Idealizing *Humanitas* in Cicero’s *De oratore*, or, why Herbert O. Morrison was wrong

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This paper draws primarily from material I intend to use in the introduction and first chapter of my dissertation, the latter of which will provide a more extensive account of Ciceronian *humanitas* against the backdrop of the waning Roman Republic. The larger dissertation project focuses on the concept of *humanitas* in the broader Roman context – traced through Cicero, Seneca the Younger, Tacitus, and Augustine - as a means to confront and challenge the modern understanding of “ Humanity.” I greatly appreciate any and all feedback people are willing to share.

Oh, my, get out of the way, please! It's burning and bursting into flames, and the - and it's falling on the mooring-mast and all the folks agree that this is terrible, this is one of the worst catastrophes in the world. [...] It's—it's—the flames, [...] oh, four- or five-hundred feet into the sky and it ... it's a terrific crash, ladies and gentlemen. It's smoke, and it's flames now ... and the frame is crashing to the ground, not quite to the mooring-mast. Oh, the humanity and all the passengers screaming around here. I told you, I can't even talk to people whose friends are on there. Ah! It's—it's—it's—it's ... o—ohhh! I—I can't talk, ladies and gentlemen. Honest, it's just laying there, a mass of smoking wreckage.

Herbert O. Morrison, radio journalist at the Hindenburg Disaster, 1937

When evening has come, I return to my house and go into my study. At the door I take off my clothes of the day, covered with mud and mire, and I put on my regal and courtly garments; and decently reclothed, I enter the ancient courts of ancient men, where, received by them lovingly, I feed on the food that alone is mine and that I was born for. There I am not ashamed to speak with them and to ask them the reason for their actions; and they in their humanity [humanità] reply to me. And for the space of four hours I feel no boredom, I forget every pain, I do not fear poverty, death does not frighten me. I deliver myself entirely to them.

Niccolò Machiavelli, *Letter to Francesco Vettori*, December 10th, 1513
Introduction

Sent to cover the Hindenburg's arrival to New Jersey from Frankfurt on May 6th, 1937, Herbert O. Morrison famously cried out “Oh, the humanity” when the rigid airship caught fire and fell to the ground, killing 36 people. Although pre-recorded radio broadcasting was not in general use at the time, Morrison’s report of the event - praised for its balance of emotional and factual content - was played first in Chicago and subsequently broadcast across the country. As a result, Morrison’s account became the country’s account, where millions of Americans shared in the experience of listening to one person’s reaction to the airship disaster. It is still taken to be a representative account of the disaster today. While at first glance Morrison’s commentary would seem to contradict the claims made by those like Zygmunt Bauman and Carl Schmitt, who have argued that any attempt to define “Humanity” is inescapably political, the fact that his report became a national cultural touchstone would seem to suggest that something more was going on.¹

When Morrison exclaimed “Oh, the humanity,” for instance, did he and his listeners share the same understanding of the term “humanity” or did the term come to mean something because it was shared in that particular context? To what extent, if any, did Morrison’s exclamation reveal a given universal humanity and to what extent did Morrison participate in the construction of a particular humanity.

These are far from idle questions. Speaking at Hiroshima earlier this year, President Obama remarked that “we can tell our children a different story, one that describes a common humanity, one that makes war less likely and cruelty less easily accepted.”² Martha Nussbaum has similarly

argued that, although “you can either package your humanity in your politics or you can package your politics in your humanity,” there is nevertheless a duty to educate young citizens using a curated selection of liberal arts to “cultivate the appreciation of a shared humanity.”³ In both instances (and innumerable others), the modern concept of humanity is not treated as something given but instead as something to be constructed through narrative.

Using an example to highlight why this formulation is problematic, one need look no further than those charged with perpetuating a ‘crime against humanity,’ of which both Schmitt’s fellow Nazis and, more recently, Saddam Hussein were found guilty. If Carl Schmitt is right, then charging someone with a crime against humanity is merely a cynical display of power because there exists no essential humanity to be harmed. David Luban has attempted to solve this problem by suggesting that a crime against humanity is not intended to signal an atrocity that is universally agreed upon but, rather, a crime that damages the very concept of humanity itself.⁴ According to Luban, what is essentially true about “Humanity” is that it is a construction and the crime comes from an action that removes the ability to produce further constructions. If Luban is correct, however, how can the concept of humanity-as-construction exist independent of the very actions (the crimes against humanity) that are necessarily redefining it? Would not a crime against humanity merely reflect a new construction replacing the old one? Furthermore, even if all constructions of humanity are taken to be equally valid, it would seem that some are more susceptible to crimes against humanity than others.

On the above account, not only must humanity-as-construction be itself a construction, but humanity-as-construction must be universally true; otherwise, there is an articulation of

“Humanity” that is not constructed which, by comparison, would make all constructions in some way false. Such a conclusion is untenable. While it may be the case that Schmitt correctly summarizes the modern understanding of humanity when he claims that “the concept of humanity is an especially useful ideological instrument of imperialist expansion,” it is an observation without an argument.⁵ If there is an argument about “Humanity” that squares the circle on the relationship between humanity-as-construction and humanity-as-given to be found, it would appear to be a superior understanding of humanity to our modern one. This paper thus turns to an earlier articulation of “humanity” from the Roman world to excavate an alternative account with which to challenge and improve our own.

**The Justification for Cicero’s *De oratore***

Accounting for more than half the surviving classical Latin references we have today, Cicero’s sweeping presentation of *humanitas* spans most of his published work and many of his private letters.⁶ As a consequence of that breadth and likely complicated by the numerous lacuna found within his more overtly political texts *De re publica* and *De legibus*, interpreters have generally divided Ciceronian *humanitas* into three largely distinct concepts: ‘mankind,’ ‘mildness,’ and ‘education or culture.’⁷ While these divisions usefully elaborate facets of the

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⁵ Schmitt, *The Concept of the Political*, 54.

⁶ A complete list of the 229 instances Cicero uses the term *humanitas* can be found in: Josef Mayer, “Humanitas bei Cicero” (PhD diss., Universität Freiburg im Breisgau, 1951). For a more selective treatment of *humanitas* in Cicero’s collected works, see: Christian Hogel, “The Humanitas of Cicero,” in *The Human and the Humane: Humanitas as Argument from Cicero to Erasmus* (Gottingen: V&R unipress, 2015): 41-68.

concept, they obscure an overarching unity to Cicero’s use of the term. Nowhere is this unity more evident than in his often overlooked dialogue De oratore, in which famed orators Crassus and Antonius debate the form and function of the ideal orator. The lack of attention paid to De oratore is all the more surprising given the numerous surviving complete manuscripts, a feat that suggests a general significance to the work in times past that is no longer shared today. Moreover, De oratore is distinguished on the author’s own account. Writing to his friend Atticus in 45BC, Cicero commented that the dialogue was one “with which I am fully satisfied.”8 With the above in mind, this paper addresses Cicero’s use of humanitas in De oratore to develop a unified account of the concept. It will be shown that Ciceronian humanitas denotes the ends of the active cultivation of one’s humanness through the means of the study of the liberal arts. By understanding humanitas in this way, the moral and political requirements to Cicero’s presentation of community are laid bare. In turn, and by way of conclusion, the consequences of treating humanitas as the development of one’s ‘humanity’ found in Cicero’s political thought will be addressed.

**Between paideia and philanthropia**

Written in the 2nd century AD, Aulus Gellius’ work Noctes Atticae provides one of the most comprehensive accounts of humanitas from the ancient Roman world and deserves to be quoted at length. In a section titled “That humanitas does not mean what the common people think, but those who have spoken pure Latin have given the word a more restricted meaning,” Aulus Gellius goes on to argue:

> Those who have spoken Latin and have used the language correctly do not give to the word humanitas the meaning which it is commonly thought to have, namely, what the Greeks call φιλανθρωπία (philanthropia), signifying a kind of friendly spirit and good-feeling towards all men without distinction; but they

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8 Cicero, Epistulae ad Atticum, 13.19.4.
gave to *humanitas* about the force of the Greek παιδεία (paideia); that is, what we call *eruditionem institutionemque in bonas artes*, or “education and training in the liberal arts.” Those who earnestly desire and seek after these are the most highly humanized. For the pursuit of that kind of knowledge, and the training given by it, have been granted to man alone of all the animals, and for that reason it is termed *humanitas*, or “humanity.” That it is in this that our earlier writers have used the word, and in particular Marcus Varro and Marcus Tullius [Cicero], almost all the literature shows.\(^9\)

This account need not be limited to Varro and Cicero.\(^10\) As a contemporary to Cicero, one can find a similar treatment of *humanitas* in Julius Caesar’s firsthand account of the Gallic Wars wherein he writes that “of all these, the Belgae are the bravest, because they are furthest from the civilization and refinement [cultu atque humanitas] of our Province, and merchants least frequently resort to them, and import those things which tend to effeminate the mind.”\(^11\) However, while Aulus Gellius presents the cultivation of *humanitas* in generally neutral terms, whereby the study of the liberal arts develops a uniquely human knowledge, Julius Caesar appears to conflate those studies with the lamentable trappings of Roman civilization. While it may not be the study of the liberal arts themselves that effeminize the mind but, rather, the subsequent desires for material comforts associated with the merchant trade routes, Julius Caesar’s comparison of ‘softness’ in refinements against barbarian bravery on the edges of the Roman world helpfully illuminates a tension within *humanitas* also found in Cicero’s work.\(^12\) It is clear that even on this cursory view *humanitas* is not exclusively associated with *paideia*, nor is it so cleanly distinct from *philanthropia*.

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10 Unfortunately, more of Varro’s work is now lost and what is left is insufficient for the purposes of charting the various interpretations of *humanitas* in the time period.
Writing a century and a half after Cicero, and dying a decade before Aulus Gellius was born, Tacitus echoed Julius Caesar by observing that,

[Agricola] likewise provided a liberal education [liberalibus artibus] for the sons of the chiefs, and showed such a preference for the natural powers of the Britons over the industry of the Gauls that they who lately disdained the tongue of Rome now coveted its eloquence. Hence, too, a liking sprang up for our style of dress, and the “toga” became fashionable. Step by step they were led to things which dispose to vice, the lounge, the bath, the elegant banquet. All this in their ignorance, they called civilization [humanitas], when it was but a part of their servitude.¹³

Although treating the toga as a sign of civilization decline possibly overstates the issues at hand, Tacitus’ twinned disdain for overt displays of humanitas and a positive account of the merits to a liberal education are striking. On the one hand, Tacitus reveals the imperial dimension to an education in the liberal arts – the sons of Briton chiefs were made Roman by cultivating their humanity. On the other hand, that cultivation is not self-evidently to their benefit as human beings. Just as Julius Caesar suggested an inverse relationship between barbaric bravery and civilizational effeminateness, Tacitus compares the Romanization of the Britons to slavery. While it could be the case that Tacitus’ ire comes on account of the Britons mistakenly viewing the civilizational trappings of Rome as the means through which they are to cultivate their humanity, in a sense believing togas to be part of the educational process, the text does not appear to bear that reading out.¹⁴ It is more likely the case that, after Agricola introduced the Britons to the liberal arts, they subsequently became Romanized in much the same way that Julius Caesar suggests in De bello

¹⁴ By contrast, Paul Veyne argues that humanitas carries a philanthropic dimension where precisely the bourgeois trappings of Rome would be ‘gifted’ to others as part of process. That is to say, while the Britons might not have seen the toga as part of the educational process, the Romans (or at least a section of them) did. See: “Humanitas: Romans and non-Romans,” The Romans, ed. Andrea Giardina (Chicago: University of Chicago Press, 1993), 353.
Regardless, both Julius Caesar and Tacitus present *humanitas* as a distinguishing feature of specifically Roman life and use it to draw distinctions between Romans and non-Romans.

Alternatively, Seneca provides a robustly Platonic account of *humanitas*. In letter 65 of *Moral Letters to Lucilius*, he argues, “though men die, humanity itself, or the idea of man, according to which man is moulded, lasts on, and though men toil and perish, it suffers no change.” While Seneca explicitly compares *humanitas* as the idea of mankind to a Platonic form earlier in the letter, which would seem to imply that individual human beings embody different aspects of the idea of mankind and to varying degrees in relation to one another, he nevertheless provides an account of *humanitas* in which all human beings participate. This particular presentation of *humanitas* can be found further elaborated in the later writings of St. Jerome who, in a letter to a presbyter named Amandus, wrote that “*humanitas* is not pity and mercy, which the Greeks call φιλανθρωπία (philanthropia), but the entire race of humankind.” Whereas mercy and pity can be used to distinguish individuals from one another in terms of their observable practice or personal affect, Jerome is careful to present *humanitas* in universal and absolute terms. Like Seneca, Julius Caesar, and Tacitus before him, Jerome’s treatment of *humanitas* suggests a mark of distinction unique to human beings but, unlike the other three, has removed the hierarchical development of one’s humanness that is present both explicitly and implicitly in the earlier accounts. For Jerome, all human beings are part of humankind, independent of their respective

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It is interesting to note, however, that Jerome replaces the word φιλανθρωπία in Titus 3:4 with *humanitas* in his translation of the Latin vulgate Bible.
merits or abilities, and, on this account, most closely resembles the modern genetic presentation of mankind in *homo sapiens*.

There is, however, a consistency across all these accounts. While all agree that *humanitas* signals something which universally applies to all human beings, they disagree on whether or not it is a quality of man in matters of degree. Aulus Gellius grounds *humanitas* on the ability to develop one’s humanness through an education in the liberal arts and argues that the capacity to do so resides, at least in germ, in all human beings. It is precisely our ability to study the human things that distinguishes us from animals – both marking us as, and making us, human. Similarly, Julius Caesar and Tacitus sharply criticize the softening effects of Roman civilization and single out the effects of the liberal arts as the instigator of the process. More importantly, given that the sons of Briton chiefs were educable in the first place suggests a universal human capacity to cultivate one’s “humanity.”

Even Seneca’s Platonic account of *humanitas* as the form of the human being and Jerome’s non-hierarchical category of humankind provide a universal representation of what it means to be human. Consequently, if someone does not participate in the human things, one presumes they would not be taken to be human.

What runs through all these articulations of *humanitas* is a question of who or what is responsible for the development of the human things in the first place. That is to say, while Jerome and Seneca present *humanitas* as an object independent of human activity that can be used to differentiate between humans and non-humans, the others go further by suggesting there are

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19 If pushed, however, categorizing humans in this way can obviously become quite problematic.
hierarchical degrees of humanness within the idea of humanitas itself. For example, while Julius Caesar and Tacitus lament the tastes for Roman luxury, they recognize that it is Rome ‘civilizing’ the barbarians and not the other way around.\(^{20}\) Put another way, although it is clear that all human beings insofar as they are human beings share in the potential to cultivate their humanity, Rome’s superior understanding of the human things through its development of the liberal arts suggests a hierarchical ordering that turns on the argument that Rome embodies a superior manifestation of humanity in relation to all others.\(^{21}\)

It is on this exact point that Cicero’s political thought is most clearly the exemplar. Commenting on Rome’s inheritance of all things Greek, the character Marcus Cicero in De legibus claims that, “Athens seems to me to have produced many outstanding, divine things and to have brought them into human life; but nothing is better than those mysteries through which we have been refined from a boorish, savage life and softened to humanity [humanitas].”\(^{22}\) Although listed as ‘mysteries’ in this dialogue, Scipio applauds Pompilius in De re publica for specifically introducing “marketplaces, games, and all causes for celebration” into the city of Rome because they “restored to humanity and tameness human spirits, which were then monstrous and wild with eagerness for making war.”\(^{23}\) One can further clarify Scipio’s argument by comparing it to an earlier statement in which he claimed that “a man has been persuaded that although others are called human beings, only those who are refined in the arts appropriate to humanity [humanitas] are human beings.”\(^{24}\) Not only does Cicero have Scipio argue for the development of human beings

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\(^{21}\) The conclusion to this line of reasoning is found in Tertullian’s discussion of Romanitas, which conflates Roman culture with what it means to be human. Susanna Morton Braund, “Roman Assimilations of the Other,” 26-32. For an alternative account, please see: Paul Veyne, “Romans and non-Romans,” 345-346.


\(^{24}\) Ibid, 1.28
through the participation in Roman cultural practices, but Cicero goes even further when writing in his own voice and claims these refinements are self-evident and universal.

For example, in *De officiis*, Cicero’s philosophic treatise addressed to his son Marcus, he chastises war-lovers whose “toils are devoid of justice if it battles not for the safety of all but for personal interest,” because “it has no part in virtue; rather, it is a species of barbarism which shrugs off all that is [humanitas].”\(^{25}\) Commenting on proper decorum in another passage, Cicero tells Marcus that “flagrant departures from behaviour [befitting humanitas], such as singing in the forum or similarly gross tomfoolery are easily recognized, and they require no special proviso or instruction.”\(^{26}\) The irony here, and the foundation for Cicero’s justification of Rome’s superior humanity relative to all others, rests on the observation that, if these indecent behaviors were so obvious, they would not need to be discussed in the first place.\(^{27}\) A robust education in the human things, what Aulus Gellius called the “education and training in the liberal arts,” is the requisite activity to developing a sense of what is and is not appropriately human behavior. Finding oneself lacking that education would necessarily require one to be told what is and is not appropriate - much like Cicero does with his son in *De officiis*. But, this leaves a central question unanswered. As Scipio remarks in the preamble to his argument on the appropriate human arts in *De re publica*, “who doesn’t think that those who have no one they are pleased to speak [with] … are more alone than those who … either speak with themselves or act as if they were present in an assembly of highly educated men, delighting themselves with their discoveries and writings?”\(^{28}\) There remains,

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\(^{26}\) Ibid, 1.145.

\(^{27}\) Cicero, *De re publica* 3.13, *De legibus* 1.47. See also Leo Strauss, *Natural Right and History* (Chicago: University of Chicago Press, 1992), 98.

\(^{28}\) Cicero, *De re publica*, 1.28.

therefore, the challenging task of determining which liberal arts best fulfill the role of educating human beings into their “humanity” and who warrants inclusion into that “assembly of highly educated men.”

**Cicero’s *De oratore***

Although there has been renewed interest in the study of rhetoric recently, few have turned to *De oratore* and fewer still approach the text as more than a treatise on oratory.\(^{29}\) Moreover, there has been little focus on the role *humanitas* plays in the text, even though significant sources in the scholarship on Cicero acknowledges it as an important feature of the work.\(^{30}\) For example, Elaine Fantham’s widely praised 2004 study *The Roman World of Cicero’s De oratore* does no more than report that “it must be admitted that the entire work is far more successful in its structure and dramatic form as a representation of ideal Roman courtesy and morality – to gloss Cicero’s own term *humanitas*.\(^{31}\) These oversights are all the more puzzling when one considers that Cicero, as one of ancient Rome’s foremost orators, outlines a large portion of what he believed to be necessary for an ideal orator in his own voice across the text’s three prologues, thus sidestepping

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\(^{31}\) Elaine Fantham, *The Roman World of Cicero’s De Oratore* (Oxford: Oxford University Press, 2004), 71. Aside from this one remark, there is no further discussion of *humanitas* in the book. Other studies have been similarly brief. For example, see Aubrey Gwynn, *Roman Education from Cicero to Quintilian*, 2ed. (New York: Russell & Russell, 1964), 118-124.
the serious interpretive challenges facing those who hope to find Cicero’s own thoughts in the
dialogues of *De re publica* and *De legibus*. As such, the following section of the paper will address
three components to Cicero’s presentation of the ideal orator: first, the abilities of the orator;
second, the education of the orator; and, lastly, the public role of the orator. In so doing, Cicero’s
understanding of the foundation for political community and the criteria governing both the
inclusion and exclusion to that community can be beneficially discussed in the last section of the
paper.

Cicero opens the dialogue by justifying the text to his brother Quintus with the observation
that “there is no doubt, even from our State alone, we could produce an almost endless list of
absolutely outstanding leaders in war, but could name barely a few who have excelled in
oratory.”\(^\text{32}\) Worse still, the production of quality orators appears to be on a downward trajectory,
where “entire generations scarcely produced even a tolerable [orator].”\(^\text{33}\) At issue is the lack of
youth interested to learn philosophy coupled with the paltry state of philosophic education, which
is all the more bewildering because “there are many indications that the natural ability of our
people was far superior to that of all others, from every other nation.”\(^\text{34}\) Therefore, Cicero takes as
his task of *De oratore* to “encourage our children” towards the study of oratory and notes that “it
will be impossible for anyone to be an orator endowed with all praiseworthy qualities, unless he
has gained a knowledge of all the important subjects and arts.”\(^\text{35}\) It should come as little surprise,
then, that the presentation of an orator’s abilities in *De oratore* rival the overblown claims made
by Callicles in Plato’s *Gorgias*. At the beginning of the dialogue, Crassus presents the ideal orator
as someone who “once instructed about the contents of each field by those who do know it, will

\(^{33}\) Cicero, *De oratore*, 1.8.
\(^{34}\) *De oratore*, 1.15.
\(^{35}\) *De oratore*, 1.19-20.
speak far better than the experts in those arts themselves.”36 Further on, Crassus’ interlocutor Antonius affirms: “who can exhort people to virtue… call them back from vice… blame the wicked more harshly… praise the good with more distinction… what other voice but the orator’s invests [the illuminator of reality] with immorality?”37 In the closing passages of De oratore, Crassus concludes his praise of oratory by remarking that,

“The well-known Gorgias of Leontini himself, under whose advocacy, as Plato implied, the orator was forced to yield to the philosopher – but either he was never defeated by Socrates and this dialogue of Plato’s is untrue, or, if he was, Socrates was obviously more eloquent and a more skillful speaker and, as you call it, a better and more copious orator... At any rate, in this very same book of Plato’s, he claims that he will speak with great copiousness on whatever subject is submitted for discussion and investigation. And Gorgias was actually the very first to dare, in large gatherings, to call on people to tell him what subject each of them wanted to hear about. And the Greeks paid him the enormous honor of setting up for him alone a statue at Delphi that was not gilded, but made of solid gold.”38

By turning the outcome of the Gorgias on its head, whereby it was not Socrates' wisdom but his oratory that bested his opponents in the dialogue, Cicero’s De oratore explicitly borrows the arguments of Plato’s sophists and praises oratory in much the same terms as they do.39 On this account, the abilities of the orator are seemingly endless and “the single function and title of orator [extends] over all knowledge of all subjects and arts.”40

In much the same way that Cicero’s characters present oratory as surpassing philosophy’s claim to rule, they also present a diminished area for the study of philosophy itself.41 Among their

36 De oratore, 1.61-62.
37 De oratore, 2.33-34.
38 De oratore, 3.129.
39 Cicero’s De oratore also parallels sections of Plato’s Phaedrus, most notably in how both dialogues begin with a discussion of a plain (de oratore 1.28, Phaedrus 229A-230C) and both end with an invocation of praise for a future speaker - Isocrates in the Phaedrus (278E-279A) and Catalus in De oratore (3.228-3.229). It is interesting to note that both De re publica and also opens with a discussion of poetry, history, and a plane tree.
40 De oratore, 1.212.
41 Alternatively, Walter Nicgorski argues that Cicero takes “the requisites for good and effective statesmanship” to be the “standards determining right and useful activities, arts and inquiries, as well as befitting and, hence, true philosophical positions” (Walter Nicgorski, “Cicero’s Paradoxes and his Idea of Utility,” Political Theory 12 [1984], 572). However, on the question of humanitas, it does not seem sufficient to claim that it servers the requisites for
many criticisms is that philosophers “transferred their attention entirely from the government of communities to the study of the universe.” And, central to their most forceful denigrations is the claim that it was Socrates who “split apart the knowledge of forming wise opinions and of speaking with distinction, two things that are, in fact, tightly linked.” As a result, De oratore provides its own account of the education necessary for an orator through the explicit rejection of Socrates’ arguments from both the Phaedrus and Gorgias. First, the orator needs to learn the technical aspects of statecraft:

We must read poetry, acquire a knowledge of history, and select teachers and writers of all the noble arts, read them attentively, and, for the sake of practice, praise, expound, correct, criticize, and refute them. We must argue every question on both sides, and on every topic we must elicit as well as express every plausible argument. We must thoroughly learn the civil law, acquire knowledge of the conventions of the Senate, the organization of the State, the legal standing of our allies, treaties, pacts, and effective foreign policy. And from all types of urbanity we must take bits of witticism and humor that we can sprinkle, like a little salt, throughout all of our speech.

Second, the orator “should master everything that is relevant to the practice of citizens and the ways humans behave: all that is connected with normal life, … our social order, as well as the way people usually think, human nature and character.” Although said to be inadequate, an orator should return to a study of the Greeks because there is “still some learning to be found and some knowledge worthy of humane culture [humanitas].” In so doing, one will come to recognize “that all teachings of our noble and humane arts [artes liberales] are held together by one common

good and effective statesmanship because the development of one’s humanness is a ceiling, not a floor. Insofar as a statesman (or orator) needs to understand the human condition, it is not clear by the arguments in De oratore that Cicero perceives the act of maximally developing one’s humanitas as necessary for effective statesmanship. Indeed, Nicgorski appears to temper his initial claim, and in relation to De oratore specifically, in a later article.


42 De oratore, 3.56.
43 De oratore, 3.60.
44 De oratore, 1.158-159.
45 De oratore, 2.68.
46 De oratore, 3.94.
bond” and will find their oratory bestowed with “the fragrance of refinement, the tenderness of humane feelings [humanitas], the murmur of the sea, and the sweetness of speech.” The final outcome of this educational process will allow the orator to “change hearts and influence [the audience] in every possible way” on account of the developed “personal humanity of the orator.” Ideally, “someone who can, in the manner of Aristotle, speak on both sides of an issue about all subjects” and “who adds to that method and that practice, our manner and experience, our practice of speaking” will emerge from this educational regime and “he shall be the true, the perfect, and one and only orator.”

Interestingly, while the dialogue both emboldens oratory’s power to shape public opinion and elevates the presumed universality of the orator’s capacities through the cultivation of one’s humanness, Crassus introduces a sudden restriction on the education of orators by arguing that “the truth of the matter is that unless you can learn something quickly, you will never be able to master it at all.” This qualification is likely best understood in relation to an earlier warning. Deriding those who “embraced the power of oratory by using the precepts of the rhetoricians,” Crassus argued that “the true orator ought to have examined and heard and read and discussed and thoroughly treated all aspects of human life” to develop the “supreme virtues,” because, “if we put the full resources of speech at the disposal of those who lack these virtues, we will certainly not make orators of them, but will put weapons into the hands of madmen.” Having previously

47 De oratore, 3.21.
48 De oratore, 3.161.
49 De oratore, 2.212.
50 De oratore, 3.80. There is some debate on whether or not Cicero had access to Aristotle’s Rhetoric. James May and Jakob Wisse note in their introduction to On the Ideal Orator that it is more likely Cicero was drawing on material from Aristotle’s student Theophrastus. James May and Jakob Wisse, “Introduction,” On the Ideal Orator, (Oxford: Oxford University Press, 2001), 30-31.
51 De oratore, 3.89.
52 De oratore, 3.54-55. This presentation of giving weapons to a madman harkens back to Plato’s Gorgias 456C-457C and 469C-470C.
dismissed the collected authority of Plato, Aristotle, and other Greek sources while nevertheless retaining those texts in their capacity to educate Romans on aspects of humanitas, Crassus’ present ability to distinguish between good and bad orators in relation to their virtues has fallen into question. By differentiating orators in terms of their innate ability to quickly understand aspects of humanitas instead, Crassus seemingly establishes a prototypical natural aristocracy (as opposed to a rule of the wise or virtues) whereby those already imbued with a sufficiently cultivated humanitas set out to further develop it.  

These efforts to differentiate who should be developing their humanness continue until the conclusion of the dialogue. Noting that “in every area, the capacity to do what is appropriate is a matter of art and natural ability, but to know what is appropriate at each time is a matter of intelligence,” Crassus then goes on to justify his particular attention to detail at the end of dialogue “because the orators, who act in real life, have abandoned this entire field, while the actors, who are only imitators of reality, have appropriated it.”

The role of the orator, therefore, would seem to be one in which he cultivates his humanness to the best of his natural abilities in an effort to successfully adjudicate between those who are of genuine benefit to the city and those who are mere pretenders. This individual must pre-emptively “have his finger on the pulse of every class, every age group, every social rank, and get a taste of the feelings and thoughts of those before whom his is now, or in the future, going to plead some issue.” Further elaborated,

If we want to assign to the orator, besides his normal tasks, that other wide-ranging, unrestricted, and extensive group of questions, that is, if we think it is his

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53 This argument goes one step further than J.G.F. Powell, who argues that “there is often an element of sleight-of-hand in this kind of reasoning when applied to political theory. The ancient virtutes, as indeed their Latin name implies, were on the whole primarily of individual human beings.” J.G.F. Powell, “Cicero’s De re publica and the Virtues of the Statesman,” Cicero’s Practical Philosopher, ed. Walter Nicgorski (Notre Dame: University of Notre Dame Press, 2012), 26-27.
54 De oratore, 3.212.
55 De oratore, 3.215.
56 De oratore, 1.223.
duty to speak about good and evil [malum], the things to be pursued and avoided, honorable and base, expeditious or inexpedient, about virtue, justice, self-control, prudence, greatness of spirit, generosity, dutifulness, friendship, moral duty, loyalty, and all the other virtues and their corresponding vices, about the State, the exercise of power, military affairs, the political system, and human behaviour.\textsuperscript{57}

All told, the ideal orator would correctly guide Rome in all matters of State and establish a host of politically salutary human virtues. For an example of how Cicero might have envisioned these claims playing out in practice, it is worth observing that he numerously describes Crassus in terms of refined humanness. In the opening lines of the dialogue, Cicero remarks that “Crassus displayed such \textit{humanitas} that […] his pleasantness and conversational charm were such, that while their day together had been spent in the atmosphere of the Senate House, their dinner seemed to be quite appropriate for a Tusculan villa.”\textsuperscript{58} Moreover, when Crassus first speaks in \textit{De oratore} he argues that “if we consider our leisure time, what can be more pleasant or more properly human \textit{humanitas} than to be able to engage in elegant conversations and show oneself a stranger to no subject.”\textsuperscript{59} In the same early conversation, Scaevola accuses Crassus of arguing that, “first, communities were initially founded and also often preserved by orators; and secondly, that leaving aside the forum with its public meetings, courts, and Senate, the orator is perfectly accomplished in every kind of refined conversation, which is so characteristic of human culture \textit{humanitas}.”\textsuperscript{60} Curiously, although Crassus repeatedly establishes that “for the essential nature of a thing, its character and magnitude cannot be understood unless it is put before our eyes in perfect form,”\textsuperscript{61} in essence reminding his interlocutors that the discussion hinges on an argument for an ideal orator, Cicero writes the dialogue in such a way that Crassus grows repeatedly frustrated and implores,

\textsuperscript{57} \textit{De oratore}, 2.141. The translators James May and Jakob Wisse helpfully note that the choice of language used in this passage stresses the difference between the views of the philosophers and common opinion.
\textsuperscript{58} \textit{De oratore}, 1.27.
\textsuperscript{59} \textit{De oratore}, 1.32.
\textsuperscript{60} \textit{De oratore}, 1.35.
\textsuperscript{61} \textit{De oratore}, 3.85
“won’t you stop taking what I say as referring to me instead of to the subject?” As a final example, lamenting his premature death, Cicero writes in the prologue to the third book that “the genius of Lucius Crassus, which would have deserved immortality, his refined humanity, and his steadfast character were wiped out by a sudden death.”

**Community Built on Humanitas**

If Cicero intended for Crassus to provide a literary representation that approximated the concept of the ideal orator from the dialogue, one can then turn to the character’s activity within the narrative to construct an account of what the relationship between an ideal orator and a political community would entail in practice. There are broadly two aspects that are relevant to the present argument. First, the ideal orator founds and preserves the political community. In the dialogue, that claim was made explicitly by Crassus at 1.32 and unsuccessfully challenged by Scaevola at 1.35. The narrative of the dialogue compliments Crassus’ claims as *De oratore* is set at his villa over the course of two days as he hosts an alternating number of guests. Furthermore, both the topics of discussion and the breaks in the conversation for dinner or rest are instigated by Crassus. But, these observations need not end with the narrative of the text. Crassus’ role in the dialogue importantly underscores one of the ways in which *humanitas* interacts with political community. Relying on an initial exemplar with a natural aptitude for the cultivation of his humanity, the development of humanness requires rules to structure debate and a shared cultural context. Repeatedly noted as one of the main challenges facing those wishing to interpret Ciceronian *humanitas*, the present suggestion appears circular. In an attempt to develop one’s humanness,

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62 *De oratore*, 3.90.
61 *De oratore*, 3.1. Although not comprehensive, other examples of Cicero’s dialogue pairing Crassus and *humanitas* can be found at 1.106, 1.256, 2.230, 3.58, 3.94.
64 The exegetical route I’ve taken to reach this conclusion is likely only one of a number of possible approaches to addressing the relationship between Cicero’s presentation of an ‘ideal orator’ and Rome.
individuals within a community agree (or are persuaded) to follow the rule of the most cultivated human. Although Crassus has circumvented the problem of the original founder by relying on natural aptitudes and has established that an orator, insofar as he is an orator, will be able to persuade less cultivated individuals, *De oratore* does not address where the first sources for *humanitas* originate. Cicero’s dialogue does not explain where the first expressions of *humanitas* come from, thus leaving his humanized orators more akin to conquerors than founders; although they have purpose, they have no beginning.

The second aspect in which Ciceronian *humanitas* interacts with political community emerges from his insistence that the orator must “have his finger on the pulse of every class, every age group, [and] every social rank.”66 With the near absolute comprehension of the community in which he resides as an outgrowth of his superior “humanity,” the orator is best situated to root out those “actors, who are only imitators of reality, have appropriated [reality].”67 Put another way, it is the role of the ideal orator to control what it means to have a more developed humanness. Examples abound. In *De re publica*, Cicero offers a reasonable example of this activity when Scipio asks, “who could rightly call a ‘human being’ one who wants for himself no sharing in justice, no fellowship of humanity [*humanitas*] with his fellow citizens or even with the entire human race?”68 Another example can be found in *De officiis* when, discussing tyrants, Cicero claims that, “the whole noxious, sacrilegious breed should be banished from human society.”69 Lastly, in his speeches against Verres, when speaking to the audience Cicero proclaimed “if you are not gratified with his virtue, and his innocence, and his industry, and his modesty, and his chastity, at least you are transported at his conversations, his accomplishments, and his high

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66 *De oratore*, 1.223.
67 *De oratore*, 3.215.
68 *De re publica*, 2.48.
69 *De officiis*, 3.32.
breeding [humanitas].” While on the first account Cicero claims those with cultivated humanitas establish the foundations for political community, on the second account those same individuals are responsible for rooting out actors, frauds, and tyrants who would unjustly lay claim to the authority granted a more developed human being. However, if these distinctions derive from a mark of excellence determined through a communal display of oratorical skill, it is not immediately evident how one will differentiate between true orators and frauds except when one of the two fails to persuade those in the community. While both lay claims to humanitas, the proof of one’s more developed “humanity” rests on the collective judgement of those initially unfit to make that judgement in the first place on account of their lesser developed humanness. When taken in hand with the first argument that the orator will construct cities on the basis of their superior “humanity,” this second argument seems to argue that these orator-rulers are then duty bound to consolidate their representation of what it means to be human by rooting out competing articulations of humanitas. Thus, Ciceronian humanitas appears to be an elaborate self-justification for the role of Roman orators, much in the mold of Cicero himself.

There is, however, an alternative way to approach Ciceronian humanitas. In his letter to Francesco Vettori, Machiavelli remarked that “I am not ashamed to speak with [ancient men] and to ask them the reason for their actions; and they in their humanity reply to me.” Similarly, Cicero too sought explanations from earlier men, most notably the Greeks, in an effort to understand the world in which he lived and to develop his humanity. While Cicero’s recreation of Platonic dialogues has earned him the reputation of a derivative Platonist, it also demonstrates an effort to

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translate the insights gleaned from one collection of liberal arts into that of Roman context and, in a sense, create a new collection. Given that oratory, according to Cicero when writing in his own voice and through Crassus of *De oratore*, is bound by the context of the communities in which it is performed, it follows that the liberal arts would be themselves contextually bound. Although Plato’s dialogues help cultivate a uniquely Greek *humanitas* and provided Cicero with a means to develop his in turn, if there is to be a Roman *humanitas* there must be Roman liberal arts. Therefore, Cicero’s reinterpretations can be seen as both an attempt by one of Rome’s great orators to construct a particularly Roman *humanitas* and an admission that there is a fundamental universal *humanitas* contained within all liberal arts that transcend their respective contexts. In the language of the introduction, there is both a humanity-as-construction and a humanity-as-given.

**Conclusion**

This paper set out to find an account of humanity that could stand up to Carl Schmitt’s challenge. To do so, competing and complimentary accounts of *humanitas* were explored to clarify the central Roman claims on the relationship between civilization, the liberal arts, and the ability to develop one’s “humanity.” After establishing the generally widespread treatment of *humanitas* as the capacity to develop one’s humanness through the liberal arts, either as a citizen of Rome or barbarian on the outskirts of the empire, the argument then turned to Cicero’s political thought. Most significantly, Cicero’s *De oratore* presents an argument that vastly expands the abilities of an orator by constructing an ideal speaker with a greater natural ability to cultivate their humanness in relation to their peers. Through the process of developing their understanding of what it means to be human, these orators in turn are said to become more human themselves. While that heightened state of being is a mark of distinction that separates the ideal orator from the rest of his community and grants him a privileged vantage point from which to determine the relative merits
of statecraft and the human arts, Cicero simultaneously insists that the orator, insofar as he is the most human, is best able to engage with everyone in his community. The radical humanness of Cicero’s ideal orator, it is claimed, functions as a bridge between all other human beings insofar as they are able to develop their own humanness through a study of the human things. This argument in De oratore is taken to its presumed conclusion in which the ideal orator is not only able to speak to all mankind and root out tyrannical pretender orators on account of their lesser humanness, but produces liberal arts in turn that will serve to benefit the development of humanitas itself, both in the particular and universal.
Bibliography:


