

Past-and-Future Background Briefing:

Cicero: Crises of Humanism and Republicanism

Topics:

- *The New Man*
- *The Young Lawyer and Orator*
- *Cicero as the Defender of the Republic*
- *Humanitas as the Latinization of Greek Philosophy*
- *Theory and Practise Revisited: The Later Cicero*

Abstract

Marcus Tullius Cicero (106-43 BCE) was a Roman lawyer, orator, politician and philosopher who lived in the turbulent days of the Late Republic. As a 'new man' in Rome, he made his fame through major law cases and thereafter as a 'saviour of the republic' by stopping Cataline's attempted coup d'état of 63-62 BCE. Beyond this, however, Cicero was a transmitter and transformer of a vast body of Greek philosophy into Latin via his numerous texts on philosophy, ethics, and rhetoric. Works such as his *De Re Republica* (the Republic) and *De Officiis* (On Moral Duties) sought to set forth a practical approach to government via a mixed constitution (including elements of kingship, aristocracy and democracy) and the idea of a concord of different orders, relying on a consensus of common goods shared within an educated community. He made important contributions to humanism and republicanism that would be taken up again in later ages. However, as a politician, he was unable to put this idea of a balanced and stable republic into practice. As the power of proconsular armies increased, this led to the rise of leaders such as Pompey, Crassus, Julius Caesar, Mark Antony and then the young Octavian (later on the emperor Augustus), often working extra-constitutionally. Cicero was unable to retain the friendship and clemency of Julius Caesar, and thereafter earned the hatred of Mark Antony, whom he had fiercely criticized in his speeches, *The Philippics*. In 43 BCE the agents of Antony hunted Cicero down, cut his throat, and brought his head and hands back to be nailed on the rostra in Roman forum. If, politically, Cicero was unable to protect his vision of a mixed and balanced Roman constitution, he was nonetheless a man who tried to stand up for great philosophical and political ideals. He was doomed not so much by his own limitations as by the nature of the age, a period when personal ambition and civil wars were tearing Rome apart. His successes and failures were not trivial, and had much more impact and long-term value than the trivial successes of the minor writers and self-serving politicians who surrounded him.

1. The New Man

Cicero (full name Marcus Tullius Cicero) was born in the Italian town of Arpinum, circa seventy miles southeast from Rome, in 106 BCE (died 43 BCE), and came from a wealthy Italian family which had not previously taken a prominent role in Roman political life (Tempest 2011). He came

from the social class of ‘gentlemen’ outside the Senate, that is, the *equites* (Plutarch *Cicero* 11). He had seen brief military service at the age of 16 or 17 in the Social War against the Italian allies (91-88 BCE). Immediately following this he had the opportunity to observe some of the more severe aspects of political life under Marius and Cinna, which apparently soured him against the *populares* factions, i.e. elite leaders who used the popular assemblies and the plebeians to gain support, generally in opposition to the more conservative *optimates* (Samuel 1988, p274; these terms indicate political orientations, not parties in the strict sense, Seager 1972).

Cicero busied himself studying philosophy and rhetoric during this early period, being most influenced by Philo of Larissa, the Academic philosopher (Plutarch *Cicero* 3). Opportunities for tuition in this area were improving - the fear generated by the threat of Mithridates of Pontus during the 88-87 BCE war had driven many Greek philosophers on visits westwards: the heads of the Stoic, Epicurean and Academic schools visited Rome during this period, where Cicero probably had the opportunity to hear them speak (Samuel 1988, p274).

His studies were continued in depth when he travelled to Athens after 79 BCE, now a man of 27 years, spending six months there (Samuel 1988, p275). He would study under the new leader of the Academy, Antiochus, with whom he did not fully agree (Plutarch *Cicero* 4). From there he visited Rhodes, famous for its rhetorical studies, which he pursued studies under Xenocles of Adramyttium, Dionysus of Magnesia, and Menippus the Carian (Plutarch *Cicero* 4). Here he met the polymath Posidonius, whose interests included rhetoric, Stoic ethics, geography, physics, history, astronomy and mathematics. Probably at this time he was most heavily influenced by Stoic ethics, as expounded by ‘Posidonius and his predecessors’ (Samuel 1988, p275). Aside from his texts on politics, philosophy, morals and religion, we have fifty-eight extant orations (mainly defence speeches) and hundreds of his letters, giving us a great source of material concerning his attitudes and views about the life around him (Tempest 2011).

2. The Young Lawyer and Orator

Cicero only felt secure enough to start a career when Sulla gained dominance in the state after 83 BCE as political affairs began to stabilise. Rather than building his political path on military commands, Cicero’s climb was based on his emerging role as famous lawyer and orator (Tempest 2011). Cicero’s first legal defence was made on behalf of a certain Roscius, son of one of the men who had been proscribed in the Sullan ‘settlement’ circa 80 BCE. He was defended by Cicero against one of the prominent freedmen of Sulla, who had been engaged in selling off the dead father’s estate (Plutarch *Cicero* 3). This defence was both successful and quite bold, helping establish his reputation, though Cicero apparently thought it wise to take a brief sojourn to Greece immediately afterwards, ‘for his health’ (Plutarch *Cicero* 3-4).

From this time Cicero was a notable young man, though not one universally approved in the senatorial order or among the *equites*, the class of wealth just below the Senatorial order. It was his fame as an orator, with a powerful delivery and a sure command of both style and argument that made Cicero an extremely useful man to know. These great abilities as a defence lawyer and, to a lesser extent, as a prosecutor, that first promoted Cicero’s political career, followed by the ability to make persuasive speeches before the Senate, in the courts (usually held in the forum), at the *contiones*, public meetings to discuss policies and laws, and before the assemblies of the people (Tempest 2011). Though he was a ‘new man’, he was generally more on the conservative side of politics. Under Roman law he could not charge fees as a defence advocate, he would be able to make numerous contacts and political friends in Rome, thereby supporting his career (Tempest 2011). It was for this reason he soon found himself under the patronage and influence of men such

as Cato the younger and Brutus. He managed to achieve the office of the quaestorship (a low-level office) in 75 BCE when there was a shortage of grain coming into Rome, which he rectified by exactions from Sicily, though according to Plutarch he later on managed affairs there carefully and with justice (Plutarch *Cicero* 6).



*Statue of Cicero in the classic pose of an orator
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His most important early victory, however, was his prosecution of Verres, who had extorted excessive monies from Sicily while he was governor there as pro-praetor in 71 B.C. This case is interesting because it was made against a man of prominent rank and connections, who was engaged in activities which were probably quite common during this period. Verres was well-connected in the Senatorial order, and even brought in a ‘big gun’ orator, Hortensius, to speak at the end of the trial, when the penalty was being set (Plutarch *Cicero* 7). Hortensius was a prominent lawyer who dominated the Roman law-courts in the 70s with his lush ‘Asiatic’ style of oratory. It should be remembered that one of the key influences on Roman courts was the status and authority of whoever was defending or prosecuting. The personage of the lawyer made an enormous difference: that a man of *dignitas* (a Roman concept indicating a mix of dignity, honour, worthiness and prestige, based on status, positions-held and authority) should even consider stepping into court affected its outcome (Tempest 2011). For this reason, speeches by prominent lawyers often dwelled on their own contributions to the state and their own character - leading a defence was often a sign of *amicitia* (political friendship), or perhaps some level of patronage. A patron, of course, would not normally be expected to act as a witness against his own clients. Verres, no doubt, had expected to be protected by his peers, the senators and knights, in the jury.

Cicero, however, made a withering attack simply through a careful questioning of witnesses. Verres was found guilty, though the fine when it was established was rather light, perhaps due to the sympathy of the jury for a man of their own class, or due to the influence of Hortensius. Plutarch reports that there was even a rumour that Cicero was perhaps acting in collusion with Verres (Plutarch *Cicero* 8), which seems unlikely.

Cicero went on to become praetor in the elections for the year 66 BCE, coming top of the voting poll, and apparently conducted his judicial duties with great fairness (Plutarch *Cicero* 9). He earned a reputation for directing the deliberations of juries wisely, though his quick wit was also used against lawyers who attempted to bully or hurry proceedings (Plutarch *Cicero* 9). We can see something of Cicero's daring defences and individual style in a later case in favour of the poet Aulus Licinius Archias. This Greek poet, resident in Rome, had probably been attacked because he was a friend of the military commander Lucius Licinius Lucullus, which made him a juicy target for the allies of Pompey, his political opponent. The law under which the poet was charged was that of the tribune Gaius Papius (64 BCE) which expelled non-citizens from Rome, a decree aimed at large street gangs which were beginning to interfere with daily life in Rome. Archias claimed Roman citizenship as a citizen of Heraclea in Lucania, which had been granted the franchise. The prosecution had contested the evidence of Archias' citizenship of both Heraclea and Rome. However, interestingly, most of Cicero's defence is not concerned with the political status of his client. Rather, it is a major defence of Greek culture and literature, and an argument in favour of the influence of Greek culture on Rome (Cicero *In Defense of the Poet Aulus Licinius Archias*, vii, 15). The ploy here was to work on the sensibilities of the jury in a specific way: although they could be persuaded by the greatness of Greek culture, it was important that prejudices against contemporary 'weak Greek-lings' should not be allowed to operate. Indeed, Cicero goes so far as to say that if Archias is not already a citizen, he should immediately be made one:

The studious seclusion of Archias' life has kept him unacquainted with the hazards of the courts, and it is because of the special nature of his talents that I want to frame my defence in these somewhat novel and unfamiliar terms. If I can but feel that you will have the kindness to concede me this request, I for my part undertake to convince you that Aulus Licinius should not be excluded from the list of Roman citizens; and indeed that he should certainly be made a Roman citizen here and now - if it were not the case that he is one already. (Cicero *In Defense of the Poet Aulus Licinius Archias*, i-11)

The rhetorical structure is obvious. Cicero at the same times seeks the sympathy of his audience, asserts that Archias is a citizen, and that if by chance the prosecution is right, Archias deserves honorary citizenship in any case. He turns all this back onto the glory of Rome:

Archias is a Greek poet. But it would be entirely wrong to suppose that Greek poetry ranks lower than Latin in value. For Greek literature is read in almost every country in the world, whereas Latin is understood only within its own boundaries which, as you must admit, are restricted. Our deeds, it is true, extend to all the regions of the earth. But the effect of this should be to inspire us with the determination that every country where the strong arm of Rome has carried its weapons should also be given an opportunity to learn of our illustrious achievements. For literary commemoration is a most potent factor in enhancing a country's prestige. And to those who hazard their lives for the sake of glory, such literature is a vigorous incentive, stimulating them to risk fearful perils and perform noble endeavours. (Cicero *In Defense of the Poet Aulus Licinius Archias*, ix-x)

Propaganda for a propagandist, perhaps, but the poet seems to have been acquitted. It was these skills in rhetoric and oratory that Cicero would later turn to good use in his vigorous and dangerous political life. It also allowed him to influence Roman policy more broadly, e.g. via deliberative speeches and writing designed to promote particular outcomes, e.g. Cicero's support for Pompey's special command to manage problems in Asia Minor and deal with the challenge of King Mithridates of Pontus, who had challenged Roman power in the east (see further Tempest 2011).

3. Cicero as the Defender of the Republic

It was quite probable that Cicero became a consular nominee in 63 BCE in order to exclude the 'demagogue' Cataline from office, with both the support of Pompey and from Pompey's opponents

among the *optimates* (the ‘best men’, usually conservative Senatorial leaders). Cataline, though he was actually a patrician, descended from the early ‘*patri*’ or founding fathers of the Republic, had fallen out of favour with the dominant senatorial groups and may have been involved in acts of extortion (Tempest 2011). He and his supporters wanted a cancellation, or at least a serious moderation of debts, and to break through the narrow oligarchy that seemed to monopolise higher office (*Cataline Conspiracy of Cataline* 18-23, 33, 37-39).¹ Their agenda must have had some support, since apparently Cataline only narrowly lost the election (Hansford 1963). Nonetheless, when Cicero came to office in 63 BCE, he carried out his mission with force and credibility. He made a strong stand against the reformist politics of Catiline, and even if Crassus and the young Julius Caesar had some early involvement in the affair (*Sallust Conspiracy of Cataline* 16-18, 48-49; Tempest 2011), they had decided by this stage to distance themselves from the party of the supposed ‘revolutionaries’ around Cataline.

Cicero’s sure handling can be seen in the way he manipulated the meeting with envoys from the Allobroges, a tribe from Transalpine Gaul, who some of the conspirators were trying to bring in as allies as part of an attempted coup. These envoys, granted amnesty, were used as double agents to entrap the conspirators. Cicero also used their secret correspondence passed on by Crassus to challenge members of the Senate. These envelopes were apparently handed directly on to their addressees in the meeting of the Senate, where they were then obliged to read them out, demonstrating their own guilt (Plutarch *Cicero* 15). Another clever touch, if true, was Cicero’s wearing of a breastplate under his toga in such a way as it could be seen (Plutarch *Cicero* 14), thus indicating to the people that he both feared, and was prepared to stand up to, an attack on his person, even though he was a consul. Even if the rumours of some of the assassination attempts by Cataline’s party were merely propaganda, and the imputations against the character of Catiline and his followers were exaggerated to reduce later odium against Cicero (*Sallust Conspiracy of Cataline* 23), they were very effective in mobilizing the Senate against the developing coup d’etat (Tempest 2011).

Cicero’s earlier confrontation of Cataline in the Senate was also masterful, since it pushed the young man out of Rome, making it easier for him to be declared a public enemy. Thus, in Cicero’s first speech against Catiline:

But if you leave Rome, as I have long been urging you to do, the city will be released of those copious, pestilential dregs of the community who are your accomplices. Well, Catiline? That is just what you were going to do in any case, of your own accord; so I am unable to see why you take your time in going, when that is precisely the course which I, too, propose that you should adopt. The consul orders a public enemy to leave the city. Into banishment? you ask. That is not part of my order. But, if you ask my opinion, it is what I advise. (*Against Catiline* i.v)

By leaving the city, Catiline made Cicero’s accusations seem true. Cicero also seems to have managed to persuade the people of Rome that his actions were valid and indeed, heroic. Cato would praise him highly as the father of the fatherland (Plutarch *Cicero* 23). Cicero was temporarily very popular, as noted by Plutarch:

What seemed so wonderful was not so much the fact that he had put a stop to the conspiracy and punished the conspirators as that he had succeeded in crushing this greatest of all revolutions by such comparatively painless methods, with no disturbances and no civil strife. (Plutarch *Cicero* 22)

¹ Cancellation of debts had been used in the past to moderate social conflict, e.g. Solon used this and eradication of debt slavery in Athens during the sixth century BCE. Even Cicero, when a governor in Cilicia, limited annual interest at 12 percent to reduce debt but also encourage repayment to creditors (Tempest 2011).

