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## (a) Cicero's life

Cicero was a self-made man (*novus homo*), as he often boasted. He was born in a small town, which was also the birthplace of another famous self-made man. In his oratory, he soon gained a reputation as an orator and a lawyer, even daring to become the right-hand man, Chrysogonus, in one of his cases and winning many influential successful defences of them in the law courts.

The first step on the political ladder (called the *cursus honorum*) was the quaestorship, which gave automatic membership of the Senate. As *quaestor*, Cicero was appointed to his honest and diligent work, which gained him many friends among the Sicilians, who sued the governor, Verres, in the *quaestio rerum repetundarum* – a special court with cases of provincial mismanagement. What does that tell you about Roman (mis)management? As a result of his successful prosecution of Verres, Cicero was elected consul in 63 BC. During his consulship, he had to deal with a *coup* whose supporters Cicero had executed without trial, which was illegal, and in 58 BC, mainly due to the efforts of Clodius, but he returned from exile in 57 BC and Milo.



*Cicero Denounces Catiline*, fresco by Cesare Maccari, 1882

In the civil war in which Octavian and Antony defeated the assassins of Julius Caesar, Cicero supported the assassins and was consequently assassinated during the proscriptions following Caesar's murder.

Cicero rarely acted as prosecuting counsel, though his best speeches were given in the Senate against Catiline and Mark Antony. It is an indication of the quality of his speeches against Mark Antony that *Chippies*, likening them to the speeches of Demosthenes against Philip of Macedonia.

Many of his speeches as defending counsel contain violent attacks on the prosecution, attack being the best method of defence. Thus, in *pro Caelio*, Cicero attacks the character of Clodia and her brother Clodius, both very disreputable characters. The impression that Cicero is happier when on the offensive, probably because his defence is sometimes rather thin.

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## (C) *pro Caelio*

Marcus Caelius Rufus was born in 82 BC in Central Italy (the exact town is reasonably well off as a result of property he owned in Africa, and so qualified which the qualification was 400,000 sesterces. The son became Cicero's pupil, very skilled in oratory, which he put to good use in 59 BC, when he successfully defended Antonius for provincial mismanagement. This annoyed Cicero, the defence was one of the few cases Cicero lost.

After his success in the trial against Antonius, Caelius left his father's home on the Palatine Hill for a fashionable area of Rome. The flat was owned by P. Clodius, of the even more notorious flirt, Clodia, who had a flat nearby. Clodia is also known who had a torrid affair with the poet Catullus, before leaving him for Caelius, mentioned by Catullus in poem 77. Having his own flat on the Palatine, he came into contact. His brother introduced Caelius to a profligate way of life, which resulted in his fall. In 56 BC, Caelius fell out with Clodia and her brother, as a result of which (and for reasons involving numerous trials) Caelius was charged with *vis* (violence, as he was being prosecuted by Caelius). His co-prosecutors were P. Clodius and P. Clodius. The trial began on 3<sup>rd</sup> April 56 BC. Caelius spoke first in his own defence, then Caelius against the three minor charges of inciting civil disturbances at Naples, the Alexandrian ambassadors at Puteoli and damaging Palla's property. Finally, Caelius against his annoyance with Caelius over losing the trial against Antonius, seems to have annoyed Caelius, as evidenced by Caelius's 17 published letters to Cicero.

A further inducement to defend Caelius must have been the inclusion of P. Clodius as prosecutors, as he had been instrumental in Cicero's banishment in 58 BC. Caelius spoke against the two remaining major charges of having borrowed money from the murder of Dio, leading to the Alexandrian ambassadors, and of plotting to poison Cicero. The speech is divided into four parts, the *exordium* (Sections 1–2), the *praeparatio*, *argumentatio* (Sections 51–69, the bulk of which was prescribed in the speech), and the *peroratio* (Sections 70–80).

It was extremely difficult for Cicero to defend the charges because of Caelius's reputation, which the prosecutors attacked vehemently, so Cicero spends the first 29 sections of the speech on damage done by the prosecution and win over the judges, who must have been against Caelius at this point of the trial. However, by his wit, charm and brilliant oratory, Cicero won the jury, and Caelius was acquitted.

In Section 33, where the specification begins, Cicero deals with the two most serious charges: the taken gold from Clodia and of having tried to poison Clodia.

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**NB** Words in italics have a note at the end of the section. (The translators have amended it where necessary.)

## I: The importance of this trial

If anyone, O judges, should now by chance be present ignorant of the law, of the courts, of our customs, such an atrocity in *this particular and public games*, having intervened in all public business, this one trial should not doubt, that *the man accused* or such a great crime is being charged, that if it should stand still; when the same man hears that there is a law, an investigation regarding mutinous and most wicked citizens, *who, armed, besieged the senate*, he would not reject the law which would stand in the court; when he would hear that there is *no crime, no audacity*, he would not be called in the court, but that *a young man* of illustrious natural talent, industry, and integrity, who is being attacked with the help of a prostitute: *he would not blame the pious*, he would think *feminine lust should be checked*, he would value your toils, for whom indeed he would rest when others are at rest.

### Notes

In this opening section, Cicero uses several rhetorical devices to impress the judges. Some words lost in translation, others are obvious even in English, so I have included a list of words. If you have no knowledge of the Latin is required in the sections to be read in English, the original Latin as well.

*of the law, of the courts, of our customs*: Cicero is very fond of triple phrases in his opening (joining article); cf. *no crime, no audacity, no violence* later.

*during the public games*: the trial was being held on 4<sup>th</sup> April, the day of the *Magister*, in which plays and games were presented. The judges would have to sit in court rather than being at the festival, and they would then have to judge the accused, so Cicero's first task is to win them over.

*the man accused*: i.e. Caelius.

*a law*: during the first century BC, there were several civil wars and considerable lawlessness; in 63 BC, Catiline raised a private army in an attempted *coup d'état*, which was suppressed with the aid of this law *de vi*; this was the law under which Caelius was charged.

*who, armed, besieged the senate*: Cicero alleged that Catiline's armed supporters had besieged the senate, although Cicero mentions this extremely violent case to contrast with the case of Caelius. There is no doubt that Cicero includes it in order to remind the judges of his role in the Catilinarian Conspiracy, for he never misses an opportunity to boast about his role. He wrote a poem containing the infamous line *Quintum natiuitatem me consulis* 'I was born in my consulship'.

*no crime, no audacity*: anaphora (beginning successive phrases with the same word, as here, *nulla*, *audacia*, *nullam*).

*a young man*: *adulescens* is the word in the Latin text, which was used to describe a young man. Caelius, however, was about 32 years old at this time, but Cicero talks as if he were a young man. The prosecutor Sempronius Atratinus ('the son of that man'), who was only 17 years old (*adulescenti*) to describe Atratinus in Section 2. This is the first hint of Cicero's strategy.

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### 3: Caelius's prestige

And indeed, gentlemen of the jury, it seems to me the most fitting way to launch the case. Marcus Caelius is first to respond to the things his accusers have said to disgrace of his good name. The issue of his father has been raised in a variety of ways. *father himself* did not live in sufficient style or the son did not accord him sufficient

As for his position, to those who know him and are older, *Marcus Caelius* easily without uttering a word and even without my defence of mine. As for those, well known because, owing to his advanced years, he has for a long time associated in the forum and in private. You may be sure of this: whatever prestige can attach to a name is certainly brought to great – it has always been regarded as a strong feature in *Marcus Caelius* regarded today, not only by those close to him but also by all those who for some time come to know him.

#### Notes

*the father himself... respect*: in Section 36, the father of Caelius is called *patrem* seems to have had little to do with his father, as he was farmed out to Licinius and he left home in his twenties, hence the accusation that he 'did not accord respect to his father'.  
*Marcus Caelius*: i.e. the father of the defendant, who had the same name as the defendant.  
*Roman knight*: see Introduction (b).

### 4: The effect of the mother on Caelius's part

But being the son of a Roman knight, he could not have been presented as groundless accusers, before either the jurors or me as the defending counsel. As for why it is certain that I can form an opinion about that. But it is definitely up to the jury's judgment. You will hear our opinion from witnesses under oath. But the part of the *mother's tears* and unbelievable sadness, the father's *mourning attire* and the *mother's* before you.

