

## DRIVING OUT THE ENEMY: CICERO'S PHILIPPICS AND THE DANGER OF EXCLUSIONARY RHETORIC

In this paper I want to examine the danger that exclusionary rhetoric of the kind employed by Cicero in the *Philippics* poses in a political system in which discourse and debate play an important role in the decision-making process. My focus will be on the way Cicero's rhetoric sought to exclude M. Antonius from the political debate after Caesar's death and on the problems that this kind of argument created at Rome in a time of crisis. In addition, I want to suggest that such an examination might shed light on similar problems in contemporary political debates and that such a comparison is worth considering given the continual need for Classicists to make a case for our subject's relevance in the modern educational environment. This last issue constitutes something of a jump and is very much a work in progress, but it is a jump I think worth making – albeit briefly, right now. However, before we can make it, we need to look at the ancient 'example' (in air quotes).

In the months after Caesar's death Cicero formulated a particular understanding of Roman citizenship first in *de Officiis* and then in the *Philippics*. According to this the citizen's first duty was to the stability and security of the *res publica*, rather than to himself. Indeed, he argued in *de Officiis* that it was not truly in the citizen's interest to do otherwise, claiming that what was inexpedient for the *res publica* could not be expedient for any individual citizen...<sup>1</sup> Throughout *de Officiis* his description of the qualities of the good Roman citizen – knowledge, wisdom, justice, kindness, generosity, greatness of spirit and decorum – are defined in relation to the *res publica*.<sup>2</sup> For Cicero the *res publica* was a legal and political union of Rome's citizens – without it citizenship was meaningless. Therefore, the qualities of a good citizen must be those that upheld this union: it was in the citizen's self-interest to be 'good' and preserve the political community that protected him. This idea of citizenship, expressed philosophically in *de Officiis* underlies Cicero's political arguments in the *Philippics*.

This is primarily the case from the *Second Philippic* onwards. The *First Philippic* is slightly different – it shows Cicero expressing the desire to bring the consuls Antonius and Dolabella 'in from the cold' and to work with them to restore Rome (albeit not without criticism of their recent activities).<sup>3</sup> However, after Antonius' attack upon him in response to the *First Philippic*, Cicero changed tack. He no longer sought to co-opt Antonius but to remove him from the debate as a danger to Rome. In the rest of the *Philippics* Cicero's rhetoric aims to isolate and exclude Antonius, using character description (or assassination) alongside a series of legal arguments to claim that Antonius was not a good Roman citizen. Indeed, Cicero argues that as Antonius' activities endangered the stability of the *res publica*, he was not really a citizen at all, but a *hostis*. This is invective, of course – but it is a particular kind of invective, which aims not just to denigrate, mock or shame and disprove opposing arguments by association, but to delegitimize his opponent's voice in the political discourse and exclude him – legally – from the debate and from the Roman *res publica*.

To examine the way that Cicero made this argument we can look first at his descriptions of Antonius as a citizen and as consul, and then at his understanding of the *res publica* as a legal community, with reference to *de Officiis*, finally coming to his argument that Antonius' behaviour breaks the bonds of this community.

The *Philippics* include vivid descriptions of Antonius' improper behaviour: his debauchery; his relationship with Curio; his tendency towards violence, and his abuse of his magistracies. In the *Third Philippic* Cicero asks rhetorically, "What is there in Antonius save lust, cruelty, insolence, audacity? He is wholly compacted of these vices. No trace in him of gentlemanly feeling, none of moderation, none of self-

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<sup>1</sup> Cic., *Off.*, 3.101.

<sup>2</sup> *Off.*, 1.15.

<sup>3</sup> Cic., *Phil.*, 1.29, 35.

respect, none of modesty.”<sup>4</sup> Cicero referred frequently to Antonius’ *audacia* – a quality that in *de Officiis* is defined as courage that is not inspired by public service but by self-interest.<sup>5</sup> In the *Philippics* he uses it to identify Antonius as unrestrained and reckless, a man who did not care if his actions harmed others or the *res publica* as long as they provided him enjoyment or benefit. For example, at the opening of the *Second Philippic* Cicero uses *audacior* in comparing Antonius’ behaviour to that of Catiline, making it clear that he regarded Antonius as the greater of two evils.<sup>6</sup>

In addition to detailing Antonius’ less than lovely personality, Cicero also described Antonius’ activities after Caesar’s death – reeling off a litany of corruption in the *Third Philippic*: “He emptied Caesar’s well-stocked house, plundered his gardens, transferred all their ornaments to his own; he sought to make the funeral a pretext for massacre and arson; having passed two or three good senatorial decrees in the public interest, in all else he thought only of profit and plunder; he sold exemptions, granted freedom to communities, removed entire provinces from the imperial jurisdiction of the Roman people, brought back exiles, caused false laws and false decrees in Caius Caesar’s name to be inscribed on bronze and posted up on the Capitol; he imposed laws on the Roman people, excluding people and magistrates from the forum with armed soldiers; he surrounded the senate with armed men, put armed men inside the sanctuary of Concord while holding a senate; he hurried to Brundisium to the legions there, slaughtered their most loyal-minded centurions, tried to return to Rome with an army to destroy us and sack the city. And when diverted from this headlong career... he lessens none of his audacity nor does he desist from his mad, furious plunge.”<sup>7</sup>

From accounts like this Cicero argued that Antonius’ character and activities were not good for the *res publica*, and so he could not be regarded as a good citizen. However: Cicero argued that not only was Antonius a bad citizen and bad consul, but that he was not a citizen or consul at all. In the second *Philippic* he declared that, “He is after all, nothing of a consul, neither in his mode of life nor in his official conduct nor in the manner of his election,” – and this argument was regularly repeated throughout these speeches.<sup>8</sup> It is at this point in Cicero’s rhetoric that his personal invective against Antonius combines with a legal argument about citizenship in order to exclude him.

As I noted at the beginning, Cicero defined the qualities and duties of good citizen in relation to the *res publica*. In *de Officiis* he presented the connection between the *cives* and their *civitas* as a legal bond born out of the contract that bound citizens together in the *res publica*, using legal terms such as *fides* and *societas* to describe the association of mankind in a political community. Here the difference between a random group of men, and the *civitas* and the *res publica* is citizenship – a common bond rooted in *lex* and *ius*, in access to the courts and the right to vote, creating a free people who enjoy equity before the law – a bond that was established as a result of living together in a city.<sup>9</sup> Cicero argued that since Rome’s citizens had come together to form the *res publica* in a legal partnership they had the duty of behaving towards each other *ex bona fides*, as partners in a legal association were expected to do, and uphold the *res publica*.<sup>10</sup> Any citizen who did not act in the interests of the *res publica* had broken his legal obligations and was not, legally, a citizen. This idea recurred in the *Philippics*, less philosophically of course...

As Jill Harries has discussed, Cicero’s presentation of law in the *Philippics* plays out on two levels: that of statutes, rights, tradition and precedent (*lex* and *ius*) and that of a higher law or standard of right action,

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<sup>4</sup> Cic., *Phil.*, 3.28.

<sup>5</sup> Cic., *Off.*, 1.63, 102

<sup>6</sup> Cic., *Phil.*, 2.1. Cf., 2.4, 9, 19, 43, 44, 64, 68, 90; 3.28, 35; 5.10, 41; 6.2, 28; 8.21; 9.15; 11.5; 13.10, 13.28.

<sup>7</sup> Cic., *Phil.*, 3.30-31.

<sup>8</sup> Cic., *Phil.*, 2.10. See also *Phil.*, 1.8-9, 12; 2.81, 109; 3.9-10, 24, 28; 4.4, 15; 5.7, 25; 6.5, 16 for Antonius’ unconsular character.

<sup>9</sup> Cic., *Off.*, 1.53, 2.15

<sup>10</sup> Cic., *Off.*, 3.70. Cf., 1.23 on justice. . Harries (2006) pp.23-25, 54 & 71.

which she has called law-as-philosophy, and which came into play when man-made law failed to protect the *res publica*.<sup>11</sup> These levels are never fully separable since the law, in the form of the *leges, mores* and *institutes* of the ancestors, must be upheld by good citizens who act in support of the *res publica*. However, if the first level of law fails to protect Rome, then the good citizen may act in defence of the *res publica* through the exercise of his reason and wisdom. This situation is what Agamben has described as a ‘state of exception’. An extraordinary constitutional action is legitimised by a state of emergency - creating a fictional lacuna in public law, where the law remains in force but with its application suspended, justified by the principle that law is ordained for the well-being of men.<sup>12</sup> Declaring that Rome was in a time of crisis, Cicero argued that only actions that supported the *res publica* were legitimate and that because they were legitimate they must be legal. Logically, therefore (Cicero-logic) – actions which damaged the *res publica* must render the citizen who performed them not a citizen, but an enemy of Rome. In this way he made the character and behaviour of the citizen the arbitrator of legitimacy and legal and constitutional action.

In the *Philippics* Cicero’s rhetoric moves from claims about the way that Antonius’ character and actions were ‘bad’ (as described above) to the association of their ‘badness’ with the damaging of the *res publica* and on to the argument that Antonius was, really, a *hostis*, not a citizen. So, for example at *Phil.*, 3.12 when Cicero described the way that Antonius had behaved at the Lupercalia in 44 he made it clear that it was unconsular, unRoman, and that it could have turned the *res publica* into a monarchy. In other examples of the way he endangered Rome, Cicero claims that as consul Antonius ignored and even fabricated the auspices, passed laws by force, murdered Roman citizens, and broke faith with the Senate by undermining the settlement made after the Ides of March.<sup>13</sup> All these activities, in Cicero’s opinion, damaged the *res publica* and consequently de-legitimised Antonius’s citizenship.<sup>14</sup> At *Philippic* 4.14-15 Cicero claimed that Antonius had deliberately thrown off the *consilium publicum* – abandoning the directives of the Senate and people of Rome, rousing civil strife and becoming a bandit.<sup>15</sup> Cicero did not limit himself to this - regularly describing Antonius as a *hostis* because of his behaviour. At 3.6 he says that Martian Legion have judged Antonius an enemy of the Roman people; at 5.27 Antonius’ attack on Decimus Brutus is compared to Hannibal’s attack on Rome, implying his status as an enemy.<sup>16</sup> The honouring of Octavian for his actions against Antonius is also cited as proof of the proconsul’s illegitimacy.<sup>17</sup> Finally, in the *Fourteenth Philippic* Cicero demands, “How long then shall this man, who has outdone in crime all public enemies, go without the name of public enemy?”<sup>18</sup>

By using rhetoric like this Cicero sought to exclude Antonius from the debate over the future of the *res publica*. Of course, Antonius was already physically absent from the city, but he could make his views known by writing to his supporters in the Senate and court popularity amongst the people. Cicero’s attacks upon Antonius and his declaration of him as a *hostis* aimed to delegitimize Antonius’ voice and arguments within Rome’s political discourse –excluding him from the political communion of the *res publica* by marking him as an enemy of Rome.

In *de Officiis* Cicero presented a philosophical argument for the importance of good citizenship in the successful *res publica* hoping to influence and explaining in detail why his understandings of a citizen’s qualities, such as *virtus*, were the correct ones. In the *Philippics*, however, his rhetoric necessarily removed

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<sup>11</sup> Harries (2006) pp.53-58.

<sup>12</sup> Agamben (2005) pp.23-25, 31. clearly a matter of context and perspective: Cicero’s argument was not accepted by all at Rome.

<sup>13</sup> Cic., *Phil.*, 1.16-23; 3.9; 5.8-9.

<sup>14</sup> *Phil.*, 5.10. *Phil.*, 13.5.

<sup>15</sup> Cic., *Phil.*, 4.14-15, cf.

<sup>16</sup> Cic., *Phil.*, 3.6; 5.27.

<sup>17</sup> Cic., *Phil.*, 4.4-5

<sup>18</sup> Cic., *Phil.*, 14.6

this process of exposition – the form encouraging the use of these terms as tags. *Virtus* is a quality of the good citizen who serves the *res publica*, but the specific qualifications for this status remain largely hidden. Cicero simply aimed to demonstrate that a man had or did not have *virtus*. Cicero refers to Octavian, Hirtius and Pansa – amongst others as men of *virtus*, and defines their possession of the quality in relation to their position towards Antonius.<sup>19</sup> By employing *virtus* as a tag to describe citizens, making its definition appear incontestable, Cicero was able to demonise and de-Romanise his enemies, and making it harder for them to fight back in debate.

Ultimately (if one takes the end point of the debate as the formation of the Second Triumvirate and Cicero's death in the proscriptions) Cicero's campaign against Antonius can be seen as fundamentally unsuccessful. Cicero did not manage to save the *res publica* or to restore it in the form that he wanted. But despite this, Cicero's argument against Antonius in the *Philippics* did have an impact upon Roman politics. It was not necessarily the one Cicero wanted, nor, I would argue, was it one that was conducive to solving Rome's problems in this period and re-establishing harmony and stability.

If we look at the historical narrative of 44-43 – which I don't want to do in detail here – we can see the steady escalation of the crisis in Rome. Once the immediate settlement was made after Caesar's death Cicero remained largely uninvolved in public political affairs until nearly the end of that year, with the exception of the *First Philippic*. His letters show that he was in contact with Octavian by early November – although he was still uncertain of how best to deal with the young man.<sup>20</sup> The *Second Philippic*, written late in 44, marks the beginning of this exclusionary rhetoric - an explosive example of the arguments that would make up the speeches that followed. In early December he wrote to Decimus Brutus to encourage him to stand against Antonius, and not long after, gave the *Third Philippic* in the senate – arguing in support of Decimus against Antonius. His letter to Decimus encapsulates the problems that, I think, his public rhetoric exacerbated. He writes, "For if once your province falls into the hands of the man you wrote of – though indeed I was always his friend until I became aware that he was waging war not only openly but joyously against the *res publica* – I see no help of salvation left."<sup>21</sup> Cicero's rhetoric allows for no possibility of negotiation with Antonius and the action it encouraged for dealing with him was military action against an enemy of the *res publica*.

As Manuwald has noted, Cicero's definition of law and legal action in the *res publica* allowed him to take his own assessment as his guideline for his arguments, determining the welfare of the community subjectively.<sup>22</sup> Cicero makes it clear that Antonius doesn't understand law – but that HE does, and he knows that Antonius is no legal Roman citizen. Antonius, the louche drunk who makes war on Rome in order to secure his own position is denied the chance to challenge this authority by Cicero, the consular, who had saved the *res publica* from Catiline.<sup>23</sup> Cicero seeks to own the discourse, both with regard to the sheer volume of noise he could make at Rome – and with regard to the terms and concepts used to define the good citizen.

The danger of the kind of exclusionary rhetoric that Cicero used against Antonius in the *Philippics* lies in its nature as an extreme argument against an individual/party that drives the opposition to extreme action in return. Cicero expressed absolute certainty of the right course of action, pursuing a line of attack that sought to drive his opponent out of the discourse. To do this, Cicero presented his audiences with two mutually exclusive options, favouring his own point of view and not fully elaborating on the other,

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<sup>19</sup> Cic., *Phil.*, 3.27, 38. See also his proposal that Hirtius, Pansa and Octavian be declared *Imperator* for the defeat of Antonius at Mutina in the *fourteenth Philippic* (11) where he cites their *virtus*.

<sup>20</sup> Cic., *Att.*, 16.8; 11.6.

<sup>21</sup> Cic., *Fam.*, 11.5.1-3. See also 11.6.

<sup>22</sup> Manuwald (2007) pp.303-4.

<sup>23</sup> Cic., *Phil.*, 6.2. See also, 2.1, 11, 118.

refusing to allow any other conception of the situation. For example in discussing the conspirators at *Philippic* 2.31-32 he argued that, “There is no middle ground: if they are not liberators of the Roman people and preservers of the Republic, I confess them to be worse than assassins, worse than murders, worse even than parricides.” However, he went on to emphasise that it was not possible for them to anything but liberators – because if they were not, Antonius would not have treated them with the respect he had.<sup>24</sup> Antonius’ later attacks on the conspirators therefore marked him as an enemy of Rome.

Cicero’s rhetoric allowed for no subtle interpretation or negotiated resolution of the situation, but helped to create rifts so deep and positions so entrenched that they could not be resolved by means of verbal debate – they had to be fought over. Cicero’s successful proposals - such as the legitimisation of the positions of Decimus Brutus and Octavian – pushed Antonius towards military action and helped drive Rome into civil war. Of course, Cicero was not the only party responsible for the situation in Rome and there is no point blaming him at this distance. However, his contribution to the strife does make it possible to suggest that, according to his own understanding of the good citizen as one whose actions must benefit the *res publica*, Cicero was not necessarily a good citizen. He, of course, would dispute this suggestion – arguing that it was absolutely in the best interests of Rome that Antonius be removed from the equation even at the cost of civil war. Yet, Cicero’s refusal to allow the validity of contesting this position may be seen as being as much one of Rome’s problems at this time as the armies and ambition of Antonius or Octavian.

So, now we come to the slightly wild jump, and the idea that readings of rhetoric in the ancient world may be of benefit in engaging with rhetoric in modern politics. There are other ways in which the sort of analysis carried out above might feed into contemporary discussions about the state of our politics and society – but I just want to look at this one, as I think this is an argument worth making in light of the regular questioning of the validity of Classics in the modern curriculum - from the comments of Ed Balls in the spring of 2010 that Latin is boring and pointless, to the threats to various Classics departments. Simply letting Boris Johnson speak for us – whilst often entertaining – is not always helpful, and I think it’s important that we start defending the importance of Classics – both in terms of its value on a broad scale and in terms of specific examples of the way that the skills we use regularly might be employed in other areas. My particular area of interest is politics – so I’m going to make the argument that being able to critique political rhetoric is not just a useful skill for the Classicist, but is also of vital importance dealing with the whirl of spin, argument and ‘debate’ in modern politics. I also want to, tentatively, suggest that an understanding of the way Cicero’s use of exclusionary rhetoric contributed to Rome’s problems in the period between Caesar’s death and the establishment of the Second Triumvirate might help us identify – and debunk – similar uses of rhetoric today to try and avoid the problems that can accompany it.

I thought about using a British example for this, but then I thought everyone would be sick of British politics by now.<sup>25</sup> So, I am going to turn to a comparison with contemporary American politics: the furious argument for the guardianship of America’s soul from the right of the Republican party since the 2008 Presidential elections – an argument that defines the Democrats in general and President Obama in particular as un-American and dangerous. So we have two examples, nos. 13 & 14 on the handout. In his speech at the Republican Convention, President Bush said: “Fellow citizens: If the Hanoi Hilton could not break John McCain’s resolve to do what is best for his country, you can be sure the angry left never will.”<sup>26</sup> Bush’s comment was followed in the next month by Sarah Palin’s declaration that Obama: “Is

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<sup>24</sup> Cic., *Phil.*, 2.31-32 makes the technique explicit. Cf., *Phil.*, 5.5; 8.11-13; 13.49. Ramsey (2003) pp.209-210; Harries (2006) pp.201, 218; Manuwald (2007) p.305.

<sup>25</sup> This paper was initially given in May 2011, shortly after the general election

<sup>26</sup> For the full text of the speech, see Bush (2008)

not a man who sees America as you and I do - as the greatest force for good in the world. This is someone who sees America as imperfect enough to pal around with terrorists who targeted their own country.”<sup>27</sup> Political bloggers Marc Ambinder and Matt Yglesias both commented on the way in which such rhetoric aimed to push Obama and the Democrats out of legitimate political debate because they were un-American. Yglesias described Bush’s comment as an, “Imputation of bad faith — that right and left can’t just disagree about what’s best for the country... in Bush’s view the left is *self-consciously* pushing a bad-for-America agenda.” Ambinder translated Palin’s statement in the following way: “It’s that Obama, ‘is not a man who sees America as you and I do.’ This is the message that opponents of Obama began with: he’s not one of us. He’s *culturally foreign*. He doesn’t *share your values*. He’s *dangerous*.”<sup>28</sup> The way the debate has disintegrated since the election into the fury of the Tea Partiers and the anti-Health Care reform campaign on one side, and the almost disbelieving mockery of the likes of Jon Stewart and Rachel Maddow on the other - in which both sides appear to be talking past the other while their opponents refuse to listen, dismissing them as the proverbial, mad, bad, and dangerous to know, and the difficulties of passing legislation through the US Congress right now only serves to highlight the danger of exclusionary rhetoric to the political process.

If we accept that the ability to read rhetoric is a skill that can be taught by the study of Classics and Ancient History, and that it can translate into an ability to read contemporary rhetoric, we must then ask whether this can help us justify the relevance of our work – and how. I’m not convinced that there’s a demand that we necessarily \*do\* anything great and dramatic with this ability or make any big claims, for example that knowledge and skill will make people ‘better’ politicians or ‘better’ political commentators. But I think we could do a better job of arguing that a classical education – and in the case of this example, the skills honed in reading rhetoric – has the ability to make us better able to engage in the political discourse around us – even to read the newspaper. In a commencement address given at Kenyon College, David Foster Wallace said, “Twenty years after my own graduation, I have come gradually to understand that the liberal arts cliché about teaching you how to think is actually shorthand for a much deeper, more serious idea: learning how to think really means learning how to exercise some control over how and what you think. It means being conscious and aware enough to choose what you pay attention to and to choose how you construct meaning from experience. Because if you cannot exercise this kind of choice in adult life, you will be totally hosed.”<sup>29</sup> And I think considering the impact of Cicero’s use of exclusionary rhetoric in the *Philippics* upon Roman politics might be helpful in enabling people to avoid being ‘hosed’ by politicians using similar techniques today.

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<sup>27</sup> Phillips (2008); *cf.*, BBC (2008) for video footage.

<sup>28</sup> Ambinder (2008), my italics; *Cf.*, Yglesias (2008) on Bush’s convention speech.

<sup>29</sup> Wallace (2009)

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