

THE SEARCH FOR UNIVERSAL ORDER FROM LOGOS TO THE CONSTITUTION IN STOIC PHILOSOPHY*

Stoa Felsefesinde Logos'tan Anayasaya Uzanan Evrensel Düzen Arayışı

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Abstract

This article examines the Stoic understanding of cosmopolitanism within the context of legal and constitutional thought, evaluating the impact of the Stoic doctrine of natural law on modern human rights and the global constitutional order. The primary objective of this study is to demonstrate how the central Stoic concepts of *logos*, living in accordance with nature, and *cosmopolis* establish a nexus between individual liberty and universal law. Methodologically, the study employs a combination of philosophical interpretation, conceptual analysis, and historical-systematic comparison. The research concludes that Stoic thought, by predicating the individual's participation in the universal order on reason and virtue, constitutes the moral foundation of modern human rights and constitutional legitimacy. Through the balance it strikes between inner freedom and social justice, Stoic philosophy offers an ethical perspective to the contemporary understanding of global constitutionalism. Thus, this study reinterprets Stoic cosmopolitanism not merely as a historical philosophical legacy, but as a normative paradigm directly related to the ethical foundations of global constitutionalism.

Keywords: Stoic philosophy, cosmopolitanism, natural law, constitutionalism

Özet

Bu makale, Stoa felsefesinin kozmopolitizm anlayışını hukuk ve anayasal düşünce bağlamında incelemekte; Stoacı doğal yasa öğretisinin modern insan hakları ve

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küresel anayasal düzen üzerindeki etkilerini değerlendirmektedir. Çalışmanın temel amacı, Stoacılığın merkezinde yer alan *logos*, *doğaya uygun yaşam* ve *kozmpopolis* kavramlarının, bireysel özgürlük ile evrensel hukuk arasındaki bağı nasıl kurduğunu ortaya koymaktır. Yöntem olarak felsefi yorum, kavramsal çözümleme ve tarihsel-sistematiik karşılaştırma teknikleri birlikte kullanılmıştır. Araştırma sonucunda Stoacı düşüncenin, bireyin akıl ve erdem aracılığıyla evrensel düzene katılımını esas alarak modern insan haklarının ve anayasal meşruiyetin ahlaki temelini oluşturduğu tespit edilmiştir. Stoa felsefesi, içsel özgürlükle toplumsal adalet arasında kurduğu denge sayesinde, günümüz küresel anayasalılık anlayışına etik bir perspektif sunmaktadır. Böylece çalışma, Stoacı kozmopolitizmi yalnızca tarihsel bir felsefi miras değil, küresel anayasacılığın etik temelleriyle doğrudan ilişkili normatif bir paradigma olarak yeniden yorumlamaktadır.

Anahtar Kelimeler: Stoa felsefesi, kozmopolitizm, doğal hukuk, anayasacılık

INTRODUCTION

Emerging amidst the political and moral crises of the ancient world, Stoic philosophy introduced the idea that not only individual happiness but also the common destiny of humanity must be comprehended within an order aligned with reason and nature. Initiated by Zeno, this doctrine posits the *logos*—universal reason residing within the human essence—as the foundation, thereby positioning the individual as an integral component of the holistic order of nature and humanity. For Stoic thought, the human being is not merely a thinking entity but a being capable of realizing inner freedom and social harmony through the capacity for moral choice. In this respect, Stoicism constructed a metaphysics of individual salvation, universal harmony, and justice; it integrated ethics, politics, and law into a singular rational conception of the universe.

With the collapse of the *polis* order in the Hellenistic period, the individual shifted focus from a local civic identity to seeking the universal meaning of being “human.” This quest evolved within the Stoic school into a concept of cosmopolitanism, wherein the understanding of a moral universe was reflected onto politics and law. For the Stoics, all human beings are stakeholders in Divine reason; consequently, the fundamental bond uniting them is not blood, class, or geography, but shared intellect. In this context, the *cosmopolis* is a moral community defined by the universality of reason, where every individual is subject to the same universal law. Thus, Stoic philosophy is not only a metaphysical doctrine but also the first theoretical expression of universal law and civic consciousness.

This thought was carried over into political philosophy and legal theory during the Roman period by thinkers such as Cicero and Seneca, forming the foundations of the natural law doctrine. The law defined by Cicero as “right reason in agreement with nature” is the legal expression of Stoic cosmopolitanism.

This law, which is immutable, eternal, and valid for all people, represents the political form of the moral bond established between humans and Divine nature. Consequently, natural law becomes a universal criterion of legitimacy standing above positive laws. The universalist character of Roman law can be described as the institutionalized form of this Stoic legacy.

Stoicism's doctrine of "universal law based on reason" provided the philosophical ground for the recognition of innate human rights through Enlightenment philosophy and constitutional movements. The idea that every human being is of equal value by virtue of "natural reason" regained concreteness through constitutional principles of human dignity, equality, and liberty. Thus, Stoic thought has persisted as a reference point teaching that human rights must be grounded in principles of universal justice and morality.

The relationship between Stoic cosmopolitanism and constitutional thought is also noteworthy for contemporary debates on global constitutionalism. Indeed, today's human rights regimes, international courts, and global legal orders that transcend nation-state borders are contemporary projections of the universal legal community envisioned by the Stoics. The idea of *cosmopolis* has become not just a moral ideal, but the normative ground for constitutional legitimacy and global governance. From this perspective, Stoic philosophy, with its moral integrity stemming from the principle of living in accordance with nature, offers a philosophical bridge to the constitutionalist understanding of a universal rule of law.

Stoic wisdom counsels that the individual, while reaching freedom under the guidance of reason by purifying themselves of passions, must also place this freedom at the foundation of social justice. To the extent that a human establishes their own inner order, they become compatible with the order of the universe. This harmony manifests on the constitutional plane as the rule of law and the universality of human rights. Therefore, Stoic philosophy functions as a historical bridge between individual ethics and public law, integrating human dignity as both an inner virtue and a social principle.

Today, debates on the "global constitutional order" gain new meaning through the reinterpretation of Stoic cosmopolitanism. This is because the *logos* at the center of Stoic thought is simultaneously a constitutional consciousness that enables humans to regulate their actions around the axes of justice, virtue, and equality. Consequently, Stoicism represents a historical and intellectual continuity between individual liberty and social order, moral law and positive law, and the ideal of humanity and constitutional legitimacy.

1. The Philosophical Foundations of Living in Accordance with Nature: The Moral Cosmos of Stoicism

The Stoic School was born as a product of the crisis environment emerging in Greek social life. However, after its establishment, it developed and was



adopted by people living in different regions, evolving over time¹. This current of thought, discussed by many authors, has been influential in fields such as politics, law, and state administration². The highly influential Stoic School was founded in the 3rd century B.C. upon the ruins of the *poleis*, and its influence was reflected in Roman thinkers and Medieval philosophers³. Stoic philosophy, which reached its peak influence during the Roman period, was one of the most effective philosophical schools of the Hellenistic era⁴.

Zeno, accepted as the founder of Stoicism, lived between 347–275 B.C.⁵. Because he delivered his lectures in a gallery adorned with paintings, this philosophical movement was initially called “Zenonian,” but in later periods took the name “Stoic School”⁶.

Becoming one of the influential schools of thought of the Hellenistic period, the Stoa aimed to present a philosophy of life capable of leading humans to happiness. According to Zeno, happiness does not depend on external conditions or the accidents of fate; what is essential is the attitude the individual develops in the face of these conditions⁷. With the destruction of the Greek *polis* order by the Macedonian Empire, a significant problem awaiting a solution emerged. The Epicurean and Stoic schools found the answer to how the individual would adapt to this new situation. These schools suggested that people should seek and find their freedom and purpose within themselves⁸.

The concept of morality holds an important place in Stoic philosophy, and despite its eclectic structure developing throughout history, the phenomenon of morality constitutes the most consistent part of Stoic thought⁹. Stoic morality should be evaluated as a response to the unique political and social problems of the Hellenistic period. This philosophical approach came to the fore again during the collapse of Scholastic thought and the early phases of the Renaissance and Enlightenment. Thus, it is seen that Stoicism has persisted as a constantly accessible resource despite different eras and conditions. The interest in Stoicism

¹ Adnan Güriz, *Hukuk Felsefesi* (15th edn, Siyasal Kitabevi 2020) 162.

² Niyazi Öktem, ‘Stoisizm’ (1974) 40(1–4) *İstanbul Üniversitesi Hukuk Fakültesi Mecmuası* 589, 618.

³ Ayferi Göze, *Siyasi Düşünceler ve Yönetimler* (Beta Yayınları 1989) 56

⁴ Esad M. Bahadır, ‘Zenon’dan Cicero’ya Doğal Yasa Anlayışı’ (2021) 21(2) *Abant Sosyal Bilimler Dergisi* 41, 42.

⁵ St. George Stock, *Stoacılık* (tr M. Molacı, Fol Kitap 2021) (first published 1908) 17.

⁶ Göze (n 3) 57.

⁷ İbrahim Çapak, ‘Stoa Felsefesi ve İslam Düşüncesine Etkisi’ (2015) 1(2) *Yakın Doğu Üniversitesi İslam Tetkikleri Merkezi Dergisi* 219, 220.

⁸ Göze (n 3) 59.

⁹ Esad M. Bahadır, *Hukuk Felsefesi Açısından Stoa Okulunda Özgürlük Anlayışı* (MA thesis, İstanbul Sabahattin Zaim Üniversitesi 2021) National Thesis Center (Thesis No 698726) 28.

is an indication that this school's thoughts on morality possess the potential to illuminate the understanding of contemporary problems¹⁰.

One of the primary factors influencing Zeno in founding the Stoic School was his attendance at the lectures of the Cynics, who came from the Socratic tradition, and his deep influence by their thoughts. In Cynic thought, being virtuous is the most important value for a human being. Virtue is the source of happiness; wisdom makes the individual virtuous; and the human must live a free life in harmony with nature. The fact that Zeno was influenced by these ideas contributed directly to shaping the basic structure of Stoic thought¹¹. Zeno finds the answer to the question "How does a human live happily?" in a virtuous life. His understanding of life, a reflection of the Socratic tradition, was shaped by the lessons Zeno took from Crates, a student of Socrates¹².

The Stoics argued that humans could reach knowledge and truth with certainty, differing from skeptics in this respect. According to them, *eudaimonia*—that is, the state of good spirit or virtuous happiness—can be obtained by the maturation of the human rational faculty, or *logos*. This reason is seen as a reflection of the Divine Logos in the human soul. When reason functions perfectly, humans do not err in their judgments, distinguishing between right and wrong. Therefore, for the Stoics, the main goal was to organize the human "ruling principle" in accordance with nature and reason (*Logos*). In this way, the person lives in complete harmony with nature and reaches true happiness defined by the principle of "living in accordance with nature," namely *eudaimonia*¹³.

An important point often overlooked by modern commentators on ancient philosophy is that these thought systems were quests for liberation and salvation. *Eudaimonia*, translated as "happiness," actually carries a much more comprehensive meaning; it is derived from the combination of the words "eu" (good) and "daimōn" (spirit, divine power). This concept expresses the idea of living in harmony with the "good spirit" within oneself¹⁴.

Stoicism, which contributed important principles to humanity, is a humanist philosophy of life that contributed to the intellectual development of humanity with its structure including the understanding of natural law. The human conception adopted by Stoicism, which struggles for the happiness of humanity, constitutes

¹⁰ Melike Molacı, 'Erken Dönem Stoa Düşüncesinde Erdem' (2021) 54 *Felsefe Arkivi* 1, 26.

¹¹ Meryem Yıldırım and Emel Koç, 'Son Dönem Stoacılıkta Etik Düşüncenin Psikolojije Yansımaları' (2024) 38(2) *Erciyes Akademisi* 480, 482.

¹² Funda Çoban, 'Stoacı Felsefe ve Modernite Arasında Düşünsel Bağlar' (2020) 2(2) *İzmir Sosyal Bilimler Dergisi* 98, 100.

¹³ Valdez J, 'Stoic Philosophy: Its Origins and Influence' (2014) 2(4) *Journal of Social Philosophy Research* 56, 61.

¹⁴ Valdez (n 13) 61.



one of the foundations of the universal human rights doctrine shaped in the modern period¹⁵. Stoicism, which centers on the human and places morality at the essence of the human, is intellectually a significant philosophical movement regarding human rights.

The term *Logos*, which cannot be fully translated into any language and is accepted as one of the fundamental concepts of philosophy, was used by the ancient philosopher Heraclitus¹⁶. The Stoics adopted the concept of *logos*, meaning “reason” and “thinking” in Ancient Greek, to express the soul of the universe. In this understanding, belonging to the *logos* means being a part of the whole of reason¹⁷.

Logos, used in the sense of universal reason, is accepted as the source of the universe, the human, nature, and creation. The understanding of “conformity with nature,” one of the basic principles of Stoicism, can essentially be evaluated as “conformity with *logos*”¹⁸. According to the Stoics, individuals become equal as they act in accordance with reason, and the fundamental difference between people stems not from social, political, or economic factors, but from the difference between those who act in accordance with reason and those who do not¹⁹.

The human is a being who cares for the existence of others alongside their own existence and turns towards them²⁰. Therefore, an individual leading a life in accordance with reason is in harmony with both their inner world and the universe. The element establishing a universal bond among all humans is reason; the wise person who lives a life compatible with reason is accepted as a friend of all people²¹.

Every human who can distinguish between good and bad thanks to their reason counts as free to the extent that they use this faculty consciously and act wisely. Conversely, a person who does not employ their reason and does not recognize the nature around them drifts in ignorance, and they alone are responsible for the evils they tend towards. According to Stoic thought, such evils stem from behaviors contrary to God’s nature, and thus to the principle of living in accordance with nature²².

¹⁵ Ömer Çaha, *Siyasi Düşüncelere Giriş* (2nd edn, Dem Yayınları 2010) 35-37; Öktem (n 2) 619-620.

¹⁶ Kadir Çüçen, *İnsan Hakları* (MKM Yayıncılık 2011) 330.

¹⁷ Çoban (n 12) 101.

¹⁸ Bahadır (n 9) 25-29.

¹⁹ Gonca Kuru, *Ayrımcılık Yasağının Felsefi Açıdan Temellendirilmesi* (PhD thesis, İstanbul Üniversitesi 2021) National Thesis Center (Thesis No 663139) 27.

²⁰ Arslan Topakkaya, ‘Stoa Etiğinin Temel Kavramları’ (2009) 49 *Felsefe Dünyası* 56, 64.

²¹ Göze (n 3) 57.

²² Kürşat Haldun Akalın, ‘Stoa Felsefesinde Tanrının Doğası ve İnsanın Uyumu’ (2015) 30

The Stoics argued that the criteria for goodness, happiness, and virtue are common to all societies and states in line with universal principles²³. According to them, the door to virtue is open to everyone regardless of whether one is free, a slave, a king, or an exile, and the only condition for being virtuous is being human²⁴.

According to the Stoics, the fundamental aim people should pursue is happiness, and what they should avoid is unhappiness. The essential determining factor underlying these two states is virtue or vice. Virtue is a value that must be preferred directly for itself, not for any external motive. Virtue is, in a general sense, the completeness and perfection of a thing. Therefore, in Stoic doctrine, virtue is an absolute value, and one cannot be virtuous by degrees; an individual is either virtuous or not²⁵.

According to the Stoic School, virtue does not belong to the monopoly of a privileged minority. Even the simplest and most uneducated individual who does not deviate from the path of reason can reach wisdom and virtue. The founder of the school determined the four criteria of virtue as choice, patient endurance, moderation, and justice²⁶. Cicero emphasized that the human consists of body and soul, and that the soul carries superior qualities to the body. According to him, the maturity of the soul is more valuable, and thus justice, which has a social aspect, should be seen as a superior virtue²⁷.

In Stoic thought, the basic criterion of morality is the principle of “conformity with nature.” Therefore, if a human wants to lead a happy life, they must act in accordance with nature. The most distinctive quality of the wise person adopted by Stoic morality is the state of *apatheia* (impassiveness). A human can reach true happiness when they become insensitive to all kinds of emotions such as pleasure and pain. *Apatheia* constitutes the ideal of Stoic morality and prevents the emergence of evil²⁸.

Apatheia ensures that the individual acts in line with reason and virtue by avoiding excessive emotional reactions to external events. This state is identified

Kocaeli Üniversitesi Sosyal Bilimler Dergisi 91, 109.

²³ Mehmet Akad and Bihterin Dinçkol Vural, *Genel Kamu Hukuku* (6th edn, Der Yayınları 2011) 43-44.

²⁴ Stock (n 5) 85-86.

²⁵ M. Ahmet Tüzen, ‘Stoa Felsefesinde Ahlaki Bir Model Olarak Doğa’ (2022) 18 *Erciyes Üniversitesi Felsefe Bölümü Dergisi* 114, 124.

²⁶ Göze (n 3) 58.

²⁷ Bahadır (n 4) 50.

²⁸ Yasemin Özkent, ‘Changing Lanes Filmiyle Stoa Felsefesini Yeniden Düşünmek: “Apatheia” Durumuna Ulaşmak’ (2020) 26(45) *Atatürk Üniversitesi Güzel Sanatlar Enstitüsü Dergisi* 476,477-478.

with peace and spiritual tranquility and is seen as a prerequisite for leading a correct, moral life and making healthy decisions. Furthermore, *apatheia* is a virtue that allows the individual to take control of their life and consent to their fate. This situation also means gaining emotional maturity and personal autonomy. However, there is an important distinction here: *Apatheia* does not express purification from all emotions, but only the absence of irrational or excessive passions²⁹.

Passion, fear, and violence emerge because the soul cannot sufficiently perceive external data, and passion derails the soul. Therefore, for a human to recognize true good, they must purify themselves of passion and banal pleasures. Since the soul's inability to sufficiently perceive external data can render the conclusions reached and judgments made erroneous. On the other hand, with the full reception of external data and understanding nature in accordance with its essence, it is probable that dispassionate judgments containing morality, justice, and law will emerge³⁰.

All moral principles of Stoicism aim for the human's harmony with the universal order alongside individual virtue and happiness. Because according to the Stoics, humans are social beings by nature, and reason is the common principle uniting them with other people and the entire universe. This perspective necessitates that the individual observe the common good of all humanity alongside their own inner tranquility. Thus, in Stoic thought, morality transforms into a universal ethical order by transcending individual boundaries. In this system where human reason is identical with the law of nature, every human is a part of the same universal reason. Therefore, it can be stated that Stoicism formed the foundations of the ideas of cosmopolitanism and natural law that would develop in subsequent centuries.

2. The Moral Constitution of the Cosmopolis: Natural Law and Universal Citizenship

In Stoic thought, the goal of individual liberty carries both a personal concern and a social dimension. Because an individual must first attain their own inner freedom to guide others. Therefore, Stoicism can be evaluated as a philosophical approach aiming for social transformation alongside individual transformation³¹.

The concept of *cosmopolis*, which holds a central position in Stoic philosophy, contains both social and political meanings. The fact that cities like Athens and Rome, where Stoic thought emerged, were in intense interaction with different

²⁹ Yıldırım and Koç (n 11) 485.

³⁰ Öktem (n 2) 600-601.

³¹ Murat Özdemir, 'Geç Stoa Döneminde "Etik" Sorununu Foucault Gözüyle Okumak' (2021) 31 *FLSF Felsefe ve Sosyal Bilimler Dergisi* 393, 407.

cultures contributed to the development of the principle of universality. Indeed, the fact that many early period Stoics came from outside these geographies supports this situation³².

Stoic thought, which influenced many Roman thinkers such as Cicero, Seneca, and Marcus Aurelius and almost all jurists during the Republic and Imperial periods, possessed an essentially cosmopolitan character. This understanding constituted one of the most fundamental intellectual influences directing legal education in Rome³³.

Because the human possesses reason and the capacity to make moral choices—and for Stoics, reason is essentially the power of moral preference—they possess infinite value. Therefore, regardless of distinctions such as male or female, slave or free, king or peasant, everyone possesses moral value to the same extent, and the dignity of reason deserves respect wherever it is found. The Stoics argue that it is precisely this common reason that connects people to one another, making them citizens of the same community³⁴.

According to Seneca, reason maintains its existence through its immutability and always preserves its consistency in the decisions it makes. Because reason is not under the command of the senses, but an authority ruling over them. Just as a straight line is the same as another straight line, one reason is equal to another. For this reason, virtue is also equivalent to its like. Virtue is, by its essence, right reason itself. All virtues are different appearances of reason, and when reasons are correct, they become equal to one another. Just as reason is one and the same, actions are in harmony with it; therefore, all actions are essentially equal. In every case, “what is best” does not change, because all these actions are essentially of an honorable quality. Likewise, all good people are equal to one another to the extent that they are good³⁵.

According to Marcus Aurelius, since reason is common to us all, the cause that makes us rational beings is also common. From this commonality, it follows that the reason determining what we should or should not do is also common. If reason is common, then the law is also common, and in this case, it means we are all members of the same citizenship. Therefore, we share the administration of public affairs together. Then the universe is like a city, for no other order

³² Alper Işık, ‘Stoa Düşüncesinde Doğal Hukuk ile Kozmopolis Kavramları ve Yansımaları’ (2025) 10(1) *İstanbul Medeniyet Üniversitesi Hukuk Fakültesi Dergisi* 151, 164.

³³ Rafael Domingo, ‘Roman Law and Global Constitutionalism’ (2019) 21(1) *San Diego International Law Journal* 217, 221.

³⁴ Martha C. Nussbaum, ‘Kant and Stoic Cosmopolitanism’ (1997) 5(1) *The Journal of Political Philosophy* 1, 7.

³⁵ Seneca, *Ad Lucilium Epistulae Morales*, vol II (tr R. M. Gummere, Harvard University Press 1962) 23.



can be envisioned in which the entire human species participates in a common administration³⁶.

Impartiality constitutes the basis of the Stoic understanding of equality. For the wise person grasps that the laws directing their behaviors are the same for everyone regardless of race, class, lineage, or gender. Evaluations regarding the welfare of others are never based on prejudice, and “persons” possess equal value regardless of their social positions or degree of proximity to us. Reason is common, law is common; therefore, the “entirety of the human species” are “citizens of the world state”³⁷.

According to Marcus Aurelius, just as the human is an inseparable part of a perfect social order, every action of theirs is a complementary element of this living order. Whether directly related or indirect, every behavior not serving the social purpose disrupts the integrity of human life and damages inner unity, just like an individual severing themselves from a democratic society in harmony³⁸.

According to the Stoics, political discussion and decision-making processes are constantly corrupted by partisan allegiances, whether based on team rivalry in a circus or national belonging. The only way to escape this situation is an essential allegiance to the global community formed by justice and reason. Furthermore, Stoics argue that the cosmopolitan way of life is valuable in itself. Because it accepts the fundamental characteristic found in humans that deserves the most respect: the search for justice and goodness, and the power of thinking in this direction³⁹.

At the core of cosmopolitanism is a mental state, a city of thought, and it is a structure open to everyone who can recognize the inner sanctity of others and adopt Stoic virtues such as social solidarity, benevolence, and compassion. When a human tries to see beyond surface appearances and lives in accordance with the laws of reason and nature instead of the variable laws of a single place, they become a “cosmopolites.” These qualities ensure the individual becomes a member of the *cosmopolis* and transform the *cosmopolis* into reality⁴⁰.

According to the Stoic understanding, living in accordance with nature means grasping nature and becoming a partner in goodness. According to them, what is good is what is right; and what is right is what is based on reason, and

³⁶ Marcus Aurelius, *Kendime Düşünceler* (tr C. Şentuna, Türkiye İş Bankası Kültür Yayınları 2019) (original work written 2nd century CE) 30-31.

³⁷ Lisa Hill, ‘Classical Stoicism and the Birth of a Global Ethics: Cosmopolitan Duties in a World of Local Loyalties’ (2015) 34(1) *Social Alternatives* 14, 16.

³⁸ Aurelius (n 36) 94.

³⁹ Martha C. Nussbaum, ‘Patriotism and Cosmopolitanism’ in M. C. Nussbaum (ed), *For Love of Country: Debating the Limits of Patriotism* (Beacon Press 1996) 2, 7-8.

⁴⁰ Hill (n 37) 17.

reason is identical with the divine. The supreme goal, goodness, is possible by reaching the knowledge of nature and making this knowledge the criterion of life. Therefore, goodness is generally associated with what is useful. Virtue itself and things that partake of it are evaluated as “good” in three ways: The first is the goodness from which the useful is derived; the second is what is suitable for the useful, for example, behaviors in accordance with virtue; and the third is the agent that ensures the emergence of utility, that is, the virtuous moral individual. Additionally, Stoics define the concept of “specially good” as the perfection of the rational one or the one acting in accordance with nature due to conformity with reason⁴¹.

Reason and nature are guides determining how individuals should behave. Grasping the difference between good and evil and controlling one’s passions directs the person to virtue, that is, to what is right. This orientation also means harmony with nature and shapes and develops the individual’s freedom⁴².

Stoic philosophy developed the understanding of natural law into a systematic doctrine. Natural law has been an important reference point in modern political theory just as it was in Roman political thought⁴³. According to the Stoics, living in accordance with nature means acting in accordance with reason, and everyone acting in accordance with reason is accepted as equal⁴⁴.

According to Cicero, everything that exists in the world was created for the benefit of humans. Even the purpose of human nature is to serve humanity; humans were created in a way that they can provide benefit to one another. Taking this order of nature as an example, individuals must contribute to the common good by both giving and taking through the mutual exchange of obligations. Cicero emphasizes that humans must form a true human community by connecting to one another through their talents, labors, and skills⁴⁵.

According to Cicero, true law is right reason in harmony with nature, and this law is of a universal character, immutable and eternal. It calls humans to duty with its commands and deters them from evil with its prohibitions. Attempting to change this law is considered a sin; it is neither appropriate nor possible to repeal any part of it. According to Cicero, neither the senate nor the people can exempt a human from the obligations of this law, and there is no need to seek an authority outside ourselves to interpret or explain it. There will not be

⁴¹ Tüzen (n 25) 124.

⁴² Öktem (n 2) 661.

⁴³ Çaha (n 15) 35-37.

⁴⁴ Duru Akdemir Şayhar, ‘Felsefi ve Tarihsel Arka Planıyla İnsan Hakları Olgusu’ in A. Yılmaz and Ş. Akdemir (eds), *Kurumsal ve İşlevsel Boyutlarıyla Türkiye’de İnsan Hakları Problematikliği* (Ekin Yayınevi 2022) 5, 17.

⁴⁵ Marcus Tullius Cicero, *On Duties* (tr H. C. Edinger, Bobbs-Merrill 1974) 219.

different laws in Rome or Athens, nor will other rules be valid today or in the future; a single and immutable law will be valid for all nations and all times. Anyone who does not obey this law essentially flees from themselves and denies human nature. Therefore, even if they escape external punishment, they suffer the heaviest punishment within themselves⁴⁶.

Stoicism's views regarding cosmopolitanism and natural law formed a universal legal and moral foundation regarding both the individual and social existence of the human. According to this thought, all humans are subject to the same laws of reason and nature. Therefore, the true citizenship of the human, who is a part of nature, belongs not to a specific city or state, but to the whole of humanity. This universal community, termed the "Cosmopolis," is founded upon principles of equality, justice, and fraternity under the guidance of reason. This approach is a political philosophy that finds the source of law in nature and reason, alongside being an ethical doctrine. The Stoics' conception of "natural law" defends the universal validity of rights that every individual possesses by birth. Thus, Stoic cosmopolitanism can be accepted as the philosophical precursor of ideas of human rights, the rule of law, and constitutional order that would develop in the historical process. In this context, Stoic thought's principles of "conformity with nature" and "universal law" left an intellectual legacy that would shape the rational and moral foundations of constitutionalism in later periods.

Kant, in his work *Perpetual Peace*, argues that the international order must be established not through power politics but within a structure based on law. According to Kant, the law of nations must be based on a federation of free states⁴⁷. The more or less close relationships constantly increasing everywhere in the world have reached such a vast dimension that a violation of rights in one place in the world is felt across the whole world. Therefore, the idea of a cosmopolitan law is a complement to the unwritten code of law necessary for the general public rights of humanity and thus for the provision of perpetual peace⁴⁸.

Kant carries the universal moral understanding of Stoic cosmopolitanism to the level of modern international law and political order. According to Kant, humanity possesses common ownership over the earth, and people cannot exist on this whole eternally separated from one another. Therefore, no individual or community initially possesses more right to a specific part of the earth than others. Moving from the idea of common ownership, Kant argues that strangers have the right not to be treated with hostility when they arrive peacefully on

⁴⁶ Marcus Tullius Cicero, *On the Republic, On the Laws* (tr C. W. Keyes, Harvard University Press 1928) 211.

⁴⁷ Immanuel Kant, *Perpetual Peace: A Philosophical Sketch*, (trans. M. C. Smith, Swan Sonnenschein & Co Ltd, London 1795) 129.

⁴⁸ Kant (n 47) 142.

other lands. However, this right is not a claim for settlement or residence, but is limited only to a right of visitation. This minimal cosmopolitan right ensures the establishment of peaceful contact between societies and contributes to humanity progressing towards a cosmopolitan constitutional order as these relations come under public law control over time⁴⁹.

The manifestation of the Stoic understanding of cosmopolitanism also lies in the founding philosophy of the United Nations. In the modern and postmodern world, the search for cosmopolitan democracy is similarly an idea put forward on the necessity of crowning global democracy with law as a manifestation of the idea of universal law. It emerges that international relations cannot contain a universal law unless international politics is reformed within a cosmopolitan framework with international law. At this point, international reform efforts and calls are similarly a heritage from Stoic cosmopolitanism⁵⁰.

3. The Sovereignty of Reason: Political and Constitutional Reflections of the Stoic Cosmopolis

Although the natural law theory overlaps with Stoic thought in many aspects, the concept of “cosmopolis” stands out as a distinguishing element of Stoic philosophy⁵¹. The Stoics of the Hellenistic period, with a humanist perspective, viewed all individuals as equal members of the world society⁵². When universal natural law is accepted as the basis of political norms, it emerges that everyone should be considered a “world citizen”⁵³.

Citizenship virtue at the highest level is embodied in the belief that a human will become a “world citizen” by living in accordance with the universal moral law of behavior. Therefore, Stoicism argued that the individual, as a virtuous political being, must direct themselves with sincere loyalty to the state they live in and to the universal law of nature. For the human is both a member of the *polis*—that is, the city gaining existence through legal and constitutional order—and a part of the *cosmopolis*, meaning the metaphorical world city representing the universal moral community⁵⁴.

⁴⁹ Kant (n 47) 138-139.

⁵⁰ Zübeyr Şakar, ‘21. yüzyılda kozmopolitan bir demokrasi mümkün mü?’ (2022) 106 *Liberal Düşünce Dergisi* 35, 55.

⁵¹ Bahadır (n 4) 52.

⁵² Celal Yeşilçayır, ‘İnsan Haklarının Aydınlatılmasında Felsefi Bilginin Önemi’ (2018) 31 *Bursa Uludağ Üniversitesi Fen-Edebiyat Fakültesi Dergisi* 239, 246.

⁵³ Çoban (n 12) 104.

⁵⁴ Derek Heater, *Yurttaşlığın Kısa Tarihi* (tr M. Delikara Üst, İmge Kitabevi Yayınları 2007) 61.



The development of the Stoics' thoughts regarding nature and moral philosophy produced significant results in terms of political philosophy. In this context, alongside the concept of "humanity," the idea of universal law that would meet the needs arising from the common nature of humans, the understanding of natural law, and the thought of a world state or universal state based on this emerged. According to the understanding encountered in almost all Stoic thinkers from Zeno onwards, fate, nature, and *logos* are identical, and these constitute the constitution of the *cosmopolis*. If a supreme power regulates everything, this power is at the same time the lawgiver; therefore, everything in the universe is determined by divine law⁵⁵.

The fact that a slave like Epictetus takes place alongside an emperor like Marcus Aurelius among Stoic philosophers is a natural result of Stoic morality viewing all humans as world citizens⁵⁶. According to them, although degrees differ, the faculty of thinking distinguishes humans from other living beings, and this faculty unites humans with one another. Everyone is equal because they are human. Therefore, claiming that individuals considered part of God are not equal means rejecting divinity⁵⁷.

The Stoics developed an understanding of equality based on virtue and put their philosophies into practice for the adoption of this understanding. According to them, there can be no claim of superiority among humans, and individuals must live in mutual tolerance⁵⁸. The universal power connecting humans to one another is reason; regardless of nationality or racial differences, all humans must be accepted as equal and siblings because they possess reason⁵⁹.

Natural law is not a principle bestowed by an authority, decided jointly by society, or imposed⁶⁰. The *cosmopolis* accepts as a moral ideal that people are members of a single world community possessing equal rights independent of the state they live in⁶¹. According to the Stoics, natural law shows what is good and what is bad in a universal framework⁶². This thought defended by the Stoics constituted the foundation of the natural law understanding⁶³.

⁵⁵ Işık (n 32) 160.

⁵⁶ Çapak (n 7) 223.

⁵⁷ Kuru (n 19) 28.

⁵⁸ Yeşilçayır (n 52) 246.

⁵⁹ Güriz (n 1) 162.

⁶⁰ Bahadır (n 4) 48.

⁶¹ Zübeyr Şakar, *Kozmopolitan Demokrasi Tartışmaları* (Master's thesis, Karabük Üniversitesi, 2019) available at National Thesis Center (Thesis No 551775) 103; Topakkaya (n 20) 48.

⁶² Akad and Dinçkol Vural (n 23) 43-44.

⁶³ Bahadır (n 4) 48.

Stoicism's understanding of universality nourishes the idea that individuals can unite within a single moral community alongside their equality. In this context, Stoicism develops an understanding of world citizenship wherein individuals possess the same ethical obligations and rights independent of their place of birth and the political community they belong to. This approach can be seen as one of the historical origins of the principle of "everyone enjoying human rights equally" found in contemporary international law and human rights documents. In cosmopolitan Stoic thought, every human is accepted as a sibling to the other, and this brotherhood is based on nature, reason, and common virtue.

Roman law constitutes an important example for global constitutionalism in terms of supporting cosmopolitanism as a political ideal and a noble human attitude. Cicero adapted Stoic principles to the field of international relations by advancing thoughts on mutual obligations between societies and nations. Cicero evaluated the Republican constitutional understanding as a "mixed constitution." This perspective emerged through the coming together of elements of aristocracy, democracy, and monarchy. According to Cicero, such a constitution relies on a broad principle of equality and prevents corruption by establishing harmony⁶⁴.

4. The Constitutional Projection of Stoic Philosophy

The philosophical legacy of Stoicism also influenced the development of constitutional thought in subsequent centuries. Constitutionalism is a paradigm of regulated state power that apart from setting the state's legal framework, it also governs the individual-society relationship based on universally valid principles and moral values. The concepts, which form the core of this perspective, include the rule of law, freedom, equality, and human dignity. The bases of these values have been fed by different sources during the historical process but one can say that Stoic philosophy is one of the earliest and most powerful sources of these grounds. It can be argued that the stress Stoicism put on living in harmony with nature and reason is what eventually determined the philosophical background of universal justice, moral order, and human-centered legal understanding, which are the main principles of constitutionalism.

Human rights are the most fundamental and indispensable rights that every human being is entitled to without any other condition⁶⁵. These rights, to which every individual must have equal access, should not only be regulated positively by law but also be based on deep-rooted philosophical traditions. In such a case, one can interpret Stoicism as a crucial landmark in the historical and ideological structure of human rights. Besides providing a moral doctrine aimed at the

⁶⁴ Domingo (n 33) 221-223.

⁶⁵ Özer Aslan, *Anayasal Boyutuyla İnsan Hakları: Türkiye Örneği* (PhD thesis, İstanbul Medeniyet Üniversitesi 2023) National Thesis Center (Thesis No 833883) 33.

individual's inner world, Stoic philosophy, in fact, goes a long way to universalize justice and equality by the principle of living in accordance with nature.

The human-centered approach of Stoic thought interprets the individual's inner freedom not only as a personal goal but also as the moral foundation of social life. Therefore, Stoic wisdom can be accepted as an ethical transformation aiming to carry the balance the individual ensures in their own inner world to the social order. This understanding addresses individual freedom both in the social context and as a part of the universal order.

The wise person is free and is one who is not dependent on any external factor. They know that happiness must be found only in their own rational activities. Because the reason humans possess is related to the reason in nature. According to the Stoics, humans can realize their purposes in their lives to the extent they partake in this common reason. All humans partaking in common reason, as members of a natural unity, are included in many unions starting with the family and encompassing one another⁶⁶. Just as events in nature are connected to one another by a divine fate, humans are also connected to one another by this fate. In this context, Stoic wisdom is not the same as the wisdom of the Cynics who prefer a life separate from society and isolate themselves from the world. The Stoic sage knows that universal laws are dominant both in nature and in society⁶⁷.

All changes in the operation of the universe occur in accordance with *logos*, that is, a specific rule and order, with the understanding of "unity in multiplicity, multiplicity in unity." *Logos* resides in the essence of the human and all beings and is identified with reason. Therefore, *logos* encompasses the laws governing all beings and becomes the fundamental basis of behavior in accordance with nature⁶⁸. Stoicism's doctrine of wisdom is directly related to the order of the universe. Because the balance between the individual's inner harmony and the universal order is established through the concept of *logos*. Thus, it can be expressed that the Stoic conception of the universe grounds the behavioral principles of both the individual and society by connecting the moral order with the cosmic order.

The foundation of the understanding of global constitutionalism is essentially based on a cosmopolitan thought. This view, accepted as an ideal and goal among philosophers and jurists in the Ancient Roman period, has become a concrete reality today. Now, all humans are *de facto* members of a global human community sharing common needs, interests, and purposes. This approach argues that the said universal community must also be governed by legal principles⁶⁹.

⁶⁶ Tüzün (n 25) 128.

⁶⁷ Tüzün (n 25) 128.

⁶⁸ Akalın (n 22) 109.

⁶⁹ Şakar (no 61) 103; Domingo (n 33) 222.

Furthermore, it suggests that every nation-state must adopt a cosmopolitan understanding in the direction of protecting, supporting, and keeping alive the global legal order. Additionally, it prepares the ground for a “transnational” approach that foresees the redefinition of the nation-state concept in the face of globalization and restructuring processes⁷⁰

This historical legacy manifests itself as a philosophical continuity in the claim of universalism of constitutions. Today, different constitutional systems can be reinterpreted within the framework of universal values inherited from Stoic thought. Cosmopolitanism can be evaluated as a paradigm directing the forms of self-redefinition of national constitutions. This approach views constitutional orders as a common framework where various dimensions of constitutional values and claims can emerge and be examined. This “bottom-up” cosmopolitanism suggests that constitutional systems, like the human species, can be best understood only when treated as a holistic entity. Difference is accepted as a part of this integrity and evaluated within an essential unity⁷¹.

Cosmopolitanism’s connection with humanity stems from the human being a social entity by nature. When a human acts together with others and in a social manner, they behave in accordance with their own nature. Therefore, as Cicero stated, as a “natural result” of the sense of belonging connected with the idea that each of us is a part of the world, we “observe the common benefit rather than our personal interest.” This situation is important; because for the Stoics, the reason humans feel responsibility towards one another and care for one another lies precisely in this understanding⁷².

The search for cosmopolitan democracy also emerges as a manifestation of Stoic philosophy in the modern world, presenting individuals as world citizens and countries as representatives represented in equal respected status by completing the concepts of the rule of law and democracy on a global scale. In other words, cosmopolitan democracy and contemporary cosmopolitanism is the idea of enabling the application of the rule of law in the international arena and providing universal law, acting as a call for UN reform⁷³. It can be stated that Stoic thought formed an influential intellectual ground, albeit indirectly, in the shaping of constitutionalism. The principle of living in accordance with nature and reason may have contributed to fundamental constitutional values such as the rule of law, human dignity, liberty, and equality gaining a universal

⁷⁰ Şakar (no 61) 103; Domingo (n 33) 222.

⁷¹ Vilad Perju, ‘Cosmopolitanism and Constitutional Self-Government’ (2010) 8(3) *International Journal of Constitutional Law (I-CON)* 326, 327-328.

⁷² Leonidas Konstantakos, ‘On Stoic Cosmopolitanism: A Response to Nussbaum’s “Patriotism and Cosmopolitanism”’ (2015) 8(17) *Prometheus* 49, 55.

⁷³ Şakar (no 50) 56.



quality. In this respect, Stoicism can be evaluated as an intellectual background reaching the idea of universal justice moving from the individual's inner freedom. It can be said that this understanding, which views human reason as a part of the universal order, constitutes a philosophical foothold in the development of contemporary human rights and constitutional order conceptions. Consequently, it can be stated that Stoic ethics and cosmopolitan understanding offer a universal human and society projection that still echoes indirectly in modern legal orders.

CONCLUSION

Stoic philosophy, historically, besides being a doctrine of individual morality, developed an understanding of existence and law explaining the human's place between nature and reason. The line of thought extending from Zeno to Marcus Aurelius positions the human as both a subject participating in the rational order of the universe and the moral carrier of this order. According to the Stoics, human value stems not from social status, but from the capacity to live in accordance with reason and virtue. Evaluated from this angle, it left a deep legacy extending to modern legal philosophy as an understanding deriving individual freedom from an inner moral essence.

This legacy gained an institutional form with the systematization of the idea of natural law in Roman law. This perspective grounded the thought that human innate rights must be recognized within an order based on reason. Cicero's definition of "right reason in harmony with nature" is the classic expression of this understanding. Stoic cosmopolitanism, with the idea that all humans are citizens of the same universal law, formed the metaphysical origin of modern human rights. Therefore, Stoic philosophy became the first philosophical ground giving birth to the thought of "world citizenship" by arguing that the human is a moral member of a universal legal order besides being a political subject.

The natural law doctrine offered a legitimacy criterion beyond the positive legal order, transcending time and space. The mentioned criterion regained concreteness in constitutional principles of human dignity, equality, and liberty. Stoic cosmopolitanism, with the rise of the global legal order, transformed into a normative framework legitimizing the supra-national character of human rights by gaining a contemporary meaning. In this respect, Stoic philosophy is one of the oldest intellectual sources providing the ethical and ontological foundations of today's understanding of global constitutionalism.

The study addressed the process extending from Stoicism to modern constitutionalism as a continuity claim based on the normative genealogy of ideas. Therefore, the bond established between Stoic cosmopolitanism and modern human rights regimes points to a philosophical resonance regarding the source of legal legitimacy rather than a teleological reading of history. With the reservation that deep differences exist between the sociological realities of

Ancient Rome, such as the hierarchical social structure and the institution of slavery, and modern egalitarian constitutional orders; the idea of “universal law” offered by Stoicism functions as an ideal type constituting the moral ground of law beyond an institutional similarity.

In this context, the main constraint of the study is the risk of anachronism in directly applying an ancient ethical doctrine to modern institutional structures. However, observing this risk, the article has positioned Stoicism not as the direct architect of modern institutions but as an intellectual legacy providing a normative ground for global constitutionalism debates. Despite the structural differences between the concept of citizenship in Roman Law and modern constitutional citizenship, the logic of “binding the individual to a transcendent legal order” has persisted as the basic criterion of legitimacy in both periods.

Consequently, this study aims to add historical and philosophical depth to the “cosmopolitan democracy” and “transnational law” debates in current literature. For the Stoic concepts of “*Logos*” and “*Cosmopolis*” can be evaluated as one of the deep-rooted normative sources that can be appealed to for the legitimization of justice demands transcending national borders in the 21st century’s search for a global legal order. Ultimately, Stoic thought imparts a moral depth to modern legal orders by reminding us of the ancient balance between inner freedom and public order. The principle of living in accordance with nature, besides referring to individual virtue, is the philosophical expression of the idea of the rule of law and human dignity on a global scale. Furthermore, the Stoic understanding of universal reason renders the human a citizen of both reason and law. Thus, it finds the source of legitimacy sought by constitutionalism beyond positive norms, in human nature and the universal order. In this context, Stoic cosmopolitanism can be evaluated as a dynamic intellectual legacy allowing us to rethink the ethical, legal, and political problems of the contemporary world.

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