Yet there is one area of the handling of the Catiline affair which was dangerous for Cicero. He had proposed the death penalty for Roman citizens, which was beyond the normal penalty allowed, and one not justified even under the *senatus consultum ultimum* or the *senatus consultum de re publica defendenda*, whereby the Senate empowered magistrates to take extreme actions during a crisis (Hansford 1963; Tempest 2011). Indeed, normal penalties for Roman citizens included fines and exile, and only in the most extreme, proven cases, such as high treason or killing a sacrosanct tribune of the plebeians, might the penalty of scouring and crucifixion be imposed (Tempest 2011). Caesar had spoken against such the death penalty, but this brought a vigorous rebuttal from Lutatius Catulus and Cato (Plutarch *Cicero* 21). In allowing the executions to be conducted under his authority as consul, Cicero would open himself up to a political odium at a later date, and to a prosecution by Clodius. Cicero already seemed aware of this danger to his image in the popular mind (Cicero *Against Catiline* i.ix; iii.x). At this stage, however, he was prepared to throw his career in with the more conservative elements in the Senate. He was now a consular official and a hero of the state, which ordered a special thank-offering to the gods in his name, an honour never given to a civilian before (Tempest 2011). His pre-eminence did not last for long. Indeed, people soon wearied of hearing his repeated claims to be the saviour of the state and claims of his supporters that his actions made him *pater patriae*, 'father of the fatherland' (Cicero *Against Catiline* iii.vi; Beard 2015). Controversy still rages as to how far Cicero exaggerated the threat posed by Cataline in order to bolster his own career (see diverse views summarized in Beard 2015). In any case, by 58 BCE his actions in putting Roman citizens to death without trial led to his exile for a year in northern Greece (Beard 2015; see further below).

The rise of Pompey and Crassus would soon eclipse the political power of Cicero. Cicero did not hold major military commands, and only governed a minor province, Cilicia, with limited legionary forces (Beard 2015). He was apparently not entirely trusted by Crassus, while he himself had some doubts about the motives of Pompey. It was under these conditions that Cicero found himself unable to support the first triumvirate (formed by Pompey, Crassus and Julius Caesar), which would have liked such an influential consular to help them control the Senate. In doing so Cicero cut himself off from the source of real power in this period, and from the ability to strongly influence subsequent events (Samuel 1988, pp275-6). It was under such conditions that he was attacked by Clodius, perhaps with the support of Caesar and Pompey (Plutarch *Cicero* 30), and chose to go into an unhappy exile in 58-7 BCE rather than stand and face the charges (Hansford 1963). His political life was revived, however, by Pompey, who wished to use him as a counterbalance against Clodius, and perhaps even in 56-5 BCE he began to see tensions emerging within the triumvirate. Cicero, in turn, probably hoped to detach Pompey from his alliance with Caesar (Samuel 1988, p276).

In a sense Cicero had been outplayed by the very great prestige which men such as Pompey, Julius Caesar, and Mark Antony (Marcus Antonius) developed in their major military victories overseas. Each of them returned to triumphs or ovations at Rome, patrons of soldiers and foreign clients, and for a time the darlings of the plebeian masses. Cicero's own victory over Catiline was too much of an internal victory, a triumph over Roman citizens and Italian allies, for it to be really glorious in the memory of the plebeians. Nor was Cicero very adept at building up the strong factional support that was needed to grasp leadership in Rome. For example, he was not able to secure an acquittal in the trial Milo, one of his supporters who had campaigned his return from exile. Both Milo and Clodius at this stage led street gangs that were used for political intimidation on the streets of Rome. Milo killed Clodius in 52 BCE in an encounter outside of Rome, though accounts of the affair differ somewhat between Cicero's later re-written speech and that of the commentary by Asconius, writing a century later (see further Lintott 1974; Tempest 2011). Cicero's limited effectiveness in the actual trial may have been due to the soldiers posted in the court by Pompey

(Plutarch *Cicero* 35; Cicero *For Milo* 1), or perhaps due to the threats made by the followers of Clodius. The fact that Cicero could be intimidated meant that he could be politically misdirected and forced to limit his criticism of opponents. At this stage, Pompey and Caesar were rising beyond Cicero's level of influence and power.

Cicero was appointed governor of Cilicia in 51-50 BCE, which he ruled well, and where he undertook some minor military operations against bandits (Plutarch *Cicero* 36). Nor had he the prestige to avert the impetus towards civil war which had divided the Senate by 51 BCE. Admittedly, he only returned from his governorship in 50 BCE, when it was probably too late to diffuse the climate of suspicion and fear which had developed. When Cicero finally sided with Pompey against Julius Caesar in the emerging civil war, he knew he was joining the weaker side. Though the state was about to die, he argued that he would abstain from joining in with the forces who 'were about to mutilate its corpse' (Samuel 1988, p277). From this point on he would never be able to enter into a secure alliance with Julius Caesar, though Caesar extended his clemency to him in 47 BCE and did not have him proscribed and killed, and there was a temporary warming of relations in 46 BCE. Thereafter, Cicero remained an orator with limited independent influence until 44 BCE.

4. *Humanitas* as the Latinization of Greek Philosophy

Cicero is not known as a strongly original philosopher, but rather as an effective synthesiser and transmitter, and transformer of prior knowledge. Many of his ideas are adapted from the Greek culture that preceded him, especially the ideas developed out the Platonic corpus in the New Academy and from Stoic ethics. At various stages in his life Cicero travelled to Asia Minor, Rhodes and Athens, becoming acquainted with Greek philosophy and improving his oratory and speech writing, e.g. learning from Apollonios Molo in Rhodes (Tempest 2011). He became familiar with the general body of philosophical and political theory transmitted through the Hellenistic Age, including Platonic, Sceptic, Aristotelian and even Cynic and Epicurean views: the latter two 'schools' he generally disagreed with. He was rather eclectic in his approach, treating philosophy as a series of 'topics', rather than as a grand system, partly because of the didactic purpose of much of his writing (Striker 1995). This was due not only to the constraints of his audience, many of whom who would not have had the leisure to study philosophy in Athens, but to Cicero's own philosophical views. He followed the mildly sceptical position of Philo of Larissa that ultimate certainty could not be achieved (Koester, I, p344), but statements that were probably true could be discovered, though these were always capable of later modification or falsification. Thus, in his dialogue called the *Academica*, Cicero, speaking on behalf of the New Academy states:

Our arguments have no other objective than, by speaking pro and contra, to draw out and fashion something which is either true or comes as close to truth as possible. Nor is there any difference between ourselves and those who think that they know something except that they have no doubt that their positions are true, whereas we hold many things to be convincing which we can easily follow but scarcely assert. In this respect, moreover, we are more free and unconstrained, because our power of judgement is unimpaired, and we are not compelled by any necessity to endorse all the rules and virtual commands of certain people. (Cicero *Academica* 2.7-8)

Such approaches would tend to discourage the attempt to build a grand unified system, but the nature of being and our ways of knowing and experiencing can still consistently generate axioms for ethical or political choice.

However, Cicero was much more than a translator. In the first century BCE many elite Romans knew some Greek and some had at least briefly travelled to Athens, Smyrna, Rhodes or other Greek

centres for 'higher' education in rhetoric and philosophy (Koester I, p336, p342). However, most of the Greek treatises still had to be studied in their original language, a difficult task, even for much later scholars as skilled as St. Augustine. Cicero therefore did a great service in placing many of the central ideas of Hellenism before a wider reading public. Thus, he had a role in the 'Hellenization' of Roman culture, a trend which had started centuries before but become very strong by the first century BCE:

Greek influences reached Rome in various ways: first, from the Hellenized cities and Greek colonies in Sicily and southern Italy, which had already had numerous contacts with Rome in the early centuries of the Roman republic; second, through the influx of Greek education into the Roman upper classes during the time of the conquest of Greece, corresponding to a clearly visible enthusiasm of many Greeks for the constitution and organization of the Roman state; and third, through the mobility of the entire population of the Hellenized eastern provinces, as numerous immigrants came to the Roman Mediterranean as slaves, as soldiers in the army, or in the context of trade and commerce. (Koester 1987, I, p336).

However, Cicero did more than bring Greek learning into Rome. He took key concepts from the Greek and adapted them to the Roman world view, bringing in examples from Roman history and social life to justify these 'new' ideas. During the late Republic Greek thought had high prestige as advanced learning, but was also suspect since it was viewed as potentially subversive, though Stoicism would emerge as compatible with many Roman values (Striker 1995, p53). This is a kind of cultural adaptation that gives a greater vigour to a received body of knowledge from a foreign context, though it also at times distorts and simplifies the material. It was in this Roman guise that a most ancient philosophy made its major impact on Europe during the following Christian Age and into the Middle Ages. Thus, we find a central Greek text such as Plato's study of justice in the ideal political state being known to us by its Latin title, *De Re Publica*. Likewise, a range of Greek notions take on added force, and a changed emphasis, in their Roman environment. Tyche, 'fate' or 'fortune' in Hellenistic interpretations, can find a Roman place as *Fors Fortuna* (see Sallust *Conspiracy of Cataline*, 7-10), while Roman notions such as *humanitas* and *libertas* are given an added force by their linkage to earlier Greek learning. Cicero is especially known for the promotion of Hellenistic educational ideals, for the development of friendship as an ideal, as found in his dozens of letters, and for a combination of political insights with a clear literary style (Wilkinson 1982, p265). He also argued that rhetoric and oratory needed to be informed by a study of philosophy:

For Cicero, public oratory was the most important instrument for exercising political influence, a privilege of the aristocracy, whose duty it was to direct the affairs of state, as indeed the republic had always been led by the persuasive words of its leaders. In Cicero's time, education in rhetoric was the most important preparation for public office. Greek teachers of rhetoric had offered instruction in Rome for many years: wealthy families sent their sons to Greece for further study. . . . Cicero clearly saw the deficiencies of this course of study: one borrowed from the Greek tradition whatever could be used successfully in legal and political oratory; the result was superficial education and men striving after effect. Cicero demanded that the orator should have a thorough general education, especially in Greek philosophy. (Koester, I, p343)

Cicero was also a fine stylist, and praised for his humorous or cutting replies. For example, when a certain elderly Senator, Lucius Gellius, tried to stop land settlements for some of Caesar's veterans, declaring that so long as he lived it would never be done, Cicero replied: 'Let us wait, then, since Gellius does not ask us to postpone things for long.' (Plutarch *Cicero* 26) Overall, Cicero's reputation as an orator and writer gained in following years, with Velleius Paterculus in the following century noting that:

Take oratory and the forensic art at its best, the perfected splendour of eloquence in prose, if we again except Cato — and this I say with due respect to Publius Crassus, Scipio, Laelius, the Gracchi, Fannius, and Servius Galba — eloquence, I say, in all its branches burst into flower under Cicero, its chief exponent, so that there are few before his day whom one can read with pleasure, and none whom one can admire, except men who had either seen Cicero or had been seen by him. (Velleius Paterculus *Roman History* 1.17.3)

Though Cicero is not totally unoriginal, he did make interesting observations, and in particular attempted to test philosophical principles in practice, that is, in social and political life. He made major studies of philosophy in practical context in such works as his *Academica*, completed by 45 BCE, where he compares different views on achieving knowledge. In *de Finibus*, completed in the same year, he studied different ethical systems, and in the *Tusculan Disputations* discussed major human issues such as death, pain, virtue and happiness (Samuel 1988, p277). In Book IV of the *Tusculan Disputations* Cicero defended the essentially Stoic position that much human unhappiness is created by improper attitudes in the pursuit of relatively indifferent matters such as pleasure, money and envy, which are based on an incorrect view that such pursuits or their objectives are of benefit to human beings. In Book V he goes on to show that the wise man needs to dispel such disorders from his soul, leading an untroubled, virtuous life which is therefore truly happy (Samuel 1988, p280). Cicero went on to write several works on ethics (e.g. *On Ends*), *On the Nature of the Gods*, essays *On Fate* and *On Divination*, and even studies such as *On Friendship* and *On Old Age* (Tempest 2011).

Cicero's most significant contributions included a series of works on political philosophy completed towards the end of his life, including *De Re Publica*, *De Legibus* and *De Officiis*, which offer a more sustained analysis of political and legal systems than some of his other works (Striker 1995). The connection between Stoic Ethics and political obligations is based on a particular view of a shared, universal dimension of human life, which is in accord with nature and lived in a social context. Here, he also seems to be influenced by the direct connection between the individual human condition and their political context, that is, the social, political and communicative context emphasised by both Plato and Aristotle. As noted by Alan Samuel: -

Seeing the contest as one between virtue and pleasure, Stoicism against Epicureanism, he asserts that the virtues are not merely aids to pleasure, nor morality a mere convention. Perhaps most important . . . is his treatment of Stoic sociology and the doctrine of common humanity. From this flow such approved acts as patriotism, the benefiting of others by passing on knowledge, and the service of the strong in protecting the weak. The Stoic idea that 'there are bonds of justice between men', expressed here by Cicero, was important for the future, as were his explications of the principles which lie behind and affect human conduct and relations between individual and society - ideas of law, of political association, of pure love between man and wife, of friendship. (Samuel 1988, p280).

Cicero's study *De Re Publica* may have begun as early as 54 BCE, was probably available in draft form by 51 BCE, but may not have been completed until as late as 44 BCE, when Cicero once again felt some optimism return to public life after the assassination of Julius Caesar. The greater part of this treatise was only rediscovered in the great archives of the Vatican Library in 1820 (Samuel 1988, p278). This work is in part inspired by the great study of politics made by Plato, which we call after the Latin tradition, *The Republic*, though some of its ideas seem closer to the analysis provided in Aristotle's *Politics*. Like Plato, Cicero uses a dialogue form, discusses different types of governments and their problems, lays out issues concerning education and poetry in the state, and closes with a mystic section known as 'Scipio's Dream', just as Plato's work closes with a transcendental fantasy. Both works are critical of the dangers of democracy, where liberty becomes licence and the state can only survive during easy and calm periods (Cicero *De Re Publica* I.xl.63; I.xliii.66). Both works are also deeply concerned with justice. However, the way Cicero

argues that justice can be established does not follow the utopian schema developed by Plato: instead, he engages in an analysis of the mixed constitution which more closely follows Aristotle's *Politics*, and the discussion of decay in states as outlined by writers such as Panaetius and Polybius. Such views are represented in this dialogue, notionally set in 129 BCE, by the main 'speaker', Scipio Africanus the Younger, a famous Roman general and statesman. The Scipionic circle had included both the historian Polybius and Stoic philosophers such as Panaetius, as well as a friend and advisor called Gaius Laelius 'the Wise' (Tempest 2011). Furthermore, the state discussed in Cicero's work is a practical one:

But it is not enough to possess virtue, as if it were an art of some sort, unless you make use of it. Though it is true that an art, even if you never use it, can still remain in your possession by the very fact of your knowledge of it, yet the existence of virtue depends entirely on its use; and its noblest use is the government of the State, and the realization in fact, not in words, of those very things that the philosophers, in their corners, are continually dinning in our ears. (Cicero *De Re Publica* I.2)

The preferred constitution is a mixture of the three legitimate types of government, i.e. kingship, aristocracy and democracy, a mixture which is held to be both fairer to the citizens and more stable (Cicero *De Re Publica* I.xxxv.54). Although kingship is the best of the three primary forms of government:

. . . a moderate and balanced form of government which is a combination of the three good simple forms is preferable even to kingship. For there should be a supreme and royal element in the State, some power also ought to be granted to the leading citizens, and certain matters should be left to the judgements and desires of the masses. Such a constitution, in the first place, offers in a high degree a sort of equality, which is a thing free men can hardly do without for any considerable length of time, and secondly, it has stability. (Cicero *De Re Publica* I.xlv.69)

It is not surprising that this constitution is modelled on elements from the Roman Republic, needing only some regulation of its laws to improve its current condition (Cicero *De Re Publica* I.xlvi.70). The Senate and magistrates in particular, should take on important leadership roles, while the *libertas* of the people is guaranteed through laws and public consent (Cicero *De Re Publica* II.xxxii.56; II.xxxiii.57-8).

One of the main ideas in this dialogue is that any true Republic needs justice: without justice it ceases to be a genuine community of human beings, and becomes instead a mere collection of individuals. The term *re publica* refers to things held in common, as in the root meaning of the English word 'Commonwealth'. This is a direct rebuttal to Carneades' sceptical idea that all major states develop their power on the basis of injustice. It also is an attempt to find a kind of 'social glue' that will hold together the different orders in a state such as Rome, providing the basis for mediating social conflict (Cicero *De Re Publica* III.xiii.23) through a concord established by laws rather than through the protracted use of violence. The wise law-maker is held to be the philosopher par excellence. Although equality before the law is a basic principle in such a state (*De Re Publica* I.49), this does not mean that Cicero or his spokesperson in the dialogue, Scipio Africanus, are really in favour of direct democracy (contra Samuel 1988, p283). Democracy involves the notion that real power rests with the people, usually through voting assemblies, and it is exactly the license of such assemblies which Cicero sought to limit. In part, this was through the idea of a concord of the different social ideas, driven towards a *consensus bonorum*, that is, an 'unshakeable bond of all moral citizens, rich and poor, against the wicked few' (Paulson 2023, p6). Furthermore, it is possible that Cicero for a short time might have seen someone like Pompey as the strong leader of such a Republic and a person who might be guided by Cicero's wise advice, just as Scipio had been advised by Gaius Laelius (Tempest 2011).

Likewise, Cicero's study of moral duties in the *De Officiis* follows a more pragmatic line than much of Hellenistic philosophy. Not only does it recommend a combination of Greek and Latin studies, i.e. a combination of philosophy and oratory (Cicero *De Officiis* I.1-3), but it uses a definitional approach to lay out a classification of duties owed to society (Plutarch *Cicero* I.7-8). No one is expected to surrender all self-interest, and one may pursue personal and rational goals, e.g. for fame, so long as these acts do not hurt others. Here, it is argued that the morally wrong is never truly expedient (Samuel 1988, p282). Furthermore, justice must keep human beings from harming others, and must lead 'men to use common possessions for common interests, private property for their own' (Cicero *De Officiis* I.20; see also I.31). On these criteria, Julius Caesar had failed on both counts, forcing the state into civil war, and using the commonwealth and state to enhance his own glory (Cicero *De Officiis* I.26; III.82). Following general Platonic and Stoic notions, Cicero argued that holding office in the state was a duty and a burden, but one that should be taken up voluntarily by the best and wisest in society. The rest of the book lays out in some detail the proper conduct for officials, largely directed at improving their character, which should conform to ancient Roman virtues as well as to the demands of reason and nature.

5. Theory and Practise Revisited: The Later Cicero

Cicero came in later periods to be regarded of paragon in various ways. For Christian thinkers he was virtually a pagan saint, laying out in civilised Latin an ethical culture which was held to be virtually identical to that of Christian morality. For thinkers such as Petrarch he was viewed as the ideal man, a republican, a man of action as well as a poet and philosopher, though Petrarch criticised him for inconstancy and a weak character in allowing himself to become dangerously entangled in murky politics later in his life (Eisner 2014). Generally, Cicero has been idealised as a man who combined political ability with theoretical knowledge, a champion of the law as an embodiment of justice, and an upholder of humanitarian ideals. As a champion of the Republic, he can be seen as a martyr against the tyranny of men such as Antony and the early Caesars. However, such acclamations tell us as much about the age in which they are written as the man they praise (Tempest 2011). Cicero was a complex man who, in the end, was unable to save the Republican system he praised. He did, however, leave a rich philosophical and moral tradition that shaped learning in Latin from that time forward.

Alan Samuel argues that we should not be too critical of the limited nature of Cicero's philosophical work. He argued that: -

His philosophical accomplishment, however, is fully understandable only in terms of his whole life: thought and action combined to form his ideas, which in later times were the more influential as the product of both contemplating and doing. (Samuel 1988, p273).

Unfortunately, the way in which Cicero's thought informed his action is not always clear: sometimes dithering and hesitation seem to limit Cicero the politician. Alan Samuel might argue that it is fitting that Cicero's last book was written on the subject of moral duties, 'for it was his view of his "moral duty" which brought about his death' (Samuel 1988, p277). Although this may be true in a general sense, Cicero was indecisive and not particularly effective politically after the assassination of Julius Caesar (Syme 1974, pp182-3). He had waited to see which way the wind would blow, not fully trusted by either the followers of Caesar or by the 'republican' Liberators. He then left Rome to seek safety in Athens until Hirtius and Pansa should become consuls but was lulled by a temporary softening attitude on the part of Mark Antony, who seemed to be co-operating with the Senate (Plutarch *Cicero* 43). However, Antony by 44 BCE was blaming Caesar's death on Cicero's ideology as encouraging the assassination, which was possible, and as directly encouraging the actual murder, which was less likely (Tempest 2011). Cicero was

especially targeted because he had mercilessly attacked the proconsul Mark Antony in a major propaganda campaign via the writings known as the *Philippics*, echoing the writings of Demosthenes against the rising power of Philip II of Macedon. Likewise, Cicero had failed to secure the complete loyalty of the young Octavian, probably the one man who could have saved him from the anger of Antony and Lepidus during the negotiations of the new triumvirs at Bononia (Plutarch *Cicero* 46). Cicero's attempt to use the young Octavian was a major miscalculation, one that was transparent to both Octavian (Syme 1974, p186) and even to friendly observers such as Brutus (Plutarch *Cicero* 45).

In the end, Cicero delayed his departure from Italy far too long and was caught on the road by Herennius and other agents of Antony, as described by Plutarch:

Cicero heard him [Herennius] coming and ordered his servants to set the litter down where they were. He himself, in that characteristic posture of his, with his chin resting on his left hand, looked steadfastly at his murderers. He was all covered in dust; his hair was long and disordered, and his face was pinched and wasted with his anxieties - so that most of those who stood by covered their faces while Herennius was killing him. His throat was cut as he stretched his neck out from the litter. He was in his sixty-fourth year. By Antony's orders Herennius cut off his head and his hands - the hands with which he had written the *Philippics*. (Plutarch *Cicero* 48).

Antony's hatred of Cicero, and indeed his fear of the power of Cicero's rhetoric and writing is revealed in the treatment of his body – apparently the head and hands were thereafter carried into the Roman forum and nailed to the speaker's rostrum (Tempest 2011). Cicero had been forced to use extra-constitutional means to defend his beloved Republic, especially in his support for the young adventurer Octavian against the legitimate proconsul Mark Antony. This contradiction allowed naked force to be used against Cicero in the following proscriptions of the Second Triumvirate, when Rome was dominated by Mark Antony, Lepidus, and Octavian (the future emperor Augustus).

Cicero was a complex mixture of aspiration and the partial execution of his ideals. Plutarch notes that that for all his brilliance, Cicero was ambitious for glory and had a dangerously strong desire for praise from others (Plutarch *Cicero* 25). Furthermore, at times Cicero's rhetoric was used to attack and 'dehumanize' his enemies, thereby making it easier to deprive them of normal protections under Roman law (see Maric 2014). If, politically, Cicero was unable to protect his vision of a mixed and balanced Roman constitution, he was also a man who tried to stand up for great philosophical and political ideas. He was doomed not so much by his own limitations, but by the nature of the age in which he lived where military force and civil wars were tearing Rome apart. His successes and failures were not trivial, and had much more impact and value than the trivial successes of the minor writers and pragmatic politicians who surrounded him. For this reason, Cicero as a writer and thinker was held in the highest regard throughout the Middle Ages, the Renaissance and the early modern period, and is worthy of greater study today (Striker 1995, p54). Humanism is a word that has fallen by the wayside in a 21st century world riven by political division and rival radicalisms. However, a call for moderation based on a shared and practical human justice, where duties and rights are shared and shouldered in an educated community, may be timely for the world today.

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Internet and Media Resources

The Cicero Homepage contains Latin texts, the Plutarch biography, a bibliography, and some images at <https://sites.la.utexas.edu/cicero/>

The [Internet Ancient History Sourcebook](http://www.fordham.edu/halsall/ancient/asbook09.html#Civil%20Wars%20and%20Revolution) has a selection of Cicero translations and other sources on the civil wars at <http://www.fordham.edu/halsall/ancient/asbook09.html#Civil%20Wars%20and%20Revolution>

An extensive collection of Cicero's works (in Latin and English) can be found via the [Perseus Digital Library](https://www.perseus.tufts.edu/hopper/searchresults?q=cicero&target=en&collections=Perseus%3Acollection%3AGreco-Roman) at <https://www.perseus.tufts.edu/hopper/searchresults?q=cicero&target=en&collections=Perseus%3Acollection%3AGreco-Roman>

Fictive Treatment

A detailed and dramatic account of Cicero and his times will be found in the *Cicero Trilogy* by Robert Harris, published by Penguin.

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