#### Notes

*mother's tears... sorrow*: note how Cicero piles up the emotive words to rouse the jury.  
*mourning attire*: it was normal practice for relatives of the accused to wear mourning clothes.

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## 7: Atratinus should not have been chosen to open the case

I was surprised and upset that this part of the prosecution was given to Atratinus to become him, *his age* did not call for it, and, as you could discern, the excellent made him uncomfortable with engaging in a plea of this sort. I could wish that among you had undertaken the role of *slanderer*: I should be considerably less more my usual self in rebutting the latitude you have granted to slander. I should Atratinus: your sense of propriety restrains my language, and I am obliged to have rendered you and *your father*.

### Notes

*his age*: Atratinus was only 17.

*slanderer*: note the choice of word. Cicero could have used the word 'accuser' using 'slanderer' here, and 'slander' two lines later, he subtly implies that

*your father*: i.e. Bestia, whom Cicero had successfully defended two months

## 8: Cicero gives Atratinus some advice

I want, however, to give you the following warning so that everyone may form keep as far away from verbal licence as you are from baseness in action; next which would cause you to blush when fabricated against yourself in return.

That path lies open to all the world. Who is there who cannot abuse as vicious and personal grace? Even if there are no grounds for suspicion, he can make plausible. But the blame for that role of yours rests with *those who wanted you* with your sense of propriety he said: I saw you said those things unwillingly you spoke with elegance and dash.

### Notes

*those who wanted you to play it*: i.e. the prosecution, and Clodia.

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## 17: Cicero defends Caelius against the charge of debt

For in respect of foreign debt which has been thrown in his teeth, having held demands for his records, *see how briefly I may respond*. He who is under the records. He never borrowed anything at all. To the charge of his extravagance you say that he inhabits it for thirty thousand (sesterces). Now, at length, I say an apartment is for sale, in whose house he lives, as I saw one for ten thousand wanting to please that man, you have fitted your house to his necessity.

### Notes

*see how briefly I may respond* (*videte, quam pauca respondeam*): note how Cicero responds briefly when he has little defence against them, stating that Caelius had no money off other debts (rather like the modern tendency to take out a new credit card). That, of course, is no defence, hence his brevity! As R G M Nesbit, *Cicero*, 'a well-tryed principle: concentrate on trivialities where your client is innocent matters where he might be guilty'.

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## Summary of Sections 19–24 (not part of the speech)

Cicero answers the charges that Caelius assaulted a certain senator and the women as they were returning home from a dinner party, by asking why the ladies concerned did not prosecute Caelius, or even ask for an out of court settlement. He hints that Clodia is behind all the accusations ('a hidden hand'). In Section 20 he does not bring forward any witnesses, but will rely on arguments, rather than what he calls 'distorted' reports. In Section 23 he mentions Herennius's part in the defence as relating to disturbances at Naples, a result of the Alexandrian envoys and their regard to the murder of Ptolemy. He states that King Ptolemy had already confessed to the charge (23–24).

## 25: Cicero discusses Herennius's speech

Therefore, let these things be removed, so that, finally, we may come to those things which I noticed, judges, that my friend Lucius Herennius Balbus was *heard by you* at this point, even if in large part you were captivated by his ingenuity and certain eloquence, and sometimes afraid lest this speech, having been finely introduced for the purpose, gradually and softly enter into your minds. *For he said a great deal concerning* youth, and habits, and, although he is gentle in the rest of his life and he is accustomed to that refinement of manners by which nearly all are delighted now, in this case he acted like an uncle, a censor, or a lecturer; he rebuked Marcus Caelius as no man's father even though he was his uncle, about incontinence and intemperance. What more can I say, judges? I forgive him, since I myself shuddered at such an unrefined kind of speech, and such a

### Notes

*heard by you*: note this flattery of the jury, which is repeated in Section 26. *For he said a great deal concerning luxury... he discoursed greatly about incontinence*: how Cicero accuses him of making a **general** attack on the morals of society, rather than a **specific** attack on Caelius. In any case, youth should be allowed some latitude.

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## 28: Cicero defends youthful pleasures

Indeed, I both saw and heard many men in this community finally rise up and they say, and be serious and distinguished men, not only [men] of the sort who with the edge of their lips and who had touched it with their fingertips, as they who had given their entire adolescence over to pleasures. For by the agreement *granted to this age*, and the very nature [of this age]... worth desires on you in such a way that they don't harm anyone's life... because anyone's home to being considered easy and bearable!

### Note

*some fun is granted to this age*: Cicero is 'skating on thin ice', here, as Caelius and Cicero's only defence is to say that young men have desires, and that

## 29: Cicero accuses Balbus of making generalised, rather than specific, charges against Caelius

But you seemed to me to wish to kindle some ill will against Caelius from this. Therefore, was there all of that silence which was bestowed on your speech by had been put forth, we were thinking about many vices? It is easy to reproach *now fail me* if I were to attempt to state the things which are able to be said on speech about corruptions, adulteries, impudence, and expenses. Even if you list those awful vices, the very matter is nevertheless able to be reproached both *characteristic of your wisdom*, judges, not to be diverted from the defendant nor which your severity and sternness... against a man, a defendant, even brought them into the case... the vices, the customs, the times, when he hatred, not because of his own crime, but because of the vice of many men.

### Notes

*The daylight would now fail me*: another poor defence, stating that there is no with a charge against which Cicero has little defence, other than to state the certain unjust hatred... because of the vice of many men'.

*But it is characteristic of your wisdom*: note Cicero's flattery of the judges, stating they be diverted from the defendant.

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### 32: Cicero answers the charges by attacking

But you are aware, *Cnaeus Domitius*, as a man of your eminent wisdom must be able to deal with no one but her; for if she says that she did not lend the money to him and say that poison was prepared by him for her, then we are acting wantonly in mentioning the name of a matron in a way so different from what is expected. If we only take away *that woman*, there is no longer any charge against Caelius, nor any resources by which to attack him, then what is my duty as the advocates of those who attack him? And, indeed, I should do so still more vigorously, if I did not know *that woman's husband*—brother—as a fact to say; I am always making this mistake. My moderation is no longer greater than my own duty to my client and the nature of the case compels me. I have never thought it my duty to engage in quarrels with anyone with whom all men have always considered *everybody's friend* rather than anyone else.

#### Notes

*Cnaeus Domitius*: the praetor in charge of the proceedings. All the various cases were tried over by praetors. Note Cicero's flattery of him: 'a man of your eminent wisdom'.  
*that woman*: *ista muliere*, a derogatory term. As is noted later in the section, Cicero rarely names Clodia, preferring to call her 'that woman', or 'her', using the pronoun *ista*. This word has a derogatory association, often used to refer to the defendant.  
*that woman's husband*—brother: note the repetition (*istius mulieris*); there was no doubt that Clodia was on intimate terms with her brother, Clodius.

*everybody's friend*: the Latin is *amicam omnium*; *amica* was used by the comic poets to mean 'mistress' and this is undoubtedly what Cicero attaches to her. This deserves attention: *amicam omnium, inquam cuiusquam inimicam*. In addition to *amica*, there is polyptoton and chiasmus.

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- 4 *exsistat*: jussive subjunctive\*, 'let someone come forth'.
- 6 *qui*: a connecting relative pronoun; translate it as 'he' or 'Caecus'.
- si exstiterit*: future perfect in a conditional clause\*; literally, it means, but English uses the present tense, 'if he comes forward'. Latin is more accurate because he will not plead until he has come forward in the future, hence the present tense. Translate it as a present tense.
- quid tibi cum Caelio*, etc: the verb *est* is understood, *tibi* being dative of the person interested. The *quid* is frequently used in early Roman comedy.
- 7 *huic*: in this case *huic* usually refers to the defendant (Caelius) while *imaginem* is Caecus pointing towards Caelius as he said this to win the case.
- 7-8 *ut... commodares... ut... timeres*: result (consecutive) clauses\*, signposts

## Style and context notes

- 1 *me secum*: the juxtaposition highlights the opposition of the two, Cicero and Appianus. *severe... urbane*: a very intricate balance: not only are there three adverbs, but the arrangement of each set of adverbs is two second declension adverbs enclosing order around a third declension adverb ending in *-iter*. *propter* is significant as it is a pointer to the introduction of the famous Appianus.
- 2 *illo austero more ac modo*: the assonance of *o* adds to the grandeur of the Cicero drawing out the *o*, *illooo austerooo moore... modooo*. This contrast is seen in *hac barbula, qua ista delectatur, sed illa horrida*, in which seven of the eight letters are the same, which, again, Cicero probably drew out to show his disdain of the slothful present young men about town.
- 2-3 *barbatus... barbula*: *barbatus* is the repetition of the root of a word (*barba*) meaning 'bearded', the old-fashioned style of wearing long beards. Cicero is contrasting this with the trimmed beards, for which he uses the contemptuous diminutive *barbula*. The use of the pronoun *illis* meaning 'well-known, famous'. The contrast is seen in the chiasmus, *barbatus illis non hac barbula*, followed by balance, *non hac barbula illis*.
- 3 *ista*: see the note on Section 2, 'someone else'; the pronoun *iste* was frequently used to refer to the defendant because of its hissing sound. Here, it is used three times in three lines. The contrast of *ista* with *ille* in this section is very noticeable.
- statuis antiquis atque imaginibus*: a typical example of Cicero using two adjectives to suffice (pleonasm).
- 4 *obiurget mulierem... pro me loquatur*: another chiasmus, the blaming of Appianus for the support of Cicero. Note the derogatory *mulierem*; Cicero refuses to call her a woman. *mihi ista*: the juxtaposition emphasises the contrast between Cicero and Appianus.
- 5 *potissimum... minimum*: superlative *potissimum* with *minimum* in an emphatic pair.
- Caecus ille*: note the use of the pronoun meaning 'the famous' inserted between the names of the distinguished member of the Claudian family, Appianus, and the less distinguished member. In 312 BC, Appianus Claudius became censor and ordered the first aqueduct, which ran underground for most of its length, and connected Rome with Capua, to which Cicero refers at the end of Section 34. Appianus was a lawyer and author of prose and verse works. He became blind, hence the name *Caecus*, opposing the proposed peace terms with Pyrrhus (see Section 34), Cicero is said to have wished he was deaf and dumb as well.

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## Section 34: Caecus criticises Clodia's affair with

'non denique modo te Quinti Metelli matrimonium tenuisse sciebas, clarissimi patriaeque amantissimi, qui simul ac pedem limine extulerat, omnes prope civis superabat? cum ex amplissimo genere in familiam clarissimam nupsisses, cum coniunctus fuit? cognatus, adfinis, viri tui familiaris? nihil eorum. quid igitur ac libido? nonne te, si nostrae imagines viriles non viderent, acceperant, ne progenies Claudia, aemulam domesticae laudis in gloria non ulisses? esse admonebat, non vi quae patrem complexa triumpharet? ubi amico tribuno plebei de curru detracta fraterna vitia potius quam aeterna et avita et usque a nobis cum in viris repetita morantur? ut ego pacem Pyrrhi diremi ut tu amorum turpissimum ferires, ideo te adduxi ut ea tu incestu uterere, ideo viam munivi ut eam celebrares?

### Translation

'Finally, did you not remember that only just now you had had a marriage famous and very brave man and a very great patriot, who, as soon as he had crossed the threshold, surpassed almost every citizen in goodness, fame and rank? Since you had brought your very distinguished clan into a very famous family, why was Caelius such a relative, an in-law, a friend of your husband? He was none of these. Was it then, if it was not a certain rashness and passion? If our male ancestral busts did not even my descendant, the famous Quinta Claudia, advise you to be the same in the matter of womanly glory, did not the famous Vestal virgin Claudia, who, in his triumph, did not allow him to be dragged from his chariot by a host of women, did the vices of your brother move you rather than the good points of your husband, which were continually recalled by the people among the men and even among the women? For the reason that I broke off peace with Pyrrhus, so that you might make treaties with him, did I bring in water to use for immoral purposes, did I build the (Atrium) for its renown, being accompanied by other people's husbands?'

### Grammar and translation notes

- 1 *sciebas*, here, means 'remember', rather than 'know'.  
*te... tenuisse*: indirect statement\*.
- 2 *patriae*: some adjectives take an object in the genitive case.  
*limine*: ablative of place whence\*; with *extuleras* it implies leaving the house.  
*virtute, gloria, dignitate*: ablatives of respect.
- 4 *cognatus, adfinis, viri tui familiaris*: understand *-ne* to introduce the question needed in the next sentence, also.  
*quid... fuit*: understand *rationis* or *sententiae* (artificive genitives), 'What is the reason... was?'
- 5 *nonne* and *num* both introduce yes/no questions; *nonne* expects the answer 'yes'.
- 9-10 *ut... uteretur*: three *ut* clauses are all purpose clauses\*.
- 10 *uteretur*: contracted form of *utereris*: the contraction was used more often in prose, though the later writer Livy tended to use it often, usually at the end of a sentence.  
*viris*: ablative of the agent, here; *comito* is regularly used without a preposition.

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- 8 *fraterna vitia... bona paterna*: chiasmus, effectively contrasting the vices (*fraterna vitia*), with the good behaviour of her father and grandfather. Dyke and Longley point out, *vitia* and *bona* are a reference to Clodius himself as a woman in an attempt to get into an all-women festival in 62 BC, which was being held in the house of Julius Caesar and where the affair with Caesar's wife. Cicero prosecuted Clodius, but he was acquitted. He procured the exile of Cicero in 58 BC. Consequently, they were bitterly missed an opportunity of verbally attacking Clodius in his speeches. *Bona Dea* illustrates a major difference between the Roman and British of reference words which would be inadmissible in a British court as Clodius bears the blame for the case.

*tum etiam in feminis*: Austin makes the valid point that Cicero is using *femina* sense, rather than *mulier*, which he tends to use in a derogatory sense. Section 33, line 6. *tum etiam* is inserted by Cicero as comparison of Clodius if it was with noble women, rather than noble men.

- 9 *pacem Pyrrhi*: up until 282 BC, the Romans had not interfered in Southern Italy. Several Greek colonies, but when Rome sent an expedition to Thurii for help, Tarentum objected, and asked Pyrrhus, King of Epirus, for help. A series of victories which were achieved with heavy losses (hence the name Pyrrhus) Pyrrhus asked for a treaty. Caecus, by then very old, successfully opposed him in the Senate.

- 9–10 *turpissimorum amorum foedera ferires*: Clodia's 'arrangements' are a rather disgraceful peace treaty, unless this is a veiled allusion to Clodia receiving money. Cicero heightens by the use of the plural *foedera* and the insertion of *cotidie*, 'daily'. The superlative and the homoioteleuton (the same ending in adjacent or parallel words). Longley draws attention to the play on words between *foedus*, 'treaty'.

- 10 *aquam adduxi... in munivi*: see the note on Section 33, line 5.

*ideo... ut, ideo... ut*: tricolon with anaphora and asyndeton. The second and third phrases, *ideo aquam adduxi, ut ea tu... uterere, ideo viam*. Even the phrases *aquam adduxi... viam munivi* balance as they both have a long syllable followed by a short syllable (iamb + molossus).

*alienis viris*: see the note on Section 33, line 7. Cicero does not miss any

- 10–11 Cicero rounds off a fine sentence with alliteration of *c... t, t, c... r, r* and *a... t, t, a... t*.

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- 4 *nulla persona introducta*: ablative absolute\*; it is best translated as 'with no person introduced'.
- 6 *exponas*: present subjunctive; understand *ut*, which is often omitted with the subjunctive.
- 7 *actas*: editors vary between 'beach parties' (most) and 'house on the sea' (less likely); the former makes the latter interpretation unlikely.
- idemque* refers to *accusatores*.
- 7–8 *nihil se te invita dicere*: indirect statement\* introduced by *nihil*, *se dicere* containing an infinitive; take the words in the following as the words of the accusers, 'that they', *dicere* 'say', *nihil* 'nothing', *te invita* 'without your invitation'. The ablative absolute understood is *te invita* 'without your invitation', and is found in many other places, e.g. *te duce* 'under your leadership'.
- 8 *nescio qua*: *nescio* was used idiomatically with *qui*, *quae*, *quod*, 'I don't know what/who/which', so, here, with *mente... effrenata* 'unbridled and reckless frame of mind'.
- 9 *diluas oportet*: supply *quae* as the object; as with *necesse est* in line 6, *oportet* takes the subjunctive without *ut*, as here, though it is more normally found with the infinitive.
- falsa*: this also refers back to *quae*.
- 9–10 *nihil... crimini... testimonio credendum esse*: an indirect statement\* introduced by *nihil* (see the note on Section 34, line 10). When *credo* is used in the passive (which it is, in effect, a passive), it has to be used impersonally, as *credo* takes a dative, e.g. *credo tibi* 'I believe you', *credo crimini... testimonio*.

## Style and context notes

- 1 *personam*: *persona* originally meant 'mask', and then, because the mask was used to represent a character in a play, it came to mean a character in a play. In the introduction to the way he is going to treat the situation, as if it were a play, Cicero introduces the characters of early Latin comedy, with Clodia portrayed as the prostitute (*meretrix*) and Appius as the severe head of the family (*paterfamilias*).
- se idem*: a regular feature of Roman oratory was the use of the reflexive pronouns referring to the same person, as here; it is used especially with the reflexive pronoun *ipse*; cf. *illa sua* in line 2 and *ipse tecum* in line 4.
- 2 *censoria*: Appius Claudius Caecus was a censor, who annoyed several senators, excluding some, and admitting sons of freedmen into the Senate.
- 3 *mulier*: see the note on Section 33, line 4. This direct address to a person is a common feature of Roman oratory.
- 4 *persona*: see the note on line 1 and note the polyptoton.
- 4–5 *quae facis... arguis*: the repeated *quae* is an example of anaphora and asyndeton, and the repetition of *arguis* creates a sibilance created by using the second person singular of the verb; note the ending of each verb shows his contempt of Clodia.
- 5–6 *tanto magis*: another example of anaphora and asyndeton, and the repetition of *magis* creates a sibilance. Note, also, the use of the prefix *con-* (= *cum*) which emphasizes the association with Caelius, as does *familiaritatis*, which means 'close friendship'.
- 6–8 *accusatores... dicere*: Cicero now makes a very valid point, that Clodia is a woman of many vices, which is strange, so they must be true, unless she is a prostitute, as he states in line 9. The list seems endless, with some overlap, as the

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## Section 36: Cicero imagines how Clodia's youngest brother

sin autem urbanus me agere mavis, sic agam tecum; removebo illum senem  
ex his igitur [tuis] sumam aliquem ac potissimum minimum fratrem, qui est  
qui te amat plurimum, qui propter nescio quam, credo, timiditatem et nocturnum  
tecum semper pusio cum maiore sorore cubitabat. eum putato tecum loqui:  
5 quid insanis?

quid clamorem exorsa verbis parvum in magnam facis?

vicinum adolescentulum agnoscis? color huius te et proceritas, vultus oculi  
videre voluisti; fuisti in horto inquam in isdem hortis; vis nobilis mulier illum  
ac tenaci huius copulis devinctum; non potes; calcitrat, respuit, repellit, non  
10 tanti. confestim hinc. habes hortos ad Tiberim ac diligenter eo loco paratos, quod  
causa venit; hinc licet condiciones cotidie legas; cur huic, qui te spernit, molestiam

### Translation

However, if you prefer me to deal with you in a more civilised manner, I will  
I will get rid of that stern and almost rustic old man; therefore, I will take one  
and, in particular, your youngest brother, who is very slick in that manner  
you very much, and on account of some nervousness, I suppose, and certainly  
when he was a little boy, he was always in the habit of sleeping with you, and  
speaking with you: 'Why are you making a disturbance, sister? Why are you

Why have you begun shouting and with your words are making a

You saw your neighbour, a mere stripling, with his attractiveness and tallness,  
distraction. You wanted to see him frequently; you were several times  
a noble lady, want to have a bit of a stingy, tight-fisted head of the family  
are unable to do so. He resists, rebuffs, repels you and does not consider  
high price, but you yourself off somewhere else. You have gardens near the Tiber  
that place where all the young men come in order to swim; from this place  
contracts daily; why are you annoying to this man, who scorns you?

### Grammar and translation notes

- [tuis]: Longley, following Austin, brackets this word, regarding it as  
explaining what *his* refers to and which became incorporated into the  
Loeb edition and Dyke do not bracket it. Dyke argues that *his* must refer to  
family' and keeps *tuis*. This explanation, however, is difficult to accept.  
*aliquem ac potissimum*, '(I will pick) **someone** from these **and in particular**  
means 'modern young men' in contrast with the *bearded* (long-bearded).  
problem with this interpretation lies in his assumption that *his* refers to  
sections away; a possible solution is that *his* may refer to *urbanus* in  
says that he is going to deal with you in a more civilised way, so he chooses some  
civilised men.
- plurimum*: superlative of extent, showing how much Publius loved Clodia.  
*nescio quam*: see the note on Section 35, line 8.
- putato*: the second imperative, which is mainly used in legal documents  
a mock solemn tone to the speech.

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- 4 *maiore sorore*: note the *-or* sound, of which Cicero seems quite fond, e.g. *maior* in *maiora* in line 1.
- 4–6 *quid... quid... quid*: tricolon, with anaphora and apostrophe (see the note on line 4).
- 6 *quid... facis*: a line from a comedy now lost.
- 7 *adulescentulum*: see the note on Section 33.7. The diminutive is used throughout this section.

*huius te*: the juxtaposition accentuates the contrast between the young man's fading beauty, Clodia, but this is exaggerated, as Clodia must have had many lovers whom Cicero, by trying to have it both ways, ascribes to her.

- 8 *videri*: alliteration; Cicero could have used the imperfect tense *videreris* in view of the following *fuisti*, which is in an unusual position, and is probably influenced by the hissing sound of *isti*, which is very close to *videri*.
- non numquam*: litotes, 'not never' = 'quite often'; see the note on Section 33.7.
- nobilis mulier*: sarcastic, which is in juxtaposition with *illum*, which is *probrum*.
- filium familias patre parco*: alliteration. Dyke, quoting Leigh, states that two and three of Terence's six plays involve a love affair between a prostitute and a young man. The parallel with Clodia's affair with the neighbouring Caelius includes in this imaginary conversation various references to the father who was a regular feature of early comedy and a quote from a note on line 7.

- 9 *tuis copiis*: Clodia was very rich, mainly since she inherited her husband's property; she had a house on the Palatine, a very fashionable area, on which Nero later built palaces, gardens near the Tiber (*ad Tiberim*, line 10) and (and 35). In addition, she was said to have an amount of gold, if the prologue to Caelius is true.

*calciat* and *repellit*: a tricolon of very strong words in asyndeton rejecting Clodia. They are all metaphorical in origin, and describe rejection. The root of *calciat* is *calx*, 'heel', which is used elsewhere in the text, e.g. *calceat* in line 11, as an equivalent to the English 'fight tooth and nail' or 'grind to bits', which, according to Lewis and Short, *A Latin Dictionary*, was used 'as *repellit* is an echo of *pepulerunt* in line 7 (polyptoton), so Caelius throws her face, repeating the prefix *re-*.

- 9–10 *non putat tua dona esse tanti*: the alliteration of *t* emphasises the (spitting) rejection of *dona* echoing *non*. *esse* is often omitted with expressions of value, so the sibilance, again emphasising the rejection.
- 10 *confer te alio*: another phrase which has its roots in comedy, as Terence's *confer te alio conferas*.
- 11 *licet condiciones cotidie legas*: a neat 'as is' pattern of alliteration, *l, c, l, c*, comment. *lego* means 'pick up, collect', and is used here meaning 'collect', translated 'pick up' with the derogatory English sense. The high register, with the derogatory tone, 'arrangements are two a penny' to use the phrase, is emphasised by the alliteration. *legas* is a variation on *sumam* in line 2. In view of *cotidie*, 'daily', I have the sarcastic tone of this sentence, which is emphasised by the alliteration and assonance of *co* and *i*.

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- 10 *vix ferendi*: understand *tales patres sunt*: *ferendi* is a gerundive of obligation. Although the gerundive does not exist in English, it can often be translated in -able or -ible, as here, 'endurable'.

*diceret*: potential subjunctive; the subjunctive represents the apodosis if the conditional clause is understood, e.g. 'such a father would say (if he were to say)'.

*illecebris cognitis*: ablative absolute\*, 'when [she] recognised her enticements', as *illecebris* would then be in the accusative.

- 12 *alienam... mulierem*: editors usually translate this as referring to someone 'not to the family'. *mulier* can mean wife, *alienam... mulierem* surely 'other people's husbands' (34.10), so, here, it means 'some other person' 'did you become acquainted with'.

- 13 *per me* means 'as far as I am concerned'.

*tibi*: both *licet* and *dolebit* are used impersonally, here, with the underlined dative.

- 14 *aetatis* is a partitive genitive\*, the genitive, *aetatis... meae* representing 'of my age'. *relicuom est* is a part; *relicuom* is an early Latin form of *reliquum* (neuter). *qui... oblectem*: a purpose clause\*; if the subject of the purpose clause is the same as the subject of the main clause, *qui* is often used instead of *ut*.

## Style and context notes

Cicero continues the comic theme by assuming the role of the typical student of several lines, probably from the comic poet Caecilius. By his repetition of *potissimum* and *sumam* of Clodia, he makes it clear that he will use the same method when he questions the criticism of unfairness. Cicero includes the following echoes: *vicinitatem meretricis* (36.7), *conculisti* (37.10), *confer te alio* (36.10); *alienam* (37.12).

\* presumable means *alienis*, or *alieno* in 33.7.

### Activity 1

Early comedy used various rhetorical devices; from the lines quoted below, identify alliteration, anaphora, asyndeton, apostrophe and tricolon. Answers at the end of the section.

- 1–2 *severitatem... durum*: there is some alliteration of *s*, *p* and *m*, but it may be coincidence.
- 2 *potissimum sumam*: Cicero has used *potissimum* in discussing whom he loves best, viz. *ac potissimum Caecus ille* (33.5), *sumam... ac potissimum mihi* (33.6), *potissimum sumam* (note the reverse order and the double superlative). Cicero uses *potissimum* seven times in *pro Caelio*.
- durum*: used in Section 36, line 1, to describe Caecus.
- 7 *ferrei*: 'iron-like'; note the personification and the metaphor, emphasising how hard he is.
- 10 *ferendi* is probably a play on the word *ferrei* in line 7.
- meretricis*: Cicero does not miss any opportunity to cast a slur on Clodia; he emphasises his contempt of her.
- 10–11 *|-ām cōntūl|istī... |nōn rēfūg|istī|*: Dyke wrongly refers to these words as the favourite Ciceronian clausulae ending which is clearly wrong, as the words are not in the original.
- 13–14 Note the polyptoton, *me... mihi... meae* and the chiasmic arrangement.

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- 2 *quotus quisque*: take these words together, 'How few'.  
*istam* refers to *fama*; by the use of *istam*, Cicero implies that the rumour has a derogatory meaning here.
- 3 *vicinum... audisse*: indirect statement\*; *audisse* is a contracted form of *audivisse* and means 'to have acquired a bad reputation'.
- 4 *leni... et clementi patre*: ablative of attendant circumstances, ablative of understanding a verb such as *prospicere*, 'sprung from'.
- 7 *esset* and *defenderet*: perfect subjunctives, understanding a condition that was being fulfilled.  
*in ista* = 'in this cause', 'against' here, as in the title of several speeches, e.g. *in ista causa*.
- 8 *aliqua* is nominative feminine singular, understanding *mulier*.  
*istius*: understand *mulieris*, i.e. Clodia. *similis* and *dissimilis* can be found in the accusative, as here, or the dative.
- quae... pervulgaret... sustineret*: the subjunctives are probably generic, but they would be subjunctive anyway, as they are part of the condition.
- 9 *decretum* is from *decerno* and means 'designated' here.
- 11 *paulo*: ablative of the measure of difference, showing by how much one thing is better than something else, so it is usually found with a comparative, as here with *multo*, e.g. *multo sapientior*, 'much wiser'.
- 12 *salutasset* = *salutavisset*.

### Style and context notes

#### Activity

List the various derogatory terms referring to Clodia in this section.

- 1 *huic tristi ac derecto seni* may be a reference to the earlier *aliquem vehementer* contrasted with *leni... et clementi patre* in line 4. Longley regards the two adjectives and the pronoun agree with *seni*, there is no contrast.
- 2 *nulli sumptus, nulla iactura, nulla versura*: a tricolon, with anaphora, parallelism and homoioteleuton (*-ura* repeated).  
*at fuit fama*: Cicero often uses *at* to introduce an imaginary objection, 'someone might say'. Other authors, particularly Virgil (184 times) also use *at* for a change of speaker or scene, as Cicero himself uses it in 44.1.  
 Note the alliteration of *f*, which is followed immediately by the alliteration of *v*.
- 3 *eius mulieris miraris male audire*: *audire* combines with alliteration of *-ris* to express Cicero's contempt for Clodia.  
*cuius* = 'whose', *fratris* = 'brother's'. *fratris* is another favourite word of Cicero; Lewis says it is found 10 times from Plautus. It means a full brother, as opposed to a half brother, but it came to mean 'genuine', as in Section 26. *cuius* refers to Clodia, and *fratris* is used sarcastically, implying that this Clodius was just as bad as Clodia, as 'old block', though that refers to parents, not brothers.

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- 3 *robore: robur* originally meant 'oak', then any kind of hard wood, final strong wood. So, this is a metaphor. Note the balance of *hoc robore* and *continentiae* which is partly ruined by the addition of *continentiae*.
- 4 *respueret* is another metaphor, as its basic meaning is 'spit back', so 'reject' of Section 36.9, reminding the judges how Caelius had rejected Clodius.
- 5 *in labore corporis atque in animi contentione*: a combination of balance (and chiasmus (ablative, genitive, gerundive, ablative)). There is also asyndeton: *conficeret*.
- 5–6 *non... delectare*: another fivefold use of *hic* in the rhetorical question, followed by two further negatives to prove that Caelius does not please the activities (a sledgehammer to crack a nut!). Note the anastrophe: *nonne...?*
- 7–8 *mea sententia... puto*: pleonasm, the use of more words than is necessary, jarring in translation, 'I think, in my opinion' (who else's opinion was it to worry the Romans, who regarded it as a stylistic feature).
- 8 *Camillos, Fabricios, Curios*: Marcus Furius Camillus was a very famous Roman, later legends associated with him, e.g. that he saved Rome from the Gauls. It is clear from other sources that the Gauls captured Rome and only were driven out. Nevertheless, he was appointed dictator five times, a record exceeded by Sulla. C. Fabricius Luscinus was renowned for his virtues, particularly his honesty, his refusal of bribes by King Pyrrhus and the Samnites, and as censor, having attended to the tide of luxury, even expelling a senator for possessing ten pounds worth of silver. Manius Curius Dentatus was a famous Roman, and, like Fabricius, known for his honesty. He defeated the Samnites and the Sabines in various battles, drove Pyrrhus to a close with a naval victory, gaining very rich spoils, but kept them for the state. The choice of these three names is obviously connected with their reputation for honesty and the 'good old days', but there may have been another connection: members of these families still living at the time of this trial, and, indeed, the judges, so that reference to their ancestors would tend to earn their support. Members of these families had close connections with Cicero, as a member of the *patres* was a close friend of Cicero and left him property in his will, while a member of the *plebs* had (unsuccessfully) proposed that Cicero be recalled from exile.

### Answers to Activity 3:

**polyptoton:** *haec, hanc, hunc, hanc, haec; hoc, hac, hunc, hoc, haec*: the first five are contempt, the latter five are complimentary. *tua, tu, tibi, tu*: as with the first five, the first is accusatory and contemptuous. *adulescentes, adulescentiam*, stressing the youth of Caelius, with no special reason. *voluptatibus, voluptates*: emphasising his passions. *vitam...* with no special reason.

**variatio:** *commendavit et tradidit*: emphasising the result of entrusting Caelius to the judges, *remissio*, but they refer to different kinds of relaxation, one bodily, the second mental. *nonne...?* with no special reason other than Cicero's innate desire for pleonasm and the creation of a rhetorical effect.

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[41]

- 1 *sapientes* is accusative and is the subject of the indirect statement\*, with
- 2 *coniungendam*: gerundive of obligation; understand *esse* to complete 'to be combined'.
- 3 *dicendi facultate*: *dicendi* is a gerund, 'of speaking', i.e. 'oratory', and *facultate* 'by the fluency'.
- 3-4 *qui* is postponed (postposition); the word order is as follows: *prope se illud... labore, sunt in se...*
- 5 *quibus*: instrumental ablative.
- 5-7 *conivisset* and *caperetur* are purpose clauses\*; 'nature produced by virtue might be lulled to sleep by them and turn a blind eye', etc.
- lubricas*: 'slippery', i.e. dangerous, implies impending disaster, as in view of its separation from *multas vias*, it is better to translate it predictably rather than translate it as 'many slippery paths'.
- illa*: i.e. *adulescentia*.
- 7 *qua... caperetur*: the sense is that the variety of many very pleasant things of that generation was not a new thing; it was already well established in previous

## Style and context notes

This section deals with early and contemporary Roman attitudes towards philosophy between Stoicism and Epicureanism. The ancient way of life was austere, as that self-control was all-important, and this education involved abstinence for as opposed to life in Cicero's time, when pleasurable activities were the norm. Epicureanism as it developed in the poet Lucretius, an advocate of Epicureanism.

[40]

- 1-2 *libris... vitae*: *variatio*, though there is a slight difference, in that *chamaeleon* records, rather than books.
- (lib)rīs rēpērī|ūntūr: the favourite ending, resolved cretic + trochee; see examples in Sections 42 and 49.
- 2 *obsoleverunt*: ancient 'books' took the form of rolls of papyrus, which Cicero is also referring to their contents, (*illam pristinam severitatem*), into disuse by the first century BC.
- 2-3 *neque solum apud... sed etiam apud*: balance. Cicero is quite fond of using *sed (etiam)*; see below in Section 41, line 12. There are 21 instances in this text throw emphasis onto the second element 'not only did he..., he even...'
- 3 *sectam rationemque*: *variatio*, as both words are 'doctrine'. Cicero pleonasm to get an alliterative phrase: *r... v, s (rationem vitae... re...)* following his natural tendency towards verbosity.
- Cicero is referring to the Stoic view of life. It began in Athens, where the Stoics met in a colonnade (Stoa – hence the name). The basic tenet of the Stoics was that which involved abstinence from pleasures (*pristinam severitatem*), and to be found in books and in schools because it was hard to practise (as in speech, the most noted Stoic was Cato, who had supported Cicero's father against the Catilinarian conspirators. Later, he fought on Pompey's side in the civil war and suicide when his attempt to hold Utica against Caesar's forces failed).

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## Section 42: Cicero gives advice on morality to

quam ob rem si quem forte inveneritis, qui aspernetur oculis pulchritudinem  
tactu, non sapore capiat, excludat auribus omnem suavitatem, huic homini  
propitios, plerique autem iratos putabunt. ergo haec deserta via et inculta atque  
et virgultis relinquatur; detur aliquid\*\* ludus aetati; sit adulescentia liberior;  
denegentur; non semper superet vera illa et directior ratio; vincat aliquando cura  
rationem, dum modo illa in hoc genere praesens moderatioque teneatur: ne  
suae ne spoliaret alienam, ne effunderet in suum, ne faenore trucidetur, ne in  
atque familiam, ne probrium in se labem integris, infamiam bonis inferat, ne  
insidiis, scelere, carere, cum paruerit voluptatibus, dederit aliquid  
atque ad inmodicam adulescentiae cupiditates, revocet se aliquando ad curam  
forensis, rei publicae ut ea, quae ratione antea non perspexerat, satietate abieci  
contempsisse videatur.

\*\* see Grammar note.

### Translation

Therefore, if perchance, you find anyone (of the type) who disdains the beautiful, is not captivated by any smell, touch or taste and shuts out all pleasantness from his ears, few, will consider the gods favourable to this man but the majority will consider him to have let this deserted road, which is neglected and cut off now by branches and thickets, some fun be allowed to youth; let youth be freer; not everything should be allowed; the well-known straight doctrine should not always prevail; occasionally, desire should overcome doctrine, provided that the following *firmness and moderation* is maintained in this activity: let the young man avoid harming his own virtue, lest he ruin some part of his inheritance, lest he be ruined by extravagance, lest he invade another's house and bring disgrace upon the pure, lest he bring dishonour upon the good, lest he be involved in violence, lest he be drawn into a plot, let him be free from crime; finally, when he has had some pleasures, let him have given some time to the sport of his age, and to these things let him turn back at some stage to the attention to domestic affairs, legal matters, etc. may seem to have discarded those things which he previously had not seen; let him have had enough of them, and to have despised when he had tried them.

### Grammar and translation notes

- 1 *inveneritis*: future perfect; see the note on Section 33.6.  
*qui*: refers back to *quem*, which means 'anyone/someone'.
- 1-2 *aspernetur... capiat, excludat*: the subjunctives are generic, indicating a general truth or talking about a type of person.  
*oculis... odore... tactu... sapore*: instrumental case, 'with his eyes... with his nose... with his touch... with his taste'.
- 2 *auribus*: ablative of separation, 'from his ears'.  
*huic homini* is dative, governed by *propitios*, 'favourable to this man'.
- 4-5 *detur*: all the verbs are jussive, 'let (this path) be abandoned, let (youth) be freer, let (curiosity) be allowed, let (reason) be allowed, let (crime) be avoided, let (extravagance) be avoided, let (pleasure) be allowed, let (moderation) be maintained'.
- 4 *dum modo... teneatur*: a conditional clause.  
*detur aliquid ludus aetati*: this is a combination of two manuscript readings, 'let something be allowed to youth' (Dyke and the Loeb) and *detur aliquid aetati* 'let something be allowed to youth' (Austin). Unless the Bloomsbury edition contains a different reading, the correct translation is 'let something be allowed to youth'.

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6–9 Note the following points:

*parcat inventus... scelere careat*: the two positive commands arranged in prohibitions (enclosing order);

*ne spoliēt... insidiis*: anaphora (seven times);

*ne spoliēt alienam, ne effundat patrimonium, ne faer...* *trucidetur*: the first and last two form a chiasmus;

*trucidetur* is a very strong word (a's normal meaning is 'slaughter', but metaphorically, here *trucidetur* is similarly strong, as it often means 'invade' or 'conquer');

*probris... libetis, labem integris, infamiam bonis*: balance of the parts of speech, singular followed by the plural, but each phrase is a contrast of bad and good.

The juxtaposition of two words beginning with *in*, of which there are many in Section 42 (including *inter*, which is a different prefix), would seem to be a stylistic flourish.

9 *ludum aetatis*, 'the sport of youth', is a euphemism for love affairs. Cf. the point in Section 28, 'some fun is granted to this age'.

10 *adulescentiae cupiditates... curam rei domesticae*: chiasmus (genitive, accusative).

11–12 *rei domesticae, rei forensis, rei publicae*: anaphora and a tricolon, with *rei* repeated, the idea of abandoning vain desires (*inanes... cupiditates*) and going to the important things.

*ratione... perspexerat, satietate abiecit... apertis... contempsisse*: Cicero's balanced tricolon with homoioteleuton and the favourite clausular ending *-isse*.

Note, also, the variation *variis... eriendo*, as Cicero could easily have used *experire* instead of the gerund instead.

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## Style and context notes

- 1 *multi... memoria*: the alliteration of *m*, the insertion of *quidem* and the *clarissimi* emphasise Cicero's respect for the large number of virtuous misspent youth.
- 2 *defervissent* is a metaphor, as the root, *fervere*, means 'boil over', so the word which is also used metaphorically in English.
- firmata iam aetate*: as Dyke notes (p. 67), this is a variant on Section 41.12.
- 3 *neminem... nominavit*: the same pattern of alliteration, *n*, *m*, *in* repeated which is followed by more assonance *vos vobiscum* and polyptoton.
- 4 *ne minusquam quidem erratum cum maxima laude*: two contrasting superlatives in this short section.
- 5 *multi... summi atque ornatissimi viri*: (two more superlatives); variation *clarissimi cives* in line 1. By repeating this phrase, Cicero is using the famous men were excused for their indiscretions in youth, Caelius said.
- 7 *(excusati)one defenderet*: Cicero ends with a double cretic | – v – | – v x

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3–4 *non modo non, sed etiam*: literally, ‘not only not... but also’, which is better translated as ‘not only... but even’. The point Cicero is making here, and in the next sentence, is that as the desire for food and drink increases, it diminishes one’s libido.

4 *aetas*: *aetas* usually means ‘age, lifetime’, but it is often used to describe youth. In Section 42, lines 4 and 9, it means ‘youth’; here, however, it means increasing age, i.e. as one grows older.

(*hae deliciae*) *quae vocantur*, literally ‘which are called’, corresponds to Catullus, writing at around the time of this trial, calls Lesbia’s pet sparrow ‘*deliciae*’, where it means ‘treasure’; so the familiarity was clearly in vogue.

4–5 *quae*: take *praeditis* with *molestae*, ‘troublesome to those endowed with’. *non solum* is followed by *ut* and *ut* is followed by *ut*. *praeditis* is a past participle, ‘people endowed with’.

5 *hunc*: ‘the defendant’, i.e. Caelius, as in 39.1.

6 *impeditumve*: some texts have *-que*, so when translating, be careful to include it. [45]

1 *haec* is neuter plural, ‘these things’, not feminine singular agreeing with *sententiarum*.

2 *sententiarum*: opinions passed in previous cases, i.e. precedents.

*quae*: translate it as ‘such’

*qui*: Dyke quotes an example from Cicero, *qui meus amor est*, ‘such is my love’, that *sapientia*, here, is nominative, not ablative, as Longley states.

3 *in eo* is ambiguous, as it could refer to *genus* (Dyke) or Caelius (Longley). Caelius would incline one towards the latter interpretation, but Latin often uses the same word meaning different things as modern English.

4 *ipsum*: the translation of *ipse* with the reflexive *se* and *suius* is questionable. It is difficult to translate into English; I have inserted the word ‘inherent’ to convey the force of the Latin; see the note on 35.1.

*fallebat* is used impersonally, here, with the subject being expressed as ‘it escaped my notice’, or ‘I was deceived’.

5 *instituta* is the participle used adjectivally, agreeing with *ratio*, not the *vigiliis* refers to keeping awake at night, hence its military use to refer to sentries. Here, it means that Caelius often worked late at night, hence the free translation ‘midnight oil’.

## Style and context notes

[44]

1 *at*: see the note on 38.2. Here, Cicero moves from the generalisation about young men to the particular case of Caelius.

2–3 *nulla, nulli, nullum, nullius*: Cicero uses anaphora, polyptoton and asyndeton. Caelius of the vices mentioned in Section 38 (*nulli sumptus*) because of the rumour of their existence (*at fuit fama*). This repeated use of *nullus* whether it is because Cicero liked the sound of his own voice, or because senators tended to wander off to what they might be doing on this point. This quadricolon, as with a tricolon, has a longer final element than the

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## Sections 45 (continued) to 46: Pleasures must be abandoned

- 6 atqui scitote, iudices, eas cupiditates, quae obiciuntur Caelio, atque haec studia  
facile in eodem homine esse posse. fieri enim non potest ut animus libidini de  
cupiditate, saepe nimia copia, inopia etiam non numquam impeditus hoc, quic  
facimus in dicendo, quoquo modo facimus non modo agendo, verum etiam co
- 1 [46] an vos aliam causam esse ullam putatis, cur ita his praemiis eloquentiae  
tanta laude, tanta gratia, tanto honore tamque potestati semperque fuerint, qui  
obterendae sunt omnes voluntates, relinquenda studia delectationis, ludus, ioc  
paene est familiarum deest. quare in hoc genere labor offendit homines  
5 quo aut in rebus aut doctrina puerilis.

### Translation

[45] However, judges, know that those passions which are being cast in Caelio's  
pursuits, which I am discussing, cannot easily exist in the same person. For  
devoted to lust, hindered by love, desire, passion, often by excessive wealth  
of it, can sustain this, whatever it is, that we do in speaking, however we do  
even in the planning.

[46] Or do you think that there is any other reason why, amid such great  
great pleasure in speaking, such praise, so much influence, such great prestige  
always have been, who involve themselves in this work? All pleasures must  
pleasure abandoned, love affairs, joking, banquets, almost conversation will  
abandoned. Therefore, in this type of work, it is toil that repels men and do  
because either talents or boyhood training are lacking.

### Grammar and translation notes

[45]

- 6 *scitote* does not have the normal imperative; instead, it has an *atque*-*tote*, which was used mainly in laws.

The structure of the sentence is as follows: the main clause is *scitote eas cupiditates non posse esse* (indirect statement\*). The two abstract nouns are then *quae obiciuntur Caelio*: *obicere* basically means 'throw against' so 'reproach'. To reproduce the Latin idiom with 'cast in the teeth'. *Caelio* is a dative of the person.

- 7 *esse* means 'exist', here, rather than 'be'.

*fieri... non potest*: 'it cannot be done' is best translated as 'it is impossible'. This is a (consecutive) clause.

- 7-8 *deditus*: *deditus* (+ dative) only governs *libidini*; *atque* and the following *impeditus*; both participles agree with *animus*. The thread of the sentence is: a mind devoted to pleasure and hindered by love, etc. can sustain (perferre) whatever it is (quicquid est).

- 8 *impeditus* does not have helped the reader if a comma had been placed after it. It is clear that it does not mean 'hindered by this', which it appears to mean, but that *hoc* is the object of *sustinere*.

- 9 *dicendo... agendo... cogitando*: ablatives of the gerund\*, 'in speaking, planning, pleading', here, and contrasts with the prior thinking, which is 'planning'.

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**Answers to Activity 4:** *studia... studio; homine... homines; cupiditates... cupido; quicquid... quoquo; tantis... tanta... tanto; voluptate... voluptates; esse... est...*

## Section 47: Caelius works too hard to have time

an hic, si sese isti vitae dedidisset, consularem hominem admodum adulescentem hic, si laborem fugeret, si obstrictus voluptatibus teneretur, hac in acie cotidie inimicitias, in iudicium vocaret, subiret periculum, in curiis, ipse inspectante populo menses aut de salute aut de gloria dimicaret, nihilne igitur illa vicinitas redolens nihil Baiae denique ipsae loca, ut trullariae vero non loquuntur solum, verum et mulieris libidinem, quae ipsam ut ea non modo solitudinem ac tenebras ac integumentum quaerat, sed in turpissimis rebus frequentissima celebritate

### Translation

If the defendant had devoted himself to that kind of life, would he have sunk into court when he was still quite a young man? If he were avoiding toil bound fast by pleasures, would he be involving himself daily in this battle of sources of enmity, would he be prosecuting, would he be submitting to danger, would this very person for so many months now be fighting either for his safety or for his people were looking on? Does that neighbourhood smell of nothing, does the city itself say nothing? Indeed, Baiae not only speaks, but it even rings out that disgraceful acts has sunk to such a point that, far from seeking solitude, day after day concealing disgraceful acts, she even rejoices in the basest affairs, the most common in the broadest daylight.

### Grammar and translation notes

- hic* refers to the defendant, Caelius, as in 39.1, *hunc*.  
*si... teneretur... dimicaretur*: an unfulfilled condition relating to the past tense. The question is 'No, he would not have devoted himself to that kind of life'.  
*in iudicium vocavisset*: 'had summoned to court', the standard phrase for a legal case.
- in acie*: the most common meaning of *acies* is 'battle line', so Cicero is using it to mean a legal contest, which he exaggerates to sound as if it is a real battle. The word 'battle' to bring out the force of the metaphor; cf. his use of other military words.  
*si... teneretur... dimicaretur*: unfulfilled condition clauses relating to the past tense, expressed in the imperfect subjunctive, 'If he were avoiding toil (but he is not), involving himself?'.
- capitis*: *caput* was often used meaning 'life', as in English 'capital punishment'.  
*inspectante populo Romano*: ablative absolute, 'with a present participle', 'the Roman people were looking on'.
- menses*: accusative of time, 'passing length of time'. The number of months Caelius had been in Baiae is April 59.
- illae*: the *Baiae*, which is a plural noun, like *Athenae*.
- ut... quaerat... laetetur*: result clauses\*, signposted by *huc*, literally, 'to such an extent... that'.
- flagitiorum*: objective genitive, as the scandals are the object of the verbal

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- 7 *integumenta*: Cicero seems to be fond of the prefix *in-*, as he could have *tegumen* or *tegumentum*; cf. line 3, *inimicitias* and *inspectante*, where he uses the verb *spectante*; see 45.3, also.

Cicero ends the section with a balanced tricolon of superlative + noun: the shamelessness of Clodia with three superlatives: *turpissimis*, 'most base of people watching, and *clarissima* 'broadest (dearest)', the three phrases describing how she covered up the affair in darkness, *luce* comes.

Read the last clause aloud. You should hear the sibilance as Cicero rounds the superlatives and the alliteration of *c* and *l*. As on previous cretic feet: *claudere laet | etur |*.



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[49]

- 1 *si... patefecerit... collocarit... instituerit*: probably perfect subjunctives, because these references are not possibilities, which the conditional *si* is used for undisputed facts. There is almost certainly a joke intended here, as it is well known; they were far from 'possible', they were a 'dead cert'! Cicero is referring to the fact that Clodia was a well-known prostitute.
- 2 *collocarit* = *collocaverit*.  
*conviviis*: ablative after *uti*.  
*urbe*: as elsewhere, this is a reference to Rome.
- 2–3 *si... faceret... institueret*: additional clauses; Cicero switches to the present subjunctive in line 2, but then reverts to the perfect subjunctive).
- 3 *celebritate* probably means 'society', to which Cicero adds *illa*, 'that well known', which judges what Baiae was 'well known' for; cf. 47.7.
- 3–5 *incessu... conviviis*: the ten ablatives (in asyndeton) are ablatives of means.
- 4 *actis* is ablative plural of *acta*, 'beach' so, here, it must mean 'beach parties'.  
*navigazione* means 'boat trips'.
- 5 *ut... videatur*: a result clause\*, signposted by *ita* in line 3.
- 5–6 *hac* refers to Clodia, and *adulescens* is a vague reference to Caelius.

## Style and context notes

[48]

- 2 *negare non possum*: litotes, the use of two negative words to form a positive statement = 'I admit it'.
- non modo... verum*: see the note on 41.3–4. Here, Cicero emphasises that Clodia was not only with modern views, but also with the views of the *maiores*. The Romans often referred to their ancestors' behaviour as a model that their own generation should conform to; it was sometimes combined with *morem* (custom) of ancestors (was to...)' . From what Cicero states here, and in the following lines, it is clear that affairs with prostitutes were accepted by the Romans, even in the past. Pompeius's marriages were 'arranged' for political purposes, e.g. Pompeius's marriage to his daughter, Julia, who was 23 years younger than Pompeius, who, in turn, was married to his father-in-law, Caesar!
- 3 *consuetudine atque concessis*: assonance.
- 3–4 *quando*: note the fourfold use of this word in anaphora and asyndeton.
- 3 *factitatum est*: a frequentative verb indicating that this was done quite often.
- 4 *licet... liceret*: polyptoton.
- 4–5 *mulierem nullam nominabo*: Cicero does not need to name anyone; it is Clodia, to whom he has already referred as *mulier*.

[49]

### Activity

List the words and phrases in this section which Cicero uses to build up the image of Clodia. Answers are at the end of the section.

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## Section 50: Cicero addresses Clodia directly

obliviscor iam iniurias tuas, Clodia, depono memoriam doloris mei; quae abs te factae sunt, absente facta sunt, neglego; ne sint haec in te dicta quae dixi. sed ex te ipsa res accusatores abs te et testem eius criminis te ipsam dicunt se habere. si quae in te ego paulo ante descripsi, tui dissimilis, vita institutoque meretricio, cum hac in te hominem habuisse rationis num tibi perturpe aut parum virile visum esse videatur? malo, quid est, quod obiciant Caelio? sin eam te videret esse, quid est, cur nos contemnis, pertimescamus? quare... is... nam rationemque defensionis. ad defendet nihil a Marco Caelio... aut impudentia et huic defendendum... habet.

### Translation

For the time being, I am forgetting the wrongs done by you (to me), Clodia, memory of my pain; I disregard the things which were cruelly done by you. I do not let those things which I said be (thought to be) against you. But I and my prosecutors say that not only is the accusation by you but also that they have evidence of that accusation. If any woman of that kind were to exist, such as I described you, in her way of life and meretricious habit, it would not seem very disgraceful to you that a young man should have had any dealing with this kind of woman. But that type of woman, as I prefer (to think), what is there for them to accuse you to be that sort of woman, what reason is there for us to fear this accusation? Therefore, give us a way and method of defence. For either your sense of shame (in us) that nothing has been done too impudently by Marcus Caelius, or your respect for the defendant and everyone else a great resource for defending themselves.

### Grammar and translation notes

- 1 *quae*: relative pronoun, 'the things which'.
- 1-3 *abs* is another form of *a*, *ab*. It is frequently used before *t* for reasons of euphony.
- 1-2 *me absente*: ablative absolute\*, 'me being absent', so 'in my absence'.
- 2 *ne sint*: jussive subjunctive, 'let not (these things) be said'.
- 2-3 *et... et*: normally it means 'both... and', but occasionally it means 'not only... but also'. Cicero uses here as a variant on the overused *non solum... sed etiam*.
- 3 *si... sit*: subjunctive because it expresses possible action in the future ('if... exist'); see the note on 49.2-3.  
*quae* is indefinite, here, meaning 'any (woman)'; cf. 48.1 and 49.5. In 48.1 and 49.5 *si quae* seven times in the prescribed sections.
- 4 *paulo*: ablative of the measure of difference, usually found with comparative adjectives, e.g. *multo sapientius*.  
*tui dissimilis*: words expressing similarity, or the opposite, are followed by the ablative.  
*vita institutoque meretricio*: ablatives of description.
- 4-5 The word order is complicated here; *cum* means 'with', not 'when', as in 'with a woman'. Start with *num*, which introduces a question expecting the answer 'no' ('would it?'), then take the words in this order: *videatur tibi esse* (it seems to you to be), then the indirect statement\* *adulescentem hominem habuisse aliquid rationis*.

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- 4 *tui dissimilis*: heavily sarcastic; the tone is 'nothing like you, of course'.
- 5 *perturpe aut perflagitiosum*: note the intensifying *per-*; it is not merely *per-* is **very** disgraceful and **very** scandalous; cf. *pertimescamus* below and *esse videatur*: the favourite clausular ending (syncopated cretic + trocheus); this, saying that it occurs only 4.7% of the time. Cicero could have said the conditional clause, but he likes the sound of the clausular ending 'more sonorous'.
- 5–6 *sicut ego malo*: another *sic* as before remark. 'as I would like to think you are not!'
- 6–7 *nos... te... tu... tuus*: polyptoton.
- 7–9 The argument, here, is that either Clodia is virtuous (*pudor tuus*), in which case she committed no crime against her, or that she lacked virtue (*impudentia*), in which case she is a source of defence to Caelius and **the rest** of her lovers.
- Cicero ends the section with polyptoton (... *pudor... impudentia*), alliteration (*aut... pudor... defendet... aut impudentia... dabit*).
- 8 *ceteris*, which Cicero slips in, is a clever choice of word, as he could have said *ceteris* but he chooses *ceteris* as it implies a greater number (the whole lot of them).

### Activity 6

Discuss each of the following descriptions of Cicero and find examples of each in the text: boring, obsequious, courageous, fair, rