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# **EUROPE NEEDS CICERO**

**VITTORIO BUFACCHI**

*Department of Philosophy*

*University College Cork*

*Ireland*

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# Europe Needs Cicero

*Vittorio Bufacchi*

*Department of Philosophy*

*University College Cork, Ireland*

*Ireland*

[v.bufacchi@ucc.ie](mailto:v.bufacchi@ucc.ie)

**Vittorio Bufacchi teaches political philosophy at University College Cork, Ireland. He is the author of *Why Cicero Matters* (Bloomsbury 2023), and *Everything Must Change: Philosophical Lessons from Lockdown* (Manchester University Press 2021).**

As we start the third decade of the 21st century, the European Union is facing its most severe crisis of legitimacy. The European Union is an on-going cultural, political and institutional project shaped by nations with very different political traditions and constitutional cultures (Bellamy, Bufacchi and Castiglione 1987); this diversity is its strength. And yet, notwithstanding its considerable achievements, including lasting peace since the Second World War, the longevity of the European Union as we know it today is under threat.

European citizens across the Union are manifesting worrying signs of declining confidence in the administrative functions, institutions, or leadership of the European Union. In every corner of the old continent two forces are working in tandem to reform and emasculate the European Union, the first coming from nationalist authoritarianism, the other from populism. Recent developments in the European political landscape, principally in Italy, Slovakia, Hungary and Poland, but also in Spain, France, the Netherlands and even Finland, suggest a

disturbing trend. The present crisis is raising serious questions regarding the long-term viability of the European project.

Far-right political movements across Europe, and beyond, idealize the figure of Julius Caesar. Today in the public imagination Julius Caesar remains the undisputed, heavy-weight, universally recognized face of Ancient Rome. Julius Caesar was a despot, a ruthless autocrat, the mastermind of genocide in the Gaul, and yet he is to this day a role-model for many political movements on the Right.

Europe needs an alternative role-model to Julius Caesar. In this moment in time, more than anything else, the European Union urgently needs a symbol of its democratic spirit, an iconic figure that represents all the values that have defined the European Union since its inception after the Second World War: the imperative of the rule of law, the primacy of the common good, the necessity for active citizenship.

There is an illustrious historical figure that shaped his philosophy and statesmanship around these values: Marcus Tullius Cicero (106-43 BC). The reappraisal of Cicero for a modern audience is indispensable to reinstate the spirit of democracy at the heart of the European Union.

### **LEARNING FROM OUR PAST**

Authoritarianism and populism are the basic ingredients of a toxic political rhetoric that threatens to undermine the many achievements of the European Union. Of course, populism is not a new phenomenon. Authoritarianism and populism are as old as politics itself, which is why it is instructive to go back to Ancient Rome, when a democratic, republican project was crushed by the advent of populist authoritarianism.

The European Union today is facing the same threats that were faced by the Roman Republic more than 2000 years ago. The authoritarianism of Lucius Cornelius Sulla Felix, known commonly as Sulla (139-78 BC), only partly succeeded to bring down the Roman Republic, but on this occasion the Republic managed to survive. The threat to the Republic coming from the populism of Publius Clodius Pulcher (93-52 BC) shortly followed, but it also failed, in part because it did not have the military backing of strong authoritarian forces. What ultimately brought the Roman Republic to its knees was the authoritarian populism of Julius Caesar (100-44BC), which was followed by the authoritarian populism of Mark Anthony (83-30 BC) and Rome's first emperor, Gaius Octavius, also known as Augustus (63 BC – 14 AD).

The Roman politician and philosopher that is most widely associated with a defence of the values of the Roman Republic against the intimidations coming from recurrent authoritarian and populist menaces was Cicero. In his politics and in his philosophy, Cicero tried to find a delicate balance between pragmatism and idealism. At the core of all his activities stands a very simple but powerful principle: democracy is to be found in procedural justice as defined by the rule of law. Even if imperfect, and at times inefficient, the rule of law needs to be protected and sustained, at all costs. The alternatives are always more dangerous and potentially disastrous.

In the 21<sup>st</sup> century Europe seems to find itself in the same predicament as Cicero's Roman Republic. There are strong authoritarian and populist forces today at work to undermine the rule of law in the European Union. Whether it's Brexit, or the spectacular rise of the far-right in France, Italy, Slovakia, Austria, the Netherlands, Poland and Hungary, the European Union has never been under greater danger of collapse. This may not be imminent, but the seeds of mistrust have been sown. Now is the time to act to counter these threats.

This is why we need to go back to Cicero's political philosophy, and use Cicero to send out a message about the necessity to safeguard and reinforce the European legal framework. Europe needs Cicero to raise awareness of the dangers facing the European Union today, and for looking at possible solution to the crisis facing the European Union.

Comparing modern Europe to Ancient Rome is obviously a hazardous project, for many reasons. The context is radically different, in every possible way: culturally, economically, politically, technologically. One would have legitimate reasons for being sceptical of the old adage that studying ancient history is relevant to us today. But the threats facing the Roman Republic in 45 BC and the European Union in the 21<sup>st</sup> century are strikingly similar, and we cannot afford the luxury of making the same mistakes again.

There are important lessons all citizens of the European Union can learn from Cicero. Historians are still debating the exact reason why the Roman Republic collapsed (Bringmann 2015), but two explanations in particular are worth stressing: first, the inability of the Roman Republic to reform itself, and show flexibility, when the changing economic and political reality demanded that changes be made to the Republic's institutional framework. Secondly, the need for active citizenship, defined in terms of political engagement and the spirit of

civil involvement. Cicero was at the heart of everything that the Roman Republic represented, and he was adamant to protect it at whatever cost.

## POPULISM

The rise and contemporary global spread of populism is, arguably, the most interesting and disturbing phenomenon in contemporary politics. Populist politics is already hurting the quality of democracy (Albertazzi and McDonnell 2015). The standard analysis of populism suggests that populism originates from the general discomfort with the inability of liberal democracies to fulfil their promises. This analysis seems obvious, even innocuous. The risk, however, is to assume that populism is only as old as liberal democracies.

The assumption seems to be that at the origin of modern-day populism is the inability not just of democracies to fulfil their promises, but specifically liberal democracies. This is misleading, in fact this premise may even distort and misrepresent certain key aspects of populism. Populism cannot be defined as a challenge to liberal democracies since populism has been around a very long time, predating liberal democracy by many centuries. In this context, looking at ancient forms of populism can be both instructive and revealing, and it can help us have a better understanding of the contemporary phenomenon of populism.

The last years of the Roman Republic are of crucial importance, and there is still a lot we can learn from it today. Consider the case of Publius Clodius Pulcher, better known simply as Clodius, one of Ancient Rome's best loved bad boys. He was a social rascal and a political radical, scandalously promiscuous and libertine. Gaining notoriety in 62 BCE when he gate-crashed a solemn, all-female religious festival, he then became one of the most violent and politically dangerous leaders of a populist faction that engineered the exile from Rome of the most ardent defender of the Republic: Cicero. He went on to terrorize the streets of Rome with his private militia. But apart from using violent means to shake the foundations of the status quo, his political project also included radical reforms in the interests of the common people, the Roman plebs, including passing laws that made the distribution of grain in the city entirely free.

There is one curious aspect of Clodius life that makes his political biography compelling, and of particular interest to anyone studying populism today: Clodius was born into a rich, powerful, established, patrician family. What he did in order to gain political power was both unprecedented and remarkable: he turned his back on the patrician roots of his family and asked to be adopted by a plebeian

family. As the inimitable Mary Beard (2016, p.281) puts it: “[Clodius] has gone down in history as the mad patrician who not only arranged to be adopted into a plebeian family in order to stand for the tribunate but also put two fingers up to the whole process by choosing an adoptive father younger than himself.”

In an innovative, non-monarchical political system defined by a complex balancing act between an elite of senators of conservative disposition, hell-bent on maintaining the status quo with all the privileges it bestowed to the small number of ruling families, and a growing underclass of plebeians citizens who had some political representation through the appointment of official tribunes of the people (*tribuni plebis*), the populist card was often used in the years of the Roman Republic to press on with radical political reforms, often accompanied by bloodbaths.

Before Clodius caused havoc and brought mayhem to Rome, the long shadow of populism was cast by two legendary brothers, Tiberius and Gaius Gracchus. Their political agendas and methods were distinctly populist. One brother attempted to pass land reform legislation that would redistribute the major aristocratic landholdings among the urban poor and veterans, the other brother pushed for a subsidised quantity of grain to each citizen of Rome. Both were assassinated for their political vision.

The parallels between the Gracchus brothers and Clodius are many, including the fact that although the Gracchus brothers were officially plebeians, they were born into the old and noble Sempronia family. Their father held all the major political offices in the Republic: tribune of the plebs, praetor, consul, and censor. Their mother was a patrician, Cornelia Africana, daughter of Scipio Africanus, a hero of the war against Carthage.

What can Clodius and the Gracchi brothers teach us about populism in the 21st century? One thing, perhaps. Contrary to what is generally believed, populism is not a bottom-up political movement, the desperate voice of the marginalized masses, the political expression of a final, radical, democratic push by those who for too long have been excluded and are not going to take it any longer. Instead, populism is the brainchild of the elite. That’s how it was in Ancient Rome, and the same is true today.

There is a dominant narrative that suggests that populism is the political manifestation of the ‘masses’ that challenges the hegemony and monopoly of political power firmly held by the ruling ‘elite’, that populism is the voice of the

excluded against the entrenched elite. This interpretation of populism needs to be revised. There is another narrative to be told, which suggests that populism is a top-down phenomenon, or at least more so than we are led to believe.

Populism arises in the context of a clash between ruling elites: it is the articulation of a calculated political strategy used by one sector of the elite to gain the upper hand on another sector of the elite. In the last analysis, populism can be explained in terms of the masses being instigated and manipulated by some members of the elite in pursuit of their own interests. Seen in this light, populism is a tried and tested political strategy, much older than liberal democracy. Where Clodius and the Gracchi brothers failed, Julius Caesar succeeded: born into a powerful and privileged family, Julius Caesar's populist appeal was instrumental to undermining the Rule of Law, culminating in his appointment as 'dictator for life'. Caesar's main reforms concerned grain distribution and debt relief.

Liberal democracies are not immune from demagogues and populists. Just like in Ancient Rome, modern leaders of Right-wing populist movements almost always emerged from privileged backgrounds. In America today Donald Trump positioned himself as the saviour of the marginalized American lower classes, notwithstanding his family's status amongst America's wealthiest elite. He may speak the language of modern day American plebians, but he was never one of them. Like Julius Caesar and Publius Clodius Pulcher before him, Trump had to shrug off his elitist social class in order to champion the interests of the masses.

There is a lesson here about populism for the European Union to learn. It is now imperative to educate citizens across the European Union of the dangers of authoritarian populism, and of the manipulation exercised by elite figures disguised as populist leaders. There are members of the elite who proclaim to be the voice of the people, to speak for the masses, to represent the interests of the common people. 2000 years ago the political philosophy of Cicero represented the antidote to populism; his political philosophy can still be of service to us today, and to the European Union in particular.

### CICERO

Cicero was the victim of the most dangerous type of populism. In 58 BC he was exiled, and almost killed, by Clodius. He perished in 43BC at the hands of the next cohort of authoritarian populists, who went down in history as the Second Triumvirate: Octavian (later known as Emperor Augustus), Mark Antony, Lepidus.



Cicero symbolized the Roman Republic, the rule of law, and with his death the Roman Republic also died.

The Roman Republic was far from perfect: it was a slave society; women had very limited citizenship rights; violence was endemic; and poverty was prevalent. And yet, the Roman Republic was the closest thing to a democracy in the ancient world: there was a constitution and a legal system; the people of Rome enjoyed citizenship rights, including the right to vote; there were elections. After its collapse the Roman Republic was replaced by a long period of arbitrary, often brutal, authoritarian rule. Tyranny followed the end of the Roman Republic, and if we are not careful it could also follow the collapse of the European Union.

Often unjustly criticised for his tendency to shift his position in response to changes in the political climate, and his perceived intrinsic conservatism, Cicero remains a symbol for the resolute defence of three key values at the heart of the Roman Republic: first, an unwavering commitment to the Rule of Law; second, the belief in a constitutional framework grounded on check-and-balances; thirdly, a duty of all citizens to participate actively in the life of the Republic for the sake of the common good.

### **CICERO ON THE RULE OF LAW**

In his work *On Laws*, Cicero advocates the Rule of Law, founded on reason:

“Law is the highest reason, rooted in nature, which commands things that must be done and prohibits the opposite. When this same reason is secured and established in the human mind, it is law”.

He defended this principle throughout his turbulent political life, until his death. But most of all, Cicero defended the principle of the Rule of Law against those who champion the Rule of Man, founded on the arbitrariness of the most powerful, or the Rule of Will, which assumes that a regime is legitimate insofar as power is exercised in conformity to the will of the community, whatever that happens to be (F. D. Miller 2014).

For Cicero law and politics cannot be disentangled, and the Rule of Law is, and must be, the defining feature of our political culture. The essence of Cicero’s belief in the Rule of Law is captured by a phrase that has echoed through the centuries: *Omnes legum servi sumus uti liberi esse possumus*, which translates as “We are slaves of the law so that we may be free”. For Cicero, as for many liberal political theorists down the ages, the Rule of Law simply is the democratic organization of rule-making (Bobbio 1987). As Richard Bellamy (2011) explains,

the Rule of Law is the obligation to vote on an equal basis to others, to accept the decision even if you voted the other way, to accept that laws should be equitable and apply equally to all.

### **CICERO ON CONSTITUTIONAL CHECKS-AND-BALANCES**

The concept of separation of powers, which is the founding stone of any modern democracy, were inspired by the Roman Republic. Cicero was the greatest champion of the Roman Republic, and its constitutional separation of powers. Cicero proposed that the ideal government is formed by an equal balancing and blending of monarchy, democracy, and aristocracy.

It was the Roman Republic that inspired America's Founding Framers to organize a three-part government – legislative, judicial, and executive. It also inspired the political philosophy of the European Union. The legislative, judicial, and executive branches of the European Union are the three pillars of European democracy, all operating under the rule of law, and a system of checks and balances so no one branch is too powerful. Cicero defends this constitutional mechanism in his treatise *On the Republic*, where he borrows the idea of a mixed constitution from Plato but extends and applies this idea to the Roman context. For Cicero, what makes the Roman Republic unique and philosophically unassailable is that this is a form of government where power is held by the people, not a military ruler, a monarch, or an emperor. In Cicero's own words, *Res Publica, Res Populi*: the republic is the people's property. This is what the European Union is, and should be, to all European citizens.

### **CICERO ON THE DUTY OF POLITICAL PARTICIPATION**

The Roman Republic is, amongst other things, the inspiration behind a political philosophy which goes by the name of Republicanism. Grounded on the idea of freedom as non-domination (Pettit 1998), the political philosophy of republicanism, both in its neo-Roman and modern formulations, also puts a premium on political participation as a civic virtue. (Maynor 2003). Cicero believed that direct participation in the political life of the Republic, and in the governing process, was a way of realizing true freedom. Cicero maintained that political activity undertaken for the common good is an eminently honourable life. This relates to what Cicero refers to as *concordia ordinum*, or internal concord, the belief that the common good took precedence over factional or selfish interest.

Here Cicero is strongly influenced by Aristotle, who argues in his *Politics* that participation is intrinsically valuable because it allows the exercise of reasoned deliberation among equals. To be a citizen is to participate actively in deliberation, to defend the polis, and to serve in office. The Roman Republic is created, and creates, citizens who are engaged in self-rule among equals. For Cicero, there is no greater glory than in seeking the security and welfare of the community, and nothing less honourable than one who favours his private interests over the safety and dignity of the country.

## EUROPE

Today, in 21<sup>st</sup> Century Europe, we desperately need Cicero as our role model. He was Ancient Rome's greatest philosopher. His political integrity and incorruptible honesty were legendary. His devotion to the common good unsurpassed. Above all, Cicero understood that justice and trust cannot flourish where inequalities abound. Liberty is the central notion of any republic, but liberty is not enough; as Cicero reminds us in his text *On the Republic*:

“Nothing can be sweeter than liberty. Yet if it isn't equal throughout, it isn't liberty at all”.

One of the problems with our modern society is not only the growing inequalities within each nation state, but also the inequality across nation states. Neoliberal policies of austerity have exasperated the problem.

Modern democracies are not immune from the populist threat. We need to go back to basics, which is where Cicero comes in. There is a simple message we can take from Cicero's political philosophy: greed, inequality and corruption are the oxygen on which populism and authoritarianism thrives. To save our democracy we need to tackle these social and political cancers.

Throughout his political life Cicero fought against anti-democratic, populist, authoritarian forces. Eventually he succumbed to his enemies, but he died defending the Roman Republic and the rule of law against 'dictators' like Julius Caesar. More than 2000 years ago Cicero argued that culture ought to be the foundation of any republic, and books its building blocks. Today, as populist fuelled anti-intellectualism once again runs rampant, Cicero's message remains pertinent and urgent.

It was a wave of authoritarian populism that ultimately brought the Roman Republic to its knees, and a similar fate may befall our modern democracies. Notwithstanding the many discrepancies between first-century BC Rome and our

twenty-first century, and all the pitfalls associated with naïve, simplistic comparisons, there is one resemblance between the world of Cicero and our world today that cannot be overlooked: these are dangerous times we live in, not dissimilar from what Cicero experienced in Rome in his time.

In Europe, modern democracy is still only a green shoot, having emerged from the horrors of the Second World War. The Roman Republic lasted for the best part of 500 years, and yet it came to an end with the death of Cicero. Liberal democracy has been around a lot less than the Roman Republic, and being younger it is perhaps also more fragile. Today our modern democracies face their most daunting test in many years. We must never be complacent about our democracy, nor take it for granted. Although Cicero was unable to save the Roman Republic from populism and authoritarianism, there are still many lessons we can learn from him today to avoid making the same mistake as our Roman ancestors.

### **CONCLUSION**

The primacy of the Rule of Law, the pre-eminence of a constitutional system founded on a system of checks-and-balances, and the prerogative of a duty to participate actively in political life for the sake of the common good, are the three key notions on which the Roman Republic was founded. These are also the key political virtues that Cicero advocated and defended until the last day of his life. Just like the Roman Republic, the European Union is also built on these values. But just like the Late Roman Republic, today the European project is coming under threat by authoritarian populist forces. This is why Europe needs Cicero: the EU needs a symbol that will stand up against the growing authoritarian populist movement. Even when not authoritarian, populism has a tendency to be nationalistic and therefore anti-European, as in the case of Brexit in the UK and the many movements across Europe the Brexit debacle has inspired.

Cicero's influence over the centuries cannot be minimized. He has been credited for inspiring the 14th-century Renaissance in public affairs and humanism. The European Union needs a new Renaissance. It needs Cicero.

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Hondertmarck 45D

6211 MB MAASTRICHT

The Netherlands

Tel. +31 43 32 60 828

Email: [info@cicerofoundation.org](mailto:info@cicerofoundation.org)

Website: [www.cicerofoundation.org](http://www.cicerofoundation.org)