or a people …;" Laurand 2005, 59: "Car la cité et le peuple …" An exception is Bees 2011, 93. The Fragment is not included in Long and Sedley 1987 or Gerson and Inwood 1996.

32 (i) The terms for state and people are marked as separate subjects each with their own article and conjoined by καί, not the more closely connecting τε καί. (ii) The two predicates are separated from each other, one preceding the first subject, the other following on the second, a word order that discourages reading the predicates with both subjects. (iii) The indefinite pronoun τι in enclitic position after ἀστεῖον encourages us to read this adjective with the following nouns and thus the whole phrase as the attribute modifying δῆμος. Compare Bees's translation (2011, 93). He reads the καὶ before πλῆθος as explicative: "denn der Staat sei von sittlichem Wert und das Volk ein Gebilde städtischer Organisation, damit eine Menge von Menschen, die vom Gesetz verwaltet wird."

33 On that word, see also Laurand 2005, 79, with a different interpretation.

sion for a plurality of individuals organized as a group or given a specific function.[34] Again, the matter is complicated by the fact that the Stoics themselves engaged with Plato's political thought and are likely to have drawn much of their political vocabulary from his school, the Academy, and his students, including Aristotle. Furthermore, a large portion of relevant passages comes from later Hellenistic historians, of whom one, Polybius, was personally acquainted with the Stoic Panaetius (c. 180-109 BCE; *DPhA* P26), while two other late first-century BCE historians, Diodorus Siculus and the Stoic[35] Strabo, read and often copied the work of another Stoic, Posidonius (c. 135-51 BCE; *DPhA* P267), for whom the word *sustēma* is directly attested in this sense as well.[36]

2.4 Cleanthes: A Construction for Refuge and Justice

Two features connect Clement's testimony to another source for a Stoic definition of the state. This third source is an *Outline of Stoic Ethics* preserved more or less completely in a late antique anthology compiled by Ioannes Stobaeus in the early fifth century CE. In both texts the state is characterized with the neuter singular form of the adjective *spoudaios* as "something wise" (*spoudaion ti*), and both texts use the adjective *asteios* to characterize the people. Both texts present these expressions as part of an argument, but differ in the actual structure and purpose of their respective reasoning.

Clement's argument has two layers. One layer is constituted by claims about his Christian Jerusalem. He first concludes from the Stoic distinction between heavenly state and so-called *poleis* on Earth, which are not states, that there is a heavenly, i.e. divine, state in the proper sense. In a next step, he rejects the local distinction he attributes to the Stoics and defines his state as something constituted by God's will everywhere, both on Earth and in Heaven. The proof for this claim is provided by the quote from the Gospel.

The other layer is the argument for the distinction between heavenly state and earthly non-states that Clement attributes to the Stoics. The argument does not prove the full claim, *both* that there is a heavenly state and that there are no true states on earth. It only supports the second half. That the actual polities humans live in are not states in the proper sense is supposed to follow (i) from the fact that a true state would be wise, (ii) from the definition of a people as something both wise and administrated by law, and possibly (iii) from the fact that such an organization would be indomitable. The argument is valid if we also assume an implied premise not re-

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34   LSJ s.v. 2-5.
35   Bees 2011, 314 with n. 336; see also Auberger 2016, 606-10 (*DPhA* S164).
36   Frg. 100 Edelstein and Kidd.