

SELECTED
POLITICAL SPEECHES
OF

CICERO

ON THE COMMAND OF CNAEUS POMPEIUS
AGAINST LUCIUS SERGIUS CATALINA (I-IV)
IN DEFENCE OF THE POET AULUS LICINIUS ARCHIAS
IN DEFENCE OF MARCUS CAELIUS RUFUS
IN DEFENCE OF TITUS ANNIUS MILO
IN SUPPORT OF MARCUS CLAUDIUS MARCELLUS
THE FIRST PHILIPPIC AGAINST MARCUS ANTONIUS

Translated with an Introduction by
MICHAEL GRANT

For Caellius

PENGUIN BOOKS

Penguin Books Ltd, Harmondsworth, Middlesex, England
Viking Penguin Inc., 40 West 23rd Street, New York, New York 10010, U.S.A.
Penguin Books Australia Ltd, Ringwood, Victoria, Australia
Penguin Books Canada Limited, 2801 John Street, Markham, Ontario, Canada L3R 1B4
Penguin Books (N.Z.) Ltd, 182-190 Wairau Road, Auckland 10, New Zealand

First published 1969
Reprinted with revisions 1973
Reprinted 1977, 1979, 1981, 1983, 1985, 1986

Copyright © Michael Grant Publications Limited, 1969
All rights reserved

Made and printed in Great Britain
by Richard Clay (The Chaucer Press) Ltd,
Bangay, Suffolk
Set in Monotype Bembo

Except in the United States of America,
this book is sold subject to the condition
that it shall not, by way of trade or otherwise,
be lent, re-sold, hired out, or otherwise circulated
without the Publisher's prior consent in any form of
binding or cover other than that in which it is
published and without a similar condition
including this condition being imposed
on the subsequent purchaser

CONTENTS

Introduction 7

- 1 On the Command of Cnaeus Pompeius
(*In Support of the Manilian Law*) 33
- 2 Against Lucius Sergius Catilina (i-iv) 71
- 3 In Defence of the poet Aulus Licinius Archias 146
- 4 In Defence of Marcus Caelius Rufus 165
- 5 In Defence of Titus Annius Milo 215
- 6 In Support of Marcus Claudius Marcellus 279
- 7 The First Philippic against Marcus Antonius 295

APPENDIXES

- A Key to Technical Terms 321
- B Some Books about Cicero 323
- C Maps 325
- Index of Personal Names 331

satisfaction here and now from the thought and the hope that what I have done will not be forgotten.

So I call upon you, judges, to pronounce in favour of my client. He is a man whose honourable character you see confirmed by the high rank of his friends and the unbroken durations of their friendships with him. You can appreciate his gifts from the extent to which they have been in demand from leading men who are extremely gifted themselves. Moreover, the justice of his cause is demonstrated by the sanction of the law, the authority of his municipality, the testimony offered by Lucullus, and archives going back to Metellus.

To you and your generals and the deeds of the Roman people Archias has always done honour. To those recent internal perils which threatened myself and yourselves he proposes to offer an undying testimonial of praise. He belongs, moreover, to a profession which has universally and at all times been declared and believed to possess a sacred character. If then, gentlemen, such great powers warrant the applause of mankind – and truly they deserve the commendation of the gods themselves! – I entreat you to take him under your protection. Let it not be said that a severe judgement of yours has done harm to such a man. Let it be seen instead that your humane decision has brought him relief.

I have made the statement of my case as brief and simple as usual; and I have the feeling that it has gained your approbation. I hope my digression from the custom of the courts and the bar, in order to tell you something about my client's talent and about literary studies in general, has been to your taste. To the chairman of this tribunal¹⁸ – I venture to express the conviction – it has proved acceptable enough.

¹⁸ According to tradition the chairman of the panel was Cicero's brother Quintus (praetor).

CHAPTER FOUR

IN DEFENCE OF MARCUS CAELIUS RUFUS

Fears that Pompeius was not concerned to maintain the old oligarchic, senatorial system of government proved justified, since in 60 he formed the dictatorial First Triumvirate with Caesar and Crassus. Cicero was invited to join it, and to his credit eventually refused to do so. When, therefore, the tribune Publius Clodius Pulcher, who was now Cicero's bitterest enemy (having been alienated by the orator's sharp demolition of his alibi when he was accused of sacrilegious violation of the secret rites of the Bona Dea),¹ proposed a law sending him into exile for his execution of the Catilinarian leaders, the Triumvirs did nothing to save him from this fate. Nor, to his bitter distress, did the senatorial leaders, whom he had wrongly believed to be his supporters for ever after the Catilina affair. Cicero's subsequent sixteen months of exile were the most miserable period of his life.

Recalled when Pompeius began to find Clodius unbearable, Cicero resumed his legal practice, and discovered an opportunity to attack his enemy's great family when Clodius' second sister Clodia, a famous immoral beauty for whom the poet Catullus had a hopeless passion, attacked her former lover Marcus Caelius Rufus. This clever young politician was charged by a prosecutor with whose family he had a feud – and this rather than Clodia may have been the beginning of the whole case – with a shocking array of offences, including the murder of one or more Alexandrian envoys and the attempted poisoning of his estranged mistress herself. Although some of the charges may well have had more substance than Cicero admits, his brilliant and amusing advocacy evidently got Caelius off (56 B.C.).

But this speech is interesting above all for the startling insight it

¹ See pp. 224, 245, 250, 252, 260, 267.

offers into the private and social lives of the smartest people in Rome during the first century B. C. — lives evoked lushly (though euphemistically) in the banqueting scenes of a thousand films. It is curious to see Cicero, who was usually inclined to take a more puritanical line, obliged to adopt a genial 'boys will be boys' attitude in speaking of his client's early life, which had combined violent dissipation with active support of Catilina. The speech is graceful, humorous and light of touch, written in a vivid, dramatic, elliptical and sometimes almost epistolary style.

If, gentlemen, there should happen to be anyone present who is unaware of our laws and courts and customs, I am sure he would wonder what the special gravity of this case might be, seeing that it is the one and only trial to be held at a time of festivities and public games,² when all legal business is on vacation. He would undoubtedly conclude that the defendant must be guilty of so serious a crime that unless it is tackled the entire structure of the state will collapse!

Let us suppose he was next told of the law³ which prescribes that in the event of criminal, traitorous Roman citizens taking up arms to obstruct the Senate, attacking the men in charge of the government, and trying to destroy the government itself, it is obligatory to hold an investigation on any and every day. He would not object to the law. But he would want to know what sort of charge was involved in the present action. And then, just imagine him being told that no real crime, no outrage, no act of violence was before the court at all, but that a talented, energetic, popular man is being accused by the son⁴ of a person against whom this defendant is himself about to

2. The speech was delivered on 4 April, the opening day of the Ludi Megalenses.

3. The trial was being conducted under the *Lex Lutatia de vi* (78). There was also a later *Lex Plautia* of wider scope.

4. This prosecutor is L. Sempronius Atratinus, seventeen-year-old son of L. Calpurnius Bestia who was twice prosecuted by Caelius.

bring an indictment (for the second time); and, furthermore, that the current action is financed by a whore.⁵ The conclusion of this observer would surely be that the prosecutor's filial dutifulness is excusable, that woman's malicious passions ought to be kept under control, and that you, members of the bench, are overworked, since even on public holidays you do not get time off.

And in fact, gentlemen, if you care to note the circumstances carefully and form an accurate estimate of the case as a whole, you will inevitably come to the conclusion that none of those concerned would ever have lent themselves to this prosecution if they had been given any choice; nor, having taken it on, would they have had the slightest hope of success were they not pushed by the insupportable tantrums and savage malevolence of a third party. I am prepared to forgive Atratinus, who is a civilized and excellent young man and a friend of mine. He can plead as his excuse either filial feeling, or coercion, or his tender age. If he wanted to bring the charge, ascribe it to filial duty; if he was obeying orders, it was coercion; and if he saw prospects for himself in the case, I put this down to boyish inexperience. The other counsel for the prosecution, on the other hand, are entitled to no such indulgence, and deserve to be vigorously opposed.

The defence of the young Marcus Caelius can appropriately be introduced, in my opinion, by replying to the slanders which the other side has produced in order to blacken his reputation and damage and ruin his good name. His father has been brought up against him in various ways, either on the grounds that the old gentleman lives in squalor or because my client is said to be a bad son. With regard to the personal situation of Marcus Caelius senior, men who belong to the

5. This and other sneers concerning female influence are all directed against Clodia.

older generation, and know him personally, appreciate that he is perfectly able to act as his own silent witness without any justifications from myself. And as for those who are less well acquainted with him since his age has so long prevented him from joining us in the Forum, they can rest assured that the dignity proper to a Roman knight – which can be something very considerable – has always been a strong feature of the elder Caelius, and the same is definitely still felt to be the case today, not only by his own circle but by all who for any reason may have come to know him. To be the son of a Roman knight should never have been used as a smear, either by the prosecutors, or before these examiners, or in the hearing of myself as defending counsel.⁶

To turn to your point about his attitude to his father, that is, indeed, a matter on which we can form our own opinion, but the best judge is really the parent himself. Our view you will learn from witnesses on oath; and as to what the parents feel, that is sufficiently proclaimed by his mother's sobs and indescribable distress, his father's dismal mourning clothes, and all the misery and grief you see because of this trial.

With regard to your further insinuation that the young man is not thought highly of by his own fellow-townsmen, the people of the Praetutian region⁷ have never awarded higher honours even to anyone right in their very midst than those they conferred on Caelius – though he was not in the place at all. For they enrolled the young man, absent though he was, in their highest council, and thus granted him, quite without any request on his part, a distinction which many who solicited similar honours had sought from them in vain. Furthermore, they have sent a deputation, including eminent fellow-Senators of mine and Roman knights as well, to be present at the

6. The panel of judges partly consisted of knights, and Cicero was the son of a knight and the supporter of their Order.

7. According to this reading Caelius came from Interamnia Praetorium (Teramo) in Picenum.

trial; and these delegates have brought with them a most imposing and eloquent testimonial.

I fancy I have now placed my arguments for the defence on a firm foundation: because nothing could be firmer than a case founded upon the convictions of my client's own townsmen. For I can certainly see that you would not feel that a young man like this brought you a very satisfactory recommendation if he had incurred the disapproval either of a town of such distinction and importance or, indeed, of a man with the qualities of Caelius' father. If I may turn for a moment to my own personal position, it is from just that sort of background that I, too, first issued forth to begin to make my reputation, before the days when my forensic labours here and my professional career in general, with the approval and backing of my friends, gradually flowed into a broader course and won public recognition.

Now let us consider the criticisms directed against the morals of Caelius, and all the prosecution's attacks on this subject. These are not, in fact, actual charges at all, but mere slanders and defamations; and none of them will distress Caelius enough to make him wish he had been born ugly! For disgraceable remarks of such a character are commonly directed against every good-looking young man. But defamation is one thing, prosecution another. Prosecution needs specific grounds of sufficient strength to define the facts, leave their mark on the defendant, supply convincing demonstrations, and back them up by evidence. Abuse, on the other hand, has no purpose except to be insulting. If its character is crude, it is called invective; and if it is amusing it passes as wit.

That this part of the prosecution was allotted to Atratinus caused me both surprise and annoyance. For such a vein was appropriate neither to his personality nor to his youthful years, and, as you no doubt noted, this estimable young man's own scruples meant he was far from comfortable with langu-

age of the kind. I should have felt much happier if this abusive role had been left to the more mature members of the group; for then, in contradicting the vituperation, I would have been able to speak in more outspoken, forcible and natural terms. But towards you, Atratinus, I shall show greater leniency. For one thing, the fact that you yourself have a sense of propriety makes me feel inclined to handle you gently. And besides, I am not at all eager to undo the services I performed for yourself and your father on an earlier occasion.⁸

However, I do want to give you some advice. First, so that everyone can see what you are really like, I venture to suggest that you ought to keep clear of intemperate language just as carefully as you avoid intemperate behaviour. Secondly, never say against someone else things that you would blush to hear fabricated against yourself. For that road lies open to all the world. For instance, anyone can make as vicious an attack as he pleases upon somebody of your own age and handsome looks – and even if there is not the slightest cause for any suspicion he can make his criticisms sound quite plausible. However, the blame for the role you have assumed cannot really be attributed to yourself at all; it must go to the men who chose you for the part. To you, on the other hand, to your own feeling for what is right, belongs credit, since it was easy for all of us to see the reluctance with which you spoke. And a compliment to your ability is also due, because of your admirable and elegant speech.

All the same, my answer to everything that you said will be brief. In so far as the youthful life of Marcus Caelius might have given reason for suspicion, I must tell you that it was protected by two things: his own decency, and his father's careful training. Moreover, the elder Caelius, as soon as he had given his son the toga of manhood, immediately placed

8. Cicero defended Atratinus' father Bestia on 11 February, and had perhaps been the boy's teacher of public speaking.

IN DEFENCE OF MARCUS CAELIUS RUFUS

him under my own personal care. That is all I will say, because I am not at this juncture going to speak about myself. I shall be satisfied to leave the matter to your judgement. The situation is that the young Marcus Caelius, during his early youth, was never seen by anyone except in the company of his father or myself or in the highly respectable household of Marcus Crassus. He spent those years receiving an excellent education.

Caelius has been accused of being a friend of Catilina. But he has a right to dissociate himself completely from any such smear. True, at the time when Catilina, along with myself, was a candidate for the consulship, Caelius was still very young. And I admit many worthy young men were fond of that degraded brute. Still, if Caelius had at that time ever attached himself to Catilina or detached himself from me, then it would have been proper enough to criticize him for forming such an association. But the actual circumstances of the case completely rule out any suggestion of the sort. Afterwards, certainly – as you point out – we know and we saw that he was, in fact, one of Catilina's political supporters. That is a thing which nobody denies. At the moment, however, I am defending that earlier stage of his youth which by its very nature is vulnerable and is easily imperilled by other people's wilful passions. Well, in those days, while I was praetor, Caelius was continually in my own company. Catilina, who was at that time governor of Africa, was not even one of his acquaintances. Then came the year when Catilina was prosecuted for extortion;⁹ Caelius was still with myself, and did not even attend the court to help him. In the next year I stood for the consulship. Catilina was also a candidate, but Caelius never joined him, and never left my side.

It was not until he had been going to the Forum for all that time, without incurring the slightest suspicion or disrepute, that he became a follower of Catilina, who was then making

9. Catilina, prosecuted by P. Clodius, was acquitted (summer 65).

his second attempt to become consul. Very well; but surely one must not expect that a youth's early years can go on being sheltered indefinitely! When I was young we used to spend one year 'keeping our arms in our togas', and doing physical training on the Campus Martius, and if we started our military service straightaway we had a similar probationary period in our army life at camp. Now, at that age, unless a young man had the necessary strength of mind, sexual restraint, good home training and also, one must add, natural decency to look after himself, however carefully he was watched over by his friends he could not avoid giving grounds for scandal, and justifiable scandal at that. But when someone had spent the earliest years of his youth living a clean and chaste life, then later on, after he had finally grown up and become a man among men, aspersions on his reputation and his morals were generally felt to be out of place.

Yes, after he had served several years' apprenticeship in the Forum, Caelius did become an adherent of Catilina. So did many other people of every rank and age. For as I am sure you will recall, Catilina had many excellent qualities, not indeed maturely developed, but at least sketched out roughly in outline. It is true that he got a large number of deplorable individuals to flock round him. But he also put up a show of affection towards men guided by the loftiest principles. There was a good deal about him that exercised a corrupting effect on other people; and yet he also undeniably possessed a gift for stimulating his associates into vigorous activity. Catilina was at one and the same time a furnace of inordinate sensual passions, and a serious student of military affairs. I do not believe that the world has ever seen such a portent of divergent, contrary, contradictory tastes and appetites.

At one stage in his life, no one on earth had a greater capacity for ingratiating himself with his superiors – and, equally, for making close friends with people lower down the scale. Nobody, at a certain period, held sounder political

views; and yet he became the most loathsome enemy his country ever possessed. His disgusting pleasures were as exceptional as his unflagging endurance. Where else could you ever find such insatiable greed – or such open-handed generosity? Gentlemen, paradoxical features abounded in that man. He had the gift of making many friends, and in order to keep them there was no service that he would not perform. He was ready to share his possessions with everyone, to help needy friends with money, influence, physical exertion and even reckless crime. No one knew better than he did how to adapt and guide his ways to suit an occasion, bending and manipulating them this way and that. He was perfectly capable of living austere with the austere and gaily with the self-indulgent, gravely with the old, genially with the young, audaciously with criminals and extravagantly with debauchees. And so this complex and many-sided character, at a time when he had attracted evil scoundrels from every quarter, still held the allegiance of many good, respectable men by a sort of fictitious mimicry of virtue. Indeed, even that frightful impulse to overthrow our whole system could never have come from him unless all these vices had been united with qualities of efficiency and toughness.

For these reasons, gentlemen, you should discard the prosecution's entire line of argument. Let no blame attach to Caelius because he associated with Catilina. For that is something which he has in common with many other people, including persons who are beyond reproach. Indeed, I declare that I myself was once nearly deceived by him.¹⁰ I took him for a patriotic citizen attached to our national leaders, and for a faithful and reliable friend. I did not believe his misdeeds before I saw them; until I had actually caught him in the act I had no suspicion they even existed. If Caelius, too, was one of his numerous friends, he would, I agree, be right to feel

¹⁰ In letters to Atticus, Cicero mentions that in 65 he was thinking of speaking in Catilina's defence.

annoyed that he had made such a mistake, just as I sometimes regret my own misconception about the man. But the fact should certainly not give my client the slightest cause to fear that the friendship might be used as the basis for an indictment in court.

After you had dropped offensive hints about this relationship, you got down to the job of creating prejudice concerning the conspiracy. For you let it be supposed, though admittedly in a tentative and casual fashion, that because Caelius was a friend of Catilina he must have been a fellow-conspirator as well. However, at this point the charge was so unconvincing that my eloquent young friend's speech scarcely held together. For surely Caelius was not such a lunatic! Did his character and habits, or his position and resources, really impose upon him such an overwhelming disability as all that? At the time when suspicion was going around, no one ever heard the name of Caelius even being mentioned.

But there is no need for me to enlarge on this subject – for the facts are indisputable. Still, I must add just one further point. If Caelius had really been a party to the conspiracy, or even if he had been anything other than violently hostile to such an abominable act, he would never under any circumstances have tried to promote his youthful career by charging someone else with complicity in the same crime!¹¹

And now that I have reached this juncture I am inclined to think that the suggestions of corrupt electoral practices and clubs and agents distributing bribes deserve just the same sort of answer. For if Caelius had stained his reputation with the unlimited bribery to which you refer, he would never have been such an idiot as to charge a different person with precisely the same offence, thus involving someone else in suspected

11. In March 59 Caelius had prosecuted, and Cicero unsuccessfully defended, C. Antonius Hybrida, probably for treasonable conduct in Macedonia and collusion with Catilina, with a subsidiary charge of extortion.

guilt for a criminal activity in which he wanted to keep a free hand for himself! Nor, if he imagined that he himself was going to have to face even a single prosecution for bribery, would he have been likely to have brought an identical charge against another individual not only once, but actually on a second occasion as well. I admit that in this matter he has been acting indiscreetly and against my wishes. All the same, his determination, even if directed, it would seem, against an innocent man, clearly shows not the slightest trace of apprehension on his own account.

He is also accused of being in debt. His expenses are criticized, his account-books demanded for inspection. But to these points I shall give you a very succinct reply. A young man who is still subject to his father's authority does not keep accounts at all. Nor has Caelius ever borrowed money. He is only blamed for expenditure of a single kind – the rent of his house, which you claim is thirty thousand sesterces a year. But I can see what you are driving at. For Publius Clodius' block of houses, in which Caelius rents an apartment for, I believe, ten thousand, is up for sale. And so, consequently, what you have done is to give a fictitious figure, as a favour to Clodius and in order to help his deal.

You reproached Caelius for living apart from his father. But surely there is nothing wrong with that at his age. In a case with political implications he had just gained a success which, although admittedly unwelcome to myself, brought him considerable prestige. He had also reached the time of life when he could stand for public offices. That was the stage at which he moved out of his father's house – with his father's approval, and indeed actually upon his advice. For the elder Caelius lives too far from the Forum, and in order to be able to visit our homes more easily, and receive visits from his own friends, his son leased a house on the Palatine, at a moderate rent.

In this context I should like to repeat what the eminent Marcus Crassus recently said when he was expressing regret at the arrival of King Ptolemy¹² of Egypt.

Would that in Pelion's forest the vessel had not¹³ . . .

But you will I am sure allow me to go on with the same quotation.

For then never would a lady bereft of her wits . . .

have given us all this trouble, namely

Medea, sick in her spirit, wounded by cruel love.

And that, gentlemen, hints at what I am going to demonstrate when I come to the appropriate point in my speech: namely that all this young man's trouble, or rather all the gossip about him, has been caused by his change of residence – and by this Medea of the Palatine.

Confident of your sound judgement, gentlemen, I am not worried by the various fictions which I gather from the speeches for the prosecution are being concocted to bolster up their case. One of these fabrications related to a Senator who was going to testify he had been assaulted by Caelius during the election of priests. If he comes forward I shall ask him, first why he took no legal action straight away, and secondly – granted that he chose to complain informally rather than to bring a formal charge – why he was produced by yourselves instead of stepping forward of his own accord; and why, in addition, he preferred to make his protest so very much later rather than at the time. If he can supply shrewd and pointed answers to these questions, then I will conclude by

12. Ptolemy XII Auletes, after buying recognition as king of Egypt in 59, was expelled in the following year and sought help in Rome.

13. The quotation, from Ennius' *Medea*, is used by Crassus in reference to the arrival of a delegation led by Dio of Alexandria to present a counterblast to Ptolemy's plea.

inquiring where this Senator originated. If it turns out that the spring from which he emanates and bursts forth into our midst is himself and himself only, I may well be impressed, as I always am, by such a display of independent initiative. But if, on the other hand he proves merely to be a minor tributary rivulet, drawn off from the main source of your prosecuting organization, my reaction will be one of particular pleasure – because this means that in spite of all your influence and resources no more than one single Senator has been found willing to do you a favour!

Nor am I in the least scared of that other category of witnesses, who may be described as the Gentlemen of the Night. For it was indicated that certain persons will be ready to declare that their wives, while on their way home from a dinner-party, were criminally assaulted by Caelius. What high-principled characters these must be to volunteer such an assertion on oath, when they are obliged to admit that they never made the slightest attempt to obtain satisfaction for these grave wrongs by asking for a settlement out of court, or even for an informal meeting!

Now, gentlemen, you are in a position to foresee the entire nature of the prosecution's line; and when the onslaught is launched it will be your duty to beat it back. For the people who are really eager for the destruction of Marcus Caelius are not these counsel at all. Ostensibly, the attack is launched by them. But the shafts are supplied by a hidden hand.

I am not just saying this to bring opprobrium upon the prosecutors. They are perfectly entitled to feel proud of the job they have undertaken. They are doing their duty, they are defending their friends, they are behaving as men of courage should. Injured, they resent it; angered, they let themselves go; challenged, they fight. But granted that men of spirit may have reason to assail Marcus Caelius, you yourselves are in duty bound to pay less attention to other people's resentments than to your own honour as a panel of judges.

Besides, look at the crowds of people of every class and occupation and kind with whom the Forum is always packed. Out of all this number there are sure to be quantities of individuals prepared, for the sake of profit, to offer their services and exert themselves and undertake to give evidence. If creatures of this type should happen to have intruded into the present trial, I ask you, gentlemen, to use your good sense to treat their greedy aspirations as totally irrelevant. If you do, you will demonstrate that you have simultaneously had regard for the preservation of my client, your own feelings of conscience, and the welfare of the entire citizen body, at a time when all these are menaced by dangerous and formidable personages.

I, on my side, have no intention of troubling you with witnesses. The facts of the case are unalterable, and I do not propose to suggest that they hinge on witnesses' evidence, which can so easily and readily be manipulated and twisted and distorted. I prefer to use the rational method: I shall rebut these charges by proofs that are clearer than the light of day. Fact will be answered by fact, reason by reason, proposition by proposition.

I am therefore entirely content that Marcus Crassus should have spoken so fully, so earnestly and so eloquently about the sections of the case relating to the disturbances at Neapolis, the assault on the Alexandrians at Puteoli, and the property of Palla.¹⁴ I wish he had also dealt with Dio's murder.¹⁵ And yet what more could you possibly expect to hear from anyone about that particular matter, when the actual perpetrator of the deed is either wholly unafraid of retribution or even willing to admit what he has done? — since he is, after all, a king. Besides, the man who was said to have been his agent and

14. Nothing is known for certain of these incidents.

15. The envoy Dio was murdered in Italy on Ptolemy's instructions. P. Asicius was successfully defended by Cicero.

confidant in the murder, Publius Asicius, has been brought to trial and acquitted.

Here, then, is a crime which the guilty party does not deny; and the person who claimed he had nothing to do with it has got off. So why should any charge under this heading worry my client, who has never been under suspicion or indeed even the slightest shadow of complicity? The suggestion has been made that Asicius was only acquitted because of collusion between prosecution and defence. That point, however, can very easily be contradicted, and most easily of all by myself who was his defending counsel. But in any case Caelius — although incidentally he has a strong belief in Asicius' innocence — argues that, whatever the situation in that respect may be, the position of Asicius has] no connexion whatever with his own.

And that is not his view only; it is also the opinion of Titus and Gaius Coponius. These two very civilized and cultured young men, possessing all the advantages of an excellent education in the arts, were more profoundly distressed than anybody else by the death of Dio, to whom they were attached by ties of hospitality and by a shared devotion to learning and the humanities. Dio, as you were told, was staying with Titus Coponius, who had got to know him at Alexandria. What he and his eminent brother think about Marcus Caelius you will hear from their own lips if they are produced as witnesses.

So let us set this whole business aside, and finally come to the real facts behind the case.

I saw you were paying very careful attention to the points my friend Lucius Herennius made. What particularly attracted your notice, no doubt, was his talented manner and a special quality in his style. But I was also afraid at times that the substance of his speech, so tellingly planned to create a damning effect, would exercise an imperceptible and insidious influence on your judgement of the case. He said a lot about

extravagance, lust, youthful vices and immoral behaviour. Herennius is usually a mild enough man, and indeed an attractive representative of the urbane and well-bred manners which are now in fashion. Yet here in court, on the other hand, you could not have imagined a sterner kind of uncle and moralist and tutor. He reprimanded Marcus Caelius in terms which no father has ever dreamt of using towards his own son. He went on at great length about the evils of wild and intemperate living. In short, gentlemen, I began to excuse you for listening so intently, because the grim and glum manner of his speech was beginning to cause even me to tremble.

The first part of his speech, however, did not trouble me very much. This contained his allegation that Caelius was intimate with my friend Bestia – that he used to dine at Bestia's home, visited him on many occasions, and supported his candidature for the praetorship. These assertions do not bother me because they are manifestly false. For Herennius also mentioned other people who had dined with Bestia; and they are not here – or if they are here it is merely because they have been forced to tell the same story.

Nor am I in the least worried by Herennius' suggestion that Caelius was one of his fellow-members of the Luperici.¹⁶ The original Wolf-men were a kind of primitive brotherhood, of a pastoral and rustic character, who in the days before civilization and law formed bands together in the woods. And indeed its members are still, apparently, savage enough not only to lay information against their own brethren but actually, when they are doing so, to boast about the fraternal relationship – anxious, it would seem, to ensure that people should be aware of the bond! But enough about that. I will pass on to allegations which gave me greater concern.

Herennius' attack on dissipation was lengthy; and it was

16. The Luperici were an ancient fraternity who ran round the bounds of the Palatine wearing goat-skins and striking women with strips of the same material to promote fertility.

delivered in a quieter tone of voice. It also aimed at logical argument rather than mere abuse, which was one reason why it received such close attention. His fellow-prosecutor, my friend Publius Clodius,¹⁷ was very different, for he flung himself about with extreme vigour and abandon, and expressed everything in the most fiery and acid terms, and at the top of his voice. I was impressed by all this eloquence. But I was by no means alarmed; for I had been to a good many trials in which Clodius ended up on the losing side. So it is you, Herennius, whom I will first answer, if I may. I will reply to your question whether it is right and proper for me to defend a man who has not always refused invitations to dinner-parties, who has ventured to go for walks in parks, who has not abstained totally from the use of perfume, and who has been known to pay visits to Baiae.¹⁸

There are people I have seen and heard of in our community who have taken more than a little sip of that kind of life, who have gone beyond just giving it the proverbial touch with their finger-tips, and who have indeed devoted their entire youth to debauchery: but then they have turned over a new leaf and become respected and eminent citizens. For everyone agrees young men may be allowed a certain amount of indulgence. Indeed, nature herself is generous in supplying them with sexual appetites – and if their outbreaks do not ruin anyone's life or destroy anyone's home these are usually regarded as reasonable and tolerable. But it seemed to me that you were using the excesses common to young men in order to stir up prejudice against Caelius in particular; and that the silent concentration with which your speech was heard owed much to the fact that, although its criticisms were directed against a single individual, what we were thinking about was the widespread diffusion of these faults.

17. This is evidently not the P. Clodius Pulcher who was Cicero's enemy.

18. Baiae was a fashionable resort on the Bay of Naples.

It is easy, gentlemen, to attack immorality. Daylight would rapidly fail me if I tried to bring out every aspect of the topic: seduction, adultery, lechery, waste of money – the list is endless. Even if we are not censuring any particular person but are merely considering the general theme of such vices, the subject in itself offers scope for a weighty and extended diatribe. But sensible men like yourselves, gentlemen, must not allow yourselves to be distracted in such a way from the actual person of the defendant himself. Your own high principles of strictness and responsibility empower you to administer a sting of very great severity. What the prosecutor has done is to direct this sting against a universal situation, against the sins and wickedness of the age. It would therefore be wrong for you to turn it instead against one single defendant, who has been subjected to a prejudicial attack inspired by no personal fault of his own but by failings that are found in a great many people.

Consequently, Herennius, I shall not aspire to give the sort of reply to your strictures that their form would seem to have demanded. If I had done so, I could have begged for the indulgence to which a young man is entitled, and asked that he should be pardoned on those grounds. But, as I say, I shall not adopt that course. For I am taking no refuge in excuses about his youth; I renounce such a right, although it is one which anybody would be entitled to claim. All I ask instead is that, whatever general prejudice our generation may feel against young men's debts and excesses and dissipations – and I know this feeling is a powerful one – the transgressions of the others, and juvenile shortcomings in general, and the evils of the times, should not be produced as reasons why Caelius should be condemned.

Yet at the same time, while insisting on this request, I have not the slightest objection to replying most meticulously to the specific accusations which are brought against him.

Two of these charges, one relating to gold and the other to poison, concern one and the same individual. The gold is supposed to have been taken from Clodia, the poison to have been acquired so that Clodia should drink it. All the other matters raised are not really accusations in any proper sense of the word, but only slanders, more appropriate to some vulgar shouting-match than to a national court of justice. Declarations that Caelius is adulterous, immoral and a briber's tout are not charges at all but just plain insults. Slurs of such a kind have not the smallest foundation or basis. They are nothing but mere vituperation, uttered at random by a prosecutor who has let his temper get the better of him and holds forth without a trace of supporting evidence. But as for the two other charges, I can see clearly enough what the foundation is for *them* – there is someone in the background, a source, a definite individual from whom they stem.

Here is the first story: Caelius needed gold, took it from Clodia, took it without witnesses, kept it as long as he wanted to. A demonstration, you will tell me, that the two of them were remarkably intimate! The second story goes like this: he proposed to kill her, he procured poison, bribed collaborators, made the necessary arrangements, fixed a place, conveyed the poison there. Evidence, this time, of a violent rupture and overwhelming hatred!

Gentlemen, the whole of the case revolves round Clodia. She is a woman of noble birth; but she also has a notorious reputation. My observations about this lady will be limited to what is necessary to refute the charge. You, Cnaeus Domitius,¹⁹ in your wisdom, must appreciate that she is the one and only person with whom we really have to concern ourselves at all. If she denies she lent Caelius gold, if she puts forward no claim that he tried to poison her, we are, I fear, guilty of disagreeable behaviour for using the name of a married Roman lady in a manner far removed from what is due to

19. The praetor Cn. Domitius Calvinus was chairman of the tribunal.

such a lady's virtue. Yet since the elimination of this woman from the case will also mean the elimination of every single charge with which Caelius is faced, we who act as his counsel are left with no alternative; if someone attacks Clodius we are obliged to show they are wrong. Indeed, my refutation would be framed in considerably more forcible terms if I did not feel inhibited by the fact that the woman's husband – sorry, I mean brother,²⁰ I always make that slip – is my personal enemy. Since that is the situation, however, my language will be as moderate as I can make it, and I will go no farther than my conscience and the nature of the action render unavoidable. And indeed I never imagined I should have to engage in quarrels with women, much less with a woman who has always been widely regarded as having no enemies since she so readily offers intimacy in all directions.

However, there it is; and I shall begin by asking her a question. Does she prefer me to deal with her according to the stern, severe tradition of ancient times, or in a light-hearted, mild and civilized fashion instead?

If in the bleak old manner and style, then I must call up from the dead one of those personages with heavy beards – not the modern sort of neat little beard which she is so keen on, but the bristling kind that we see on antique statues and busts – to reprimand the woman and speak to her in my place (which has the advantage of directing her fury away from myself). So let me conjure up, then, some member of her own family. And why not the venerable Appius Claudius the Blind?²¹

^{20.} This is an implied allegation of Clodia's incest with her brother P. Clodius Pulcher. He was rumoured to have incestuous relations with his other sisters also.

^{21.} Ap. Claudius Caecus (censor 312, consul 307, 296) built the first Roman aqueduct and the first portion of the Via Appia and tore up the proposed peace with Pyrrhus (280). Clodius and Claudius are the same name, the former being the less aristocratic version, since P. Clodius Pulcher had to resign from the patriciate to become a tribune.

who will suffer less than anybody else because he will not be able to see her?

If he returned to the scene, I imagine this is how he would treat her and what he would say. 'Woman, what business have you with Caelius, who is little more than a boy, and is none of yours? Why have you formed such a close friendship with him that you lend him gold, or such a deep enmity that you are afraid of poison? Did you not know, from what you have seen, that your father, and from what you have heard that your uncle, your grandfather, your great-grandfather, your great-great-grandfather, and your great-great-great-grandfather were all consuls? And did you not recall that you had lately been married to Quintus Metellus,²² a notable, courageous and patriotic man who only had to set foot out of doors to outshine almost all his fellow-citizens in merit, glory and rank? When your marriage had transferred you from one illustrious house to another, what induced you to form so intimate a link with Caelius? Was he, by any chance, a blood-relative, or a marriage connexion, or a close friend of your husband? He was none of these things. What other reason, then, could there be except sheer uncontrollable lust?

'If the statues of the menfolk of our house did not stir your better feelings, were you not aware of promptings from my female descendant, the celebrated Quinta Claudia,²³ to rival her glorious achievement which added to the renown of our House? Did you derive no inspiration from the noble Vestal Virgin Claudia,²⁴ who during her father's Triumph gripped him tight and did not suffer him to be dragged down out of his chariot by a hostile tribune of the people? Why did you

^{22.} Clodia was suspected of murdering her husband Q. Caecilius Metellus Celer (59).

^{23.} Claudia Quinta pulled free the image of Cybele, brought from Pessinus, when it was grounded at the mouth of the Tiber (205-4).

^{24.} The Vestal Claudia was the daughter of Ap. Claudius Pulcher (consul 143) who celebrated a Triumph over the Alpine Salassi.

let the vices of your brother²⁵ influence you more than the virtues of your father and your ancestors – virtues that have reappeared again and again ever since my own time, not only among the men of our family but among the women as well? Did I tear up that bargain with Pyrrhus merely in order that you should drive some disgusting sexual bargain every day? Did I bring water to Rome only that you should have something to wash yourself with after your impure copulations? Was the sole purpose of my Road that you should parade up and down it escorted by a crowd of other women's husbands?'

But I wonder why I introduced this personage at all: for his austere methods might seem to raise a dangerous possibility of the selfsame Appius suddenly turning round and using that famous censor's strictness on my client as well! However, that is a point which I shall be seeing to later on. And when I do, gentlemen, I am quite certain I shall be able to defend Marcus Caelius' way of life even to the sternest of judges.

As for you, on the other hand, woman, for now I am speaking to you directly and not through some stage personage, if you will condescend to justify your goings on, your declarations, your fabrications, your intrigues, your allegations, it is also your responsibility to explain and account in full for this intimacy, this familiarity, this whole relationship. The prosecutors are making play with orgies, cohabitations, adulteries, trips to Baiae, beach parties, dinner parties, drinking parties, musical parties, concert parties, boating parties – and they indicate that everything they are talking about is said with your approval. And since you have been misguided and headstrong enough to want all these incidents brought up in the Forum and in court, either you must disprove them and demonstrate that they are false, or, if you cannot do so, you will have admitted that neither your charge nor your evidence has the slightest claim to be believed because you yourself are

25. The reference is to Cicero's enemy P. Clodius Pulcher.

discredited by direct personal involvement in every one of them.

You may, on the other hand, prefer me to adopt a more polished manner. If so, this is how I shall deal with you. I propose to dismiss that harsh, almost rustic old gentleman, and instead to take one of these modern young men. Indeed, I shall take your own youngest brother. His taste in that kind of thing is unerring. Besides, he loves you very much, and when he was a little boy suffered, I presume, from nerves and baseless night terrors since he always went to bed with you, his elder sister. Well, imagine him saying to you, 'Sister, what on earth is all the disturbance about? Why are you behaving in this lunatic fashion?'

*Why do you make such an outcry, why such a fuss about nothing?*²⁶ 'Very well then,' he will continue, 'and so the boy who lived next door to you caught your eye. His fine complexion, his upstanding figure, his fine features and his eyes bowled you over. You wanted to see a lot of him. Sometimes you found yourself in his company in a garden. You are a great lady, and he is a youth who has a stingy and parsimonious father; and so you intend to use your riches to keep him in your grasp.'

'But this you are unable to achieve. He spurns you and casts you off, your presents fail to impress him. Well, try somewhere else then. You have got your park beside the Tiber, carefully sited on the spot where all the young men come to bathe. From there you can pick up a lover any day. So why bother this man – who evidently does not care for you?'

And now it is your turn to hear from me, Caelius. To suit the occasion, I am going to assume the authority and sternness of a father. But I wonder which particular father I ought to play – the rough and ill-tempered one of Caecilius:

26. The quotation is from a comic dramatist, possibly Caecilius Statius (d. 168).

For now at last my spirit is afire, and my heart is heaped full of anger!

Or that other parent who cried:

O unhappy rascal!

The hearts of all these fathers are made of iron.

What am I to say? What am I to hope for? Whatever you do, your shameful deeds make all my wishes vain.

What an intolerable lot they are! That is the sort of father who would say, 'Why on earth have you settled so close to that prostitute? When you saw through her enticements, why ever did you not run away?'

Why have you got to know a strange woman? Scatter and squander - do as you please for all I care. If you lose all your money it is not I who will be the sufferer. I have enough to keep me comfortable for what remains of my life.²⁷

To this gloomy, blunt old man Caelius could plead that he was not, in fact, ever diverted from the straight path by any serious infatuation whatever. How could he prove this? Because there was no extravagance, no waste, no borrowing to pay his debts. There were reports, it is true, that such things occurred. But what a problem it is for anyone to escape such rumours in a city so full of malicious gossip as ours! Does it surprise you that this woman's neighbour gained a bad reputation, when her very own brother was unable to avoid unpleasant comments?

Well then, let us take a mild and kindly father instead. There was the old gentleman who declared:

My son has broken a door, it shall be repaired. He has torn your clothes, they shall be mended.²⁸

27. The quotation is from the *Adelphi* of Terence (d. 159) (ll. 120-21).
28. *ibid.*

And indeed the case of Caelius, too, is a very easy one. On each and every charge he would find it the simplest matter to defend himself. As regards that woman, I am not at the moment criticizing her at all. But just imagine, for the purposes of argument, someone who bears not the slightest resemblance to her. Imagine a person who offered herself to every man, who quite publicly had a calendar of different lovers for every day, whose gardens, home and house at Baiae were thrown wide open to every sort of lecherous riff-raff, who kept young men and helped them to endure their fathers' meanness by paying them herself. Imagine a widow living unconventionally, a shameless widow giving rise to scandal, a wealthy widow behaving riotously, a lascivious widow carrying on like a common harlot. If any man had been a little free in his attitude towards a woman like that, surely it would be unreasonable to regard him as having committed any real misconduct.

'So this,' it will be objected, 'is Cicero's educational method! So now we know how you propose young men should be brought up. But was this boy commended and entrusted to your care by his father merely in order that he should occupy his youthful years in vicious and libidinous behaviour, while you yourself actually excuse that sort of life and those pursuits?' But, gentlemen, was there ever a man on this earth whose will-power, high-mindedness and self-control were sufficient to make him reject all pleasures whatsoever and devote his whole life to physical exercise and intellectual exertion; a man who was not attracted by relaxation or recreation or the pursuits of his contemporaries or making love or going to parties; who believed that nothing in all the world was worth striving for unless it was directed towards honour and glory? If a person with these qualities ever existed, then I for one should regard his endowment and apparatus of virtues as something truly superhuman.

Of such a kind, it seems to me, were those famous Camilli,

Fabricii and Curii,²⁹ and all the heroes who raised our state to greatness from small beginnings. Nowadays, virtues of this calibre no longer form part of our moral system. They are scarcely even to be found in books; even the records which told of that old-fashioned sternness are no more to be seen. And that is not only true of us Romans, who have put this design for living into practice more conscientiously than we have followed it in theory. Among learned Greeks also, whose speeches and writings (though unmatched by actions) attained such grandeur and brilliance, precepts of quite another sort have become fashionable in the changed Greece of today. For one idea, nowadays, is that the truly wise man does everything for the sake of pleasure; and learned scholars have not been repelled by this shameful assertion. Others have supposed that virtue and pleasure should be combined, thus uniting by verbal dexterity two things which are, in fact, wholly incompatible. And the result is that the philosophers who have tried to demonstrate that the only straight road to glory is the road of laborious effort are left almost alone and stranded in their lecture-rooms.³⁰

And indeed nature herself spontaneously generates many enticements which can at times lull virtue into somnolence and cause her eyes to droop. Nature has offered the young many slippery paths on which they can hardly set foot or start to move without falling or losing their balance. She has lavished upon them a great variety of pleasant things — things, moreover, which are calculated to charm not only these early years but the subsequent times of fuller maturity as well. So if you should happen to find someone who despises the sight of beautiful objects, who derives no pleasure from scent

29. M. Furius Camillus captured Veii (396), C. Fabricius Luscinus was the hero of the war with Pyrrhus, Man. Curius Dentatus (d. 270) defeated Samnites, Sabines and Pyrrhus.

30. Cicero refers in turn to the Epicureans, Academics (and Peripatetics), and Stoics.

or touch or taste, who shuts out all sweet sounds from his ears, such a man I perhaps, and a few others, will hold to be the favourite of the gods; but most people will account him the victim of their wrath.

So we have to abandon this forsaken, untrodden byway, obstructed so thickly by foliage and undergrowth. Let youth be permitted its fun, and tender years a measure of liberty. Allow a certain amount of amusement! Do not always give preference to logical, unbending reason. Grant that it should sometimes be overborne by the desires and pleasures of the heart, provided that in so doing the following rule and limitation be observed. A young man must be scrupulous of his own good name and not do violence to that of others. He must not squander his inheritance or become crippled by the interest on his debts. He must not destroy people's homes and reputations. He must not corrupt the uncorrupted, or blench the virtuous, or bring scandal upon those of good repute. He must refrain from violent intimidation and stay clear of conspiracy and crime. Finally, after he has indulged his taste for entertainments and spent time on love affairs and the trivial passions of youth, he must, eventually, turn back and attend instead to his home, and the business of the Forum, and public life. For he will then have shown that satiric has caused him to discard, and experience to spurn, the things which reason had not hitherto enabled him to see in their true light.

Both in our own times, gentlemen, and within the memory of our fathers and forefathers, there have been many great men and distinguished citizens who, once their youthful desires had simmered down, behaved in their maturity with exemplary correctness. I prefer not to indicate any of them by their names — these you may remember for yourselves — because I do not want to associate the renown of any brave and eminent citizen with even the slightest of defects. Were it my intention to do so, I could indicate many important,

illustrious personages who were notorious during their younger days for excessive wildness, unrestrained dissipation, enormous debts, extravagance and debauchery, but whose faults were later so completely covered over by a host of virtues that anyone who felt so inclined could excuse those earlier manifestations on the score of youth.

But in Marcus Caelius – for my readiness, relying on your good judgement, to concede certain points gives me all the greater confidence in telling you the many creditable things about him – in Marcus Caelius you will find no loose living, no extravagance, no debts, no addiction to parties and low haunts, none of that vice of over-eating and over-drinking which does not diminish but grows with age. Love-making too, the taste for sexual adventures, which does not usually trouble people of reasonably strong character – for such loves are quick to bloom and fade – has never ensnared him in its toils.

You have heard Caelius pleading for himself.³¹ In a previous case you also heard him as a prosecutor.³² Now, what I am going to say is said to defend him, and not for the sake of boasting on my own account, but I am sure that with your appreciation of such things you noticed his oratorical style and skill, his fluency of thought and expression. And you saw how these qualities mirrored his own natural gifts. Such talents, even when there is no effort behind them, often make an impression by their own unaided power. But Caelius, unless my affection misled me, added to these natural qualifications a sound theoretical knowledge based on the liberal arts and perfected by unremitting attention and strenuous work.

I would have you know, gentlemen, that the dissipated tastes for which Caelius is blamed, and the occupations which I am discussing now, are by no means easily to be found in one and the same man. For a mind given up to sensuality and

31. Caelius opened his own defence. He had been taught by Cicero.

32. The reference is to Caelius' prosecution of C. Antonius Hybrida.

impeded by love, passion, craving, and in many cases excessive wealth (or sometimes the lack of it), cannot possibly undertake the sort of thing that we others contrive to perform in the way of making speeches. They cannot manage the physical effort, and the intellectual exertion is beyond them as well. Can you think of any other reason why, when high rewards exist for eloquence, when public speaking gives the speaker such great satisfaction and brings him so much favour and influence and honour, the people who adopt this occupation are and always have been so few? The reason is that every pleasure has to be renounced, all relaxations, liaisons, amusements and social gatherings refused – even conversation with one's friends virtually has to be given up. That, rather than any lack of natural talents or boyhood training, is why the labours required by this career scare men off and deter them from its pursuit.

So if Caelius had immersed himself in the kind of life which has been imputed against him, then how on earth could he, at such a very early age, actually have brought to trial a man so senior that he had held the consulship? If he shrank from hard work and was plunged into self-indulgence, however could he appear on this battle-ground day after day, pursuing campaigns against enemies, summoning them into the dock, exposing himself to criminal proceedings, and before the eyes of the whole Roman people maintaining these many months past a struggle on which his whole reputation and future have been staked?

Surely that notorious neighbourhood on the Palatine³³ gives us a whiff of what the true facts are. Popular rumour clearly has something to tell us – and so does Baiae. Yes, Baiae does not simply tell us a tale, but rings with the report that there is one woman so deeply sunk in her vicious depravities that she no longer even bothers to seek privacy and darkness and the

33. Caelius lived near Clodia on the Palatine (p. 175).

usual veil of discretion to cover her lusts. On the contrary, she actually exults in displaying the most foully lecherous goings on amid the widest publicity and in the glaring light of day.

All the same, if anyone thinks young men ought to be forbidden affairs even with prostitutes, he is certainly very austere (that I would not deny), but he is out of touch with our present permissive age. Indeed, he is also not in harmony with the customs of our ancestors, and the allowances which even in those times people were quite accustomed to make. For name any epoch when this was not invariably the case. When was such behaviour ever censured or forbidden? When was the permitted thing not permitted?

I will just propound a general theme, without mentioning any particular woman by name – that much I will leave open. If a woman who has no husband throws open her home to every debauchee and publicly leads the life of a whore; if she makes a habit of being entertained by men who are total strangers; if she pursues this mode of existence in the city, in her own gardens, among all the crowds at Baiae; if, in fact, she behaves in such a way that not only her general demeanour but also her dress and associates, her hot eyes and uninhibited language, her embraces and kisses, her beach parties and water parties and dinner parties, all show that she is not only a prostitute but a lewd and depraved prostitute at that; if a young man should happen to be found in the company of such a woman, then surely, Lucius Herennius, you would agree that this was not so much adultery as just plain sex – not an outrage to chastity, but mere satisfaction of appetite.

I am forgetting the injuries you have done me, Clodia. I am brushing aside the memory of what I suffered. Your cruel actions to my family while I was away I am deliberately not taking into account. And do not, please, suppose that what I have been saying was directed against yourself. However, since the prosecutors claim that you are the source of this

charge and prepared to give evidence in its support, I am obliged to address to you one single question in your own person. What I ask you is this – if ever there *did* exist a woman of the type I have just described, bearing no resemblance to yourself, with the life and habits of a harlot, would you consider it very scandalous or wicked that a young man should have had some relationship with her?

If this woman is not recognizable as you – and that is what I shall be much happier to believe – then the basis for the prosecution against Caelius falls to the ground. But if, on the other hand, my opponents insist on identifying the hypothetical person with yourself, and if *that* does not frighten you, then I fail to see why any suggestion about what Caelius is supposed to have done need scare us either! So it is entirely up to you to show us the direction and method our defence should follow. If you have the least shred of decency, you are bound to agree that Marcus Caelius has not behaved viciously at all. If you do not concede this, then you have no decent feelings whatever; and that very fact will provide my client with an impregnable justification – and will justify any others who may find themselves in the same boat.

And now I have brought my speech clear of the shallows and away beyond the reefs; and the rest of the course does not seem to present any difficulty. Two charges are brought against Caelius. Both allege very serious crimes. But both are again concerned with one and the same woman. He is accused of taking some gold away from Clodia, and of having prepared poison for Clodia's murder. According to your story, he took the gold to give it to the slaves of Lucius Luceius,³⁴ so that they should kill Dio of Alexandria, who was staying with Luceius at the time. It is a dreadful thing to assert that a man plotted to take the life of an envoy, and dreadful also

34. L. Luceius, a wealthy Senator, unsuccessfully prosecuted Catilina for murder (64). Later he became a historian.

to claim that he instigated slaves to assassinate their master's guest — a scheme both audacious and horrible.

But in regard to this accusation, it is necessary for me to ask, first of all, whether Caelius is supposed to have informed Clodia of the purpose for which he needed the gold, or not. If he did not tell her this, why did she give it to him? If, on the other hand, he did tell her, then she, too, involved herself in the crime as his accomplice. Did you, woman, have the nerve to fetch this gold from your chest, to denude of its adornments that statue of Venus³⁵ which carries the trophies of your other lovers, knowing full well the ghastly crime for which the gold was intended — the assassination of an envoy, an indelible stain of guilt upon the virtuous and honourable Lucius Luceius?

No, to that abominable deed your generous heart would surely not have lent itself. Such a project would never have obtained the cooperation of that open house of yours, the complicity of your hospitable Venus. And Herennius Balbus fully appreciated this. For he maintained that Clodia was indeed kept in the dark, and that the explanation Caelius made to her was that he wanted the gold to pay for some Games. But if he was as close a friend of Clodia as you maintain (since you emphasize his fornications at such length), then surely he must have told her of the purpose for which he wanted the money. If, on the other hand, he was *not* so close a friend, then she never gave it him. Either, then, Caelius told you the truth, you unspeakable woman, and you knowingly let him have the gold for a criminal purpose: or he did not bring himself to tell you, in which case you can never have given it to him at all!

And so there is evidently no need for me to refute this indictment with the infinite number of arguments that would be available for the purpose. I need merely say that the

35. Cicero pretends Clodia had a statue of Venus which she adorns with mementos of her lovers.

character of Marcus Caelius is wholly incompatible with such a loathsome action; and that, besides, a sensible and intelligent person like him could not have failed to realize the error of entrusting an atrocity of this magnitude to unknown slaves belonging to another master. I am also at liberty, in pursuance of my own practice and that of other counsel, to ask the prosecutor the familiar questions: where did the encounter between Caelius and the slaves of Luceius take place, how did he get into contact with them? If directly, this was very rash; if through a third party, could we have his name? I could go on and ransack every possible cranny where a suspicion might lurk. But the result would still inevitably be that no motive, no location, no opportunity, no accomplice, no prospect of carrying out or hiding the evil deed would come to light. Nor would any trace of a plausible sequence of events, or any clue indicating that the whole appalling crime was anything but a figment of the imagination.

Points of that kind are an orator's stock in trade. And besides, not because of any gifts of my own but because I have some practice and experience in speaking, the elaboration of such inquiries as part of the general argument might well have done my case some good, since they would have the appearance of evidence that I myself had taken the trouble to work up. Nevertheless, for the sake of brevity, I allow them all to go unsaid. For instead, gentlemen, I am able to produce a personage whom you will be only too willing to admit as your partner in the bond of a solemn oath. I refer to Lucius Luceius: a man of complete integrity, the most impressive of all possible witnesses. If Caelius had really perpetrated the suggested offence against his reputation and his position, Luceius would assuredly have heard of it and would have utterly refused to let such a thing pass, or indeed take place at all. For how could so civilized a man, with his outstanding scholarship and culture and learning, have disregarded the

danger threatening someone to whom he was so devoted because they shared all these interests in common? Even if Luceius had learnt that such an outrage was planned against someone quite unknown to him, he would still have viewed it with horror. How, then, could he have turned a blind eye when the victim was actually going to be his own guest? Even if the murderers had been strangers, he would still have been appalled. So how could he conceivably have paid no attention when they were his own slaves? Had the act been perpetrated somewhere out in the country, or in a public place, he would unmistakably have denounced such an abomination. Was it in the least likely, therefore, that he would accept the situation calmly when the crime was devised inside the city itself and, indeed, even within his very own home? If the proposed victim had been some unknown rustic, it would have been unthinkable for him to let the plot go ahead. Would he, then, have thought it proper to say absolutely nothing about it when its victim was a man who completely shared his own erudite tastes?

But I need not detain you any longer on this point, gentlemen, since he himself has given evidence on oath. Mark well the solemn tone of his deposition, and note carefully every word of what he says.

[THE EVIDENCE OF LUCIUS LUCCEIUS IS READ]

Surely that is all you can have been waiting for – short of expecting that the case and Truth themselves will somehow take shape and speak and plead in their own persons! And indeed here, in this evidence of Luceius, in this supreme justification of an innocent man, is precisely the plea which the case itself, were it able to talk, would have uttered from its own mouth – the voice of incarnate Truth.

The indictment is supported by not the slightest ground for suspicion. Proofs of the alleged facts just do not exist. The

dealings which are supposed to have taken place have left not a trace of what was said or where or when. No witness has been named; and nor has any accomplice.

The whole accusation emanates from a house that is malevolent, disreputable, merciless, crime-stained and vicious. Whereas the family alleged to have been involved in this shocking deed is notable for its lofty standards, honourable principles, dutifulness and sense of responsibility; and that is the home from which you just heard a sworn affidavit. The question under dispute, therefore, is easy to settle. You are invited to say whether you do not agree that the parties who confront one another are, on the one side, an unstable, evil-tempered nymphomaniac, who has completely fabricated the charge, and, on the other, a man of responsibility, wisdom and self-restraint whose evidence has shown the utmost conscientiousness and accuracy.

There remains the accusation of poisoning. I am unable to discover how this originated; nor can I work out what it was supposed to lead to. For what motive could Caelius possibly have possessed for wanting to poison this woman? So that he should not have to give back the gold? But did she ever ask for it back? To avert the charge of Dio's assassination?³⁶ But did anyone really believe he was guilty of this? Indeed, if Caelius had not himself launched a prosecution, would anyone ever have connected his name with it at all? You actually heard Lucius Herennius say that, if Caelius had not brought a second action against his friend Bestia after the latter had been acquitted in the earlier case, he for his part would never have uttered a word against Caelius. But, to go back to the attempt on Clodia's life, no one could be expected to believe that such a ghastly act should have been undertaken

36. The suggestion which Cicero seeks to refute is that Caelius wanted to poison Clodia in order to remove a witness to his complicity in the murder of Dio.

without any motive at all! And that, you must inevitably conclude, is why the accusation involving the terrible crime of Dio's murder was fabricated: in order to invent such a motive for doing away with Clodia, since she allegedly knew he was guilty of the murder.³⁷

And finally, whom is Caelius supposed to have employed to carry out the poisoning? Who acted as his assistant and partner and accomplice? Into whose hands did he hazard this shocking deed – and, in the process, his own self and his very life? To this woman's slaves? That is what has been claimed. But do you suppose that this man (whom you evidently credit with a brain even if your unfriendly language belittles all his remaining qualities) was stupid enough to entrust his entire fate to someone else's slaves?

And, I ask, what type of slaves? For this point, too, is of considerable importance. If they belonged to Clodia, would not Caelius have known they were not living at all the ordinary life of a slave, but were enjoying a far more relaxed, undisciplined, familiar relationship with their mistress? For in a household of that sort, gentlemen, under a woman who behaves like a prostitute, where everything that happens is quite unfit to be published abroad, where abnormal lusts and excesses and unheard-of perversions and vices of every kind are rife, it is perfectly obvious and universally known that slaves are slaves no longer. For everything is delegated to them and put in their charge, they become her associates in all her loose living, they share her secrets, and they make a good bit every day from her extravagant expenditure. Was Caelius unaware of all these things? If he was as intimate with the woman as you say he was, then he must, surely, have realized she treated those slaves as her intimates too. The alternative supposition is that he was *not* so friendly with her as

37. Cicero is saying that Caelius' involvement in Dio's murder was invented to make his alleged attempt on Clodia sound more plausible.

you allege. But, that being so, how could he have had such a close connexion with her slaves?

And now with regard to the actual poison – what theory is concocted about that? Where was it obtained from, how was it prepared, how and to whom and where was it handed over? Well, their answer is that Caelius had it at his home and tried it out on a slave who had been procured for this specific purpose; and that the very rapid death of the slave proved that the poison was effective.

Why, I would ask the immortal Gods, when an individual has committed an outrageous wrong, do you sometimes close your eyes to what has been done, or at least put off punishment until a future date?

I personally participated in the scene which caused me as profound a feeling of sorrow as anything else in my life, when Quintus Metellus was torn from the bosom and embrace of our nation. He had always regarded himself as dedicated to the service of Rome; but while he was still in the prime of life, enjoying excellent health and full bodily vigour, only two days after he had been seen at the height of his powers in the Senate, the law courts, and all the political affairs of our city, his life was snatched away from our midst, to the most grievous loss of every loyal citizen and the entire commonwealth of Rome. At that moment, when death was already approaching and his mind in all other respects had begun to fail, he devoted his last thoughts to his country, and fixing his gaze upon myself as I wept, he endeavoured in broken, dying words to warn me of the grim storm that hung over my head, and the tempest that menaced the state.³⁸ Then, striking again and again upon the wall which separated his home from the house where Quintus Catulus had lived, he repeatedly called

38. The impending disasters were Cicero's banishment and the tribunate of P. Clodius Pulcher (58).

on the name of Catulus, and often on my name also, and again and again cried out the name of Rome itself – for he was lamenting not so much his own imminent death as the unhappy fact that our homeland, and particularly I myself, would henceforward lack his protection.

Now, he being a man of consular rank and the person that he was, if that deed of sinful violence had not suddenly bereft us of his help, just imagine how he would have opposed his own deranged cousin Clodius,³⁹ whose earlier ravings and thunderings had caused Metellus, when consul, to declare in the hearing of the Senate that he himself would kill the man with his own hand. Now, shall the woman who comes from such a house have the audacity to start discussions about the speeds with which poisons take effect? Ought that dwelling not, rather, to inspire her heart with terror, in case it shrieks forth the tale of her guilt? Will she not recoil in dread from the walls which know her secret, and shudder at the memory of that fatal, miserable night?

But I returned to the indictment – though my mention of that noble and valiant man has choked my utterance with tears and shrouded my mind in grief.

It is still not explained where the poison came from and how it was prepared. The story is that it was given to Publius Licinius here, a decent and respectable young man who is a friend of Caelius, and that an arrangement was made with the slaves that they should proceed to the Senian Baths, where Lentulus would join them and hand over the box of poison. Here I must first ask, what was the point of arranging that the poison should be taken there? Why did the slaves instead not go to meet Caelius at his own home? If Caelius and Clodia were still so close and intimate, the appearance of one of that woman's slaves at Caelius' house would not have aroused any suspicion. But if, on the contrary, their relations were now

39. The cousin of Q. Caecilius Metellus Celer was P. Clodius Pulcher, whose mother was the sister of Celer's father.

strained, if their friendship had been broken off, if there had been a rupture, then

That is the source of those tears⁴⁰

– and the whole tale of fictitious crimes and charges is explained. The prosecutor's version, on the other hand, is this. After the slaves had disclosed Caelius' whole villainous plot to their mistress, that clever woman, he says, directed them to promise Caelius their complete cooperation. However, in order to catch Licinius in the act of handing over the poison, she also gave instructions that the Senian Baths should be fixed as a meeting-place. For she intended, the story continues, to send certain friends, who would lurk on the premises of the baths out of sight, and then suddenly, when Licinius had put in an appearance and was handing over the poison, spring out from their hiding-place and seize hold of him.

But all this, gentlemen, is extremely easy to refute. For why had she particularly fixed upon public baths, where I cannot see how men wearing outdoor dress could find any hiding-place whatever? If they were in the entrance court of the baths they would have been visible; and if they proposed to stow themselves away inside, this would have been most inconvenient in their shoes and street clothes, and they might very well not even have been admitted – unless, of course, that influential female had gained the friendship of the bath attendant by her customary penny deal.⁴¹

I was eagerly waiting, I can tell you, to hear the names of these fine witnesses who were actually supposed to have seen, there and then, that the poison was in Licinius' hands. But so far no names have been mentioned. However, they must evidently be highly reputable individuals. For one thing they

40. This famous tag is from the *Andria* of Terence (l. 126).

41. This is a complicated pun involving the admission fee to the baths, the cheap rate for which Clodia allegedly sold her favours, and the nickname 'penny Clyaemnestra' which she was given by Caelius.

are intimate friends of this remarkable lady. And besides, they acquiesced in the role of being packed away in the baths, which she could never have induced them to do, however influential *she* might be, unless they had been quite exceptionally respectable and worthy characters!

But there is no need for me to enlarge on their worthiness because you can learn for yourselves how resourceful and painstaking they were. 'They hid out of sight in the baths.' Just the men to see everything and be perfect witnesses! And in due course they burst out – by mistake. What splendid self-control! For what the story pretends is that after Licinius had arrived, and while he was holding the box in his hand and was just in the process of handing it over but had not yet actually done so, then suddenly these superb nameless witnesses darted forth: whereupon Licinius, who had already held out his hand to give the box to the slaves, drew it back at this unexpected onslaught and took to his heels.

All the same, Truth has a power of its own. Against all the ingenuity, artfulness and cunning of human beings, against all imaginable falsifications and intrigues, it is perfectly capable of defending itself unaided. Take this little drama, for instance – the effort of a poetess who has many such works to her credit. How badly off the play is for plot, how completely lost for an ending! For the men who had hidden themselves in the baths must have been pretty numerous if they were to seize Licinius and provide a good supply of eye-witnesses of what took place. But in that case how on earth did all those fellows allow Licinius to get away? Why was it harder to grab him when he stepped back, and refrained from parting with the box, than it would have been if he had relinquished it? For it was precisely in order to arrest Licinius that they had been stationed there, with the intention of catching him in the act either when he had the poison in his hands or when he had passed it on. That was the woman's whole idea, and that was the job of the men who had been asked to help.

Why you maintain that they leapt out by mistake and prematurely, I cannot understand. For surely that was exactly what, according to the story, they had been asked to do. They had allegedly been posted there with the specific purpose of ensuring that the poison, the plot and the whole crime should be palpably exposed. And how could they possibly have chosen a better time to jump out than when Licinius had arrived and was still holding the box of poison in his hand? For if the lady's friends had suddenly broken out of their hiding-place and grasped hold of Licinius *after* he had transmitted the poison to the slaves, he would have been able to protest his innocence and deny utterly that the box had ever come from him. And how, in that case, could they ever have refuted such a statement? Were they to say they had seen him handing it over? In that case they would have aroused suspicions that they themselves were the people who had produced the poison. And they would also have been pretending to have seen something they could not possibly see from the place where they were hidden. Instead, therefore, the stowaways revealed themselves at the exact moment when Licinius had arrived, and was getting out the box, and holding out his hand, and passing on the poison.

Well, that is not the sort of finale a real play has. It is more the ending of a song-and-dance show⁴² – the type of production where nobody has been able to think of a suitable ending and so someone escapes from someone else, and the clappers sound,⁴³ and it's the curtain.

For why, I ask you, when Licinius was tripping, stumbling, backing, struggling to get away, did the gang of this female

42. The reference is to the mimes, which contained many improbabilities, were acted by prostitutes, and sometimes included poisoning scenes.

43. Clappers fastened to the shoes were used to mark time and prompt the man who, according to a practice which was the reverse of modern procedure, lowered the curtain at the beginning of a performance and raised it at the end.

boss let him slip through their hands? Why ever did they not seize him tight and get a confession and exploit the abundance of available witnesses, and the general outcry raised by the incident, to drive home his guilt on this very serious charge? With their numbers and physical strength and preparedness, surely they cannot have been nervous about their capacity to overpower one single weak and terrified individual!

It is impossible to find any sign of factual arguments or justifiable suspicions that might make the accusation sound plausible; and the drama comes to no sort of a convincing conclusion. So in default of rational argumentations, or cogent inferences, or indications capable of throwing any light on the situation, the case falls back entirely upon the witnesses. And these I now await, gentlemen, without even the slightest degree of alarm, and indeed with a certain hope of amusement. For one thing, I am excited at the prospect of seeing these smart young men who are a wealthy noblewoman's intimate friends but managed to transform themselves into her intrepid warriors, stationed by their command in a fortified ambush within the baths. I want to ask them how or where they hid themselves, and whether it was a bath-tub, or perhaps a Wooden Horse, which harboured and covered all these invincible fighters battling in the interests of their lady. I intend also to compel them to answer one question: why did so large a number of men, of this calibre, not succeed either in grabbing hold of this single, feeble person (whom you see) while he still stood there, or why did they not at least overtake him as he ran away?

If these characters do appear in the witness box, I cannot for the life of me see how they will ever disentangle themselves from all those difficulties. Granted that they may be humorous and amusing enough fellows at a party, and fluent on occasion in their cups, a court-room and a dining-room are not at all the same thing. The benches here and the couches there have

little in common. To face judges is one thing and to face people over a drink is quite another: there is a big difference between the light of lamps and the light of day. If, then, they do decide to come forward, all their refined poses and fooleries will be sharply jolted out of them. So I suggest that they should listen to what I am now going to say. They must turn their energies into quite another direction. By all means let them find some other way of ingratiating themselves and showing off. Let them bask as much as they want to in their lady's favour, and display those charming manners of theirs. Let them perform any feat of competitive extravagance they like. Let them cleave inseparably to her side and grovel before her feet, and be her obedient servants in every way. But they must spare the life and career of an innocent man.

The prosecutors inform us that the slaves to whom the poison was allegedly being handed have been made free men, with the approval of the woman's aristocratic and illustrious relatives. At last then we have discovered something which she is supposed to have done with the agreement and sanction of those gallant kinsmen of hers.⁴⁴ But I am eager to know what is behind this act of liberation. For either it means that the freed slaves were helping her to concoct the charge against Caelius, or the intention was to prevent them from having to undergo a legal examination,⁴⁵ or it was an abundantly merited reward paid to the sharers of her secrets. But your relations agreed, we are told. How could they have failed to, when the information you placed before them consisted, according to your own account, not of facts which you had learnt from others but of things you had discovered for yourself?

44. Women could not officially free slaves in their own right.

45. Once freed, the slaves could no longer be compelled to give evidence under torture.

And, incidentally, can we really be surprised if the imaginary box has given rise to an extremely indecent story?⁴⁶ It all tallies very well with the behaviour of a woman of this type. The anecdote⁴⁷ has been listened to and has gone the rounds. You have already identified the incident I am wanting (or rather not wanting!) to tell you about. However, even if the tale is true, Caelius was certainly not responsible; for what had it got to do with him? The thing was done by some other young man whose sense of propriety, perhaps, was less highly developed than his wit. But even if the story is an invention, it is at any rate quite an amusing one, though somewhat improper. And it would never have been so widely accepted in general opinion and conversation if it were not for the fact that every sort of pornographic rumour fits in perfectly with that lady's reputation.

I have now stated my case, gentlemen, and my task is done. Please appreciate that the responsibility you bear is an important one, and that the matter entrusted to your decision has grave implications. The action you are investigating relates to violence. Now, the law concerning violence⁴⁷ has to do with the administration, the dignity and the condition of our country and the welfare of all its citizens. It is the law which Quintus Catulus brought into force during a period of armed civil strife, when the government was in an almost desperate situation. It is the law which, after the conflagration that had blazed during my consulship, extinguished the last smoking embers of the conspiracy. But can *this* also be the selfsame law under which the youthful life of Caelius is placed in hazard – not in the least because he needs to be

46. Unfortunately this funny story has not survived and so the whole passage, referring apparently to a trick played on Clodia, is inexplicable.

47. This otherwise unknown *Lex Lutatia* was evidently passed during the disturbances caused by Catulus' fellow-consul M. Aemilius Lepidus (78).

punished for the sake of our national interests, but merely for the satisfaction of a woman's filthy purposes and degraded whims?

In this context the prosecution chooses to remind us of the conviction of Marcus Camurrius and Gaius Caesernius.⁴⁸ But that is preposterous. Or should I call it not merely preposterous but outrageously impudent? Do you really have the audacity to come from that woman and mention the names of Camurrius and Caesernius? Do you have the nerve to resuscitate the memory of that very serious offence, after the lapse of time has not, indeed, relegated it to oblivion but has at all events pushed it out of sight? For what was the charge which led to the condemnation of those two individuals? Surely it was because of that sexual outrage which was their means of taking vengeance upon the woman's resentful spite. I suppose it was just in order to drag in Vettius' name, as well as that old story about the bronze, that the trial of Camurrius and Caesernius was brought up again.

Yet those individuals, although they certainly could not be proceeded against under the law on violence, were nevertheless so deeply implicated in the crime concerned that it is really impossible to think of any law at all which was not capable of somehow holding them in its meshes. But why on earth should Marcus Caelius be summoned before this court? No indictment of the slightest relevance to its activities is preferred against him, and indeed not even the sort of accusation which, although outside the actual scope of the law on violence, might still be sufficiently relevant to entitle you, its judges, to pronounce your censure.

48. These unknown cases (the one concerned with sexual outrage being related, by what appears to be a marginal gloss, to the name of the unknown Vettius mentioned just afterwards) seem to have been cited as precedents for applying the law or laws on violence to offences against morality.

The early years of Marcus Caelius, then, were dedicated to training, and to the studies which prepare youths for legal practice, public life, offices of state, public recognition, and elevated rank. He made friends with older men of the type who could serve him as models of industry and sobriety;⁴⁹ and the pursuits he shared with his contemporaries indicated that he was following the same honourable course which the best and noblest of our citizens had taken before him. When in the course of time he reached years of adult strength, he proceeded to Africa in attendance upon the governor, who was the high-principled, ever conscientious Quintus Pompeius.⁵⁰ Caelius' father had business and property there, and, besides, the young man was able to gain the sort of experience in provincial administration which our forefathers rightly thought appropriate to that stage in a career. When he left Africa he was very highly thought of by Pompeius, as you will hear from the latter's testimonial.

Next, following a traditional practice and the precedent of other youths who had subsequently risen to eminent positions, Caelius decided to make his endeavours known in Rome by a spectacular prosecution. I should have preferred his ambition for renown to have led him in some other direction; but the time for expressing regrets about that is past. Anyway, he brought a charge against Gaius Antonius, my colleague in the consulship, whose misfortune it was that the memory of an important service to our country⁵¹ proved of no avail to him, whereas the suspicion of an intended misdemeanour succeeded in damaging his reputation.

Thereafter Caelius rivalled each and every one of his contemporaries. Cicero is referring to Caelius' association with himself and M. Licinius Crassus.

50. Q. Pompeius Rufus was praetor in 63 and governor of Africa in 61.

51. Cicero exaggerates the services of C. Antonius Hybrida in suppressing his former associate Catilina, since Antonius took no part in the final battle of Pistoria on the plea of gout (January 62).

temporaries in his assiduous dedication to the Forum, to legal cases, and to defences of his friends in the courts. He rivalled them also in the high opinion his collaborators held of him. Whatever successes go to men who are alert and sober and hard-working, the industry and application of Caelius won them all.

At what one might describe as a critical juncture, however (for I am going to be quite frank with you, gentlemen, relying on your sympathy and good sense), his youthful reputation encountered a temporary set-back. This was caused by his recent acquaintance with this woman, by the unfortunate proximity of their residences, and by his inexperience in those forms of self-indulgence which, after a somewhat prolonged repression and restraint in early years, often suddenly break forth thereafter and burst out on a formidable scale. But from this life, or rather from this theme for gossip (because the reality was nothing like as bad as people said), at all events from this kind of thing whatever it was, he disentangled and emancipated himself completely. Indeed, he is now so far removed from the disrepute of being an intimate friend of the female in question that he even has to defend himself against her malignant hatred. And to put a stop to all the talk about dissipation and idleness that had meanwhile arisen — this was done completely against my wishes and in the face of my strong opposition, but it was done all the same — he prosecuted one of my friends, Bestia, for bribery. The defendant was acquitted, but Caelius returned to the attack and accused him again.

He refuses to pay attention to what any of us say; and his violence goes beyond what I should have desired. But I am not discussing his good judgement, which is, after all, a quality not to be expected of his years. What I do want to stress, on the other hand, is his drive, and his keenness to win, and his burning ambition to do well. In men who have reached our time of life these passions ought to have become

somewhat less ardent than they were, but in youths, as in plants, they give promise of what future ripeness and the rewards of industry are going to bring. Very clever young men, in their pursuit of glory, always need the rein more than the spur; the intellectual exuberance of early years requires pruning more than grafting. So if anyone feels that Caelius has shown too much energy or spirit or obstinacy in taking on or pursuing disputes, and if minor grounds for criticism, such as the shade of purple he wears, or his crowds of friends, or the flamboyant glamour of his personality, are felt to give offence, you will find that in due course such things will settle down. Age, and events, and the passage of time, will mellow them all.

I appeal to you, then, gentlemen, to preserve for our country a good, loyal and patriotic citizen. I can vouch for his possession of these noble qualities; and I can assure our country upon oath that, if I myself have served it well, he, too, will never cease to follow the same political ideas. This I am able to promise, both because I can rely upon the friendship that exists between the two of us, and because he has also spontaneously bound himself by the most rigorous guarantees. For it is impossible that a man who has brought a personage of consular rank into the dock on the charge of breaking the laws of the state should himself be a disorderly citizen. It is inconceivable that a man who refuses to accept another man's acquittal for bribery should ever dream of offering anyone a bribe himself. Our country, gentlemen, has in its hands two actions brought by Marcus Caelius. They can be considered as hostages against dangerous behaviour; but they should also be welcomed as pledges of good intentions.

This, judges, is the city where a few days ago an accusation was brought against Sextus Clodius⁵² and failed. Yet for two

^{52.} Sex. Clodius (or, according to another statement by Cicero, Clodius himself) burnt the shrine of the Nymphs in the Campus Mar-

years past you have seen that individual helping to stir up sedition and even acting as its principal instigator. He is a person without property or credit, without hope or home or resources. His lips, his tongue, his hands, everything about him is corrupt. Those were the hands with which he burnt a sacred temple, the archives of the Roman people and the records of the state. He wrecked the monument of Catulus.⁵³ He demolished my own house,⁵⁴ and set fire to my brother's. On the Palatine, before the eyes of the entire city, he incited slaves to massacre and incendiarism. After such a creature has been acquitted here in Rome itself, and acquitted through feminine influence, I implore you not to allow Marcus Caelius to be sacrificed to her wanton temper. Never let it be said that this same woman, in collusion with the brother who is also her husband, has been able first to preserve a thieving rogue and then to destroy a fine young man as well.

And when you have considered the position of the youthful Caelius, I urge you to keep also before your eyes this unhappy old gentleman who is his father. Caelius is his only son and his support; on the future of Caelius depends all his peace of mind. The one thing he most dreads is that his son should be in trouble. Submissive to your authority, he kneels, figuratively, before you, appealing to your hearts and emotions, and pleading for your compassion. Bid him rise! Think of your own parents. Think of *your* children and how fond you are of them. Feel for him with the sympathy of sons or fathers, and bring comfort to his grief. Heaven forbid that

tus, where records were kept. Recent research has demonstrated that the name of Clodius' principal henchman was Sex. Clodius and not Sex. Clodius as was supposed.

^{53.} Q. Lutatius Catulus sen. built the Porticus Catuli on the Palatine to commemorate the battle of Vercellae (101).

^{54.} During Cicero's exile Clodius' gangsters destroyed the Porticus Catuli and Cicero's own house, and then burnt down Q. Cicero's residence (November 57).

this venerable figure, already in the course of nature approaching the last days of his life, should desire death to come to him even more rapidly, because of a wound dealt him not by fate but by yourselves. And do not, I beg you, be the whirlwind or sudden tempest which shall strike down, in his early prime, this youth whose splendid qualities have planted such sturdy roots. Save the son for his father – and the father for his son! You must not give people the chance to say that you disdained an aged citizen whose hopes are nearly at an end; and that, instead of helping a young man full of promise, you actually preferred to crush and destroy him instead. If you restore Caelius to me, and to his own people, and to our country, you will find in him a person pledged and dedicated and bound fast to yourselves and to your children after you. And it is you above all, judges, who will reap the abundant and lasting fruits of his exertions and endeavours.

CHAPTER FIVE

IN DEFENCE OF
TITUS ANNIUS MILO

~~In 56 the First Triumvirate, which had begun to show signs of strain, was patched up at the Conference of Luca (Lucca). Cicero submitted to the renewed autocracy, and was much criticized for this by conservatives. Caesar hastened back to Gaul, which he was in the process of conquering. Pompeius (whom Cicero vainly hoped to seduce from the alliance) sought to control Rome through its food-supply and an army in Spain; and Crassus wanted to win glory in the east. Instead he was killed by the Parthians (53), and a direct confrontation between Pompeius and Caesar consequently developed.~~

~~Meanwhile Pompeius found that the government of Rome was being rapidly reduced to anarchy by the appalling excesses of gang warfare – which he was not so quick to put down as he might have been, since he saw it might lead people to invite him to assume even larger powers. The principal gang-leader was Publius Clodius Pulcher, the brother of Clodia whom Cicero had attacked in his defence of Caelius, a revolutionary who – although at different times favoured both by Caesar and Pompeius – attached himself to no party, exercised influence over the proletariat as provider of largess, and possessed considerable control over the urban voting machine. A rival hoodlum was Titus Annius Milo, a violent nobleman of Samnite origin who, as Clodius' enemy, enjoyed the support of Cicero and the traditional conservative elements.~~

~~In the winter of 53 the skirmishing and disturbances between the two toughs revived (after a period of comparative calm) with increased bitterness, when Milo was standing for the consulship and Clodius for the praetorship. On 18 January, each with his followers and thugs, they encountered one another on the Appian~~