

# THE MORAL LIBERAL

## Enemy of the State, Friend of Liberty

By Lawrence Reed

Question: If you could go back in time and spend one hour in conversation with 10 people—each one separately and privately—whom would you choose?

My list isn't exactly the same from one day to the next, but at least a couple of the same names are always on it, without fail. One of them is Marcus Tullius Cicero. He was the greatest citizen of the greatest ancient civilization, Rome. He was its most eloquent orator and its most distinguished man of letters. He was elected to its highest office as well as most of the lesser ones that were of any importance. More than anyone else, he introduced to Rome the best ideas of the Greeks. More of his written and spoken work survives to this day—including hundreds of speeches and letters—than that of any other historical figure before 1000 A.D. Most importantly, he gave his life for peace and liberty as the greatest defender of the Roman Republic before it plunged into the darkness of a welfare-warfare state.

Cato Institute scholar Jim Powell opened his remarkable book *The Triumph of Liberty: A 2,000-Year History, Told Through the Lives of Freedom's Greatest Champions* (Free Press, 2000) with a chapter on this Roman hero—a chapter he closed with this fitting tribute: “Cicero urged people to reason together. He championed decency and peace, and he gave the modern world some of the most fundamental ideas of liberty. At a time when speaking freely was dangerous, he courageously denounced tyranny. He helped keep the torch of liberty burning bright for more than two thousand years.”

Who *wouldn't* want to have an hour with this man?

Cicero was born in 106 B.C. in the small town of Arpinum, about 60 miles southeast of Rome. He began practicing law in his early 20s. His most celebrated case, which he won, required him to defend a man accused of murdering his father. He secured an acquittal by convincing the jury that the real murderers were closely aligned to the highest public officials in Rome. It was the first but not the last time that he put himself in grave danger for what he believed to be right.

In 70 B.C., 10 years after his victory in that celebrated murder trial, Cicero assumed a role uncommon for him—that of prosecutor. It was a corruption case involving Gaius Verres, the politically powerful former governor of Sicily. Aggrieved Sicilians accused Verres of abuse of power, extortion, and embezzlement. The evidence Cicero gathered appeared overwhelming, but Verres was confident he could escape conviction. His brilliant defense lawyer, Hortensius, was regarded as Cicero's equal. Both Verres and Hortensius believed they could delay the trial a few months until a close ally became the new judge of the extortion court. But Cicero outmaneuvered them at every turn. Verres, all but admitting his guilt, fled into exile. Cicero's speeches against him, *In Verrem*, are still read in some law schools today.

Roman voters rewarded Cicero with victory in one office after another as he worked his way up the ladder of government. Along the way, the patrician nobility of Rome never quite embraced him because he hailed from a slightly more humble class, the so-called equestrian order. He reached the pinnacle of office in 63 B.C. when, at age 43, Romans elected him co-consul.

The consulship was the republic's highest office, though authority under the Roman Constitution was shared between two coequal consuls. One could veto the decisions of the other and both were limited to a single one-year term. Cicero's co-consul, Gaius Antonius Hybrida, was so overshadowed by his colleague's eloquence and magnetism that he's but a footnote today. In contrast, Cicero emerged as the savior of the republic amid a spectacular plot to snuff it out.

The ringleader of the vast conspiracy was a senator named Lucius Sergius Cataline. This disgruntled, power-hungry Roman assembled an extensive network of fellow travelers, including some fellow senators. The plan was to ignite a general insurrection across Italy, march on Rome with the aid of mercenaries, assassinate Cicero and his co-consul, seize power, and crush all opposition. Cicero learned of the plot and quietly conducted his own investigations. Then in a series of four powerful orations before the Senate, with Cataline himself present for the first, he cut loose. The great orator mesmerized the Senate with these opening lines and the blistering indictment that followed:

How long, O Catiline, will you abuse our patience? And for how long will that madness of yours mock us? To what end will your unbridled audacity hurl itself?

Before Cicero was finished, Cataline fled the Senate. He rallied his dwindling army but was ultimately killed in battle. Other top conspirators were exposed and executed. Cicero, on whom the Senate had conferred emergency power, walked away from that power and restored the republic. He was given the honorary title of *Pater Patriae* (Father of the Country).

But Rome at the time of the Catilinarian conspiracy was not the Rome of two or three centuries before, when honor, virtue, and character were the watchwords of Roman life. By Cicero's time, the place was rife with corruption and power lust. The outward appearances of a republic were undermined daily by civil strife and a growing welfare-warfare state. Many who gave lip service in public to republican values were privately conniving to secure power or wealth through political connections. Others were corrupted or bribed into silence by government handouts. The republic was on life support and Cicero's voice was soon to be drowned out by a rising tide of political intrigue, violence, and popular apathy.

In 60 B.C., Julius Caesar (then a senator and military general with boundless ambition) tried to get Cicero to join a powerful partnership that became known as the First Triumvirate, but Cicero's republican sentiments prompted him to reject the offer. Two years later and barely five years after crushing Cataline's conspiracy, Cicero found himself on the wrong side of senatorial intrigue. Political opponents connived to thwart his influence, resulting in a brief exile to northern Greece.

He returned to a hero's welcome but retired to his writing. Over the next decade or so, he gifted the world with impressive literary and philosophical work, one of my favorites being *De Officiis*

("On Duties"). In it he wrote, "The chief purpose in the establishment of states and constitutional orders was that individual property rights might be secured . . . It is the peculiar function of state and city to guarantee to every man the free and undisturbed control of his own property."

Politics, however, wouldn't leave Cicero alone. Rivalry between Caesar and another leading political figure and general, Pompey, exploded into civil war. Cicero reluctantly sided with the latter, whom he regarded as the lesser of two evils and less dangerous to the republic. But Caesar triumphed over Pompey, who was killed in Egypt, and then cowed the Senate into naming him dictator for life. A month later, Caesar was assassinated in the Senate by pro-republican forces. When Mark Antony attempted to succeed Caesar as dictator, Cicero spearheaded the republican cause once again, delivering a series of 14 powerful speeches known in history as the Phillipics.

Cicero's oratory never soared higher. With the remnants of the republic hanging by a thread, he threw the scroll at Antony. The would-be dictator, Cicero declared, was nothing but a bloodthirsty tyrant-in-waiting. "I fought for the republic when I was young," he asserted. "I shall not abandon her in my old age. I scorned the daggers of Catiline; I shall not tremble before yours. Rather, I would willingly expose my body to them, if by my death the liberty of the nation could be recovered and the agony of the Roman people could at last bring to birth that with which it has been so long in labor."

Antony and his fellow conspirators named Cicero an enemy of the state and sent the assassin Herennius to take him out. On December 7, 43 B.C., the killer found his target. The great statesman bared his neck and faced his assailant with these last words: "There is nothing proper about what you are doing, soldier, but do try to kill me properly."

With one sword stroke to the neck, the life of the last major obstacle to dictatorship was extinguished. At that moment, the 500-year-old republic expired, too, to be replaced by an imperial autocracy. Roman liberty was gone. On the orders of Antony, Cicero's hands were severed and nailed along with his head to the speaker's platform in the Roman Forum. Antony's wife personally pulled out Cicero's tongue, and in a rage against his oratory, stabbed it repeatedly with her hairpin.

Powell reports in *The Triumph of Liberty* that a century after the ghastly deed, the Roman writer Quintilian declared that Cicero was "the name not of a man but of eloquence itself." Thirteen centuries later, when the printing press was invented, the first book it produced was the *Gutenberg Bible*, but the second was Cicero's *De Officiis*. Three more centuries after that, Thomas Jefferson called Cicero "the first master of the world." And John Adams proclaimed, "All the ages of the world have not produced a greater statesman and philosopher" than Marcus Tullius Cicero.

Some might say Cicero's labors to save the Roman Republic were, at least in hindsight, a waste of time. He gave his life for an ideal that he was able to extend tenuously for maybe a couple of decades.

But if I had an hour with Cicero, I would thank him. I would want him to know of the inspiration he remains to lovers of liberty everywhere, more than two millennia after he lived. I would share

with him one of my favorite remarks about heroism, from the screenwriter and film producer Joss Whedon: “The thing about a hero, is even when it doesn’t look like there’s a light at the end of the tunnel, he’s going to keep digging, he’s going to keep trying to do right and make up for what’s gone before, just because that’s who he is.”

And that is exactly who Cicero *was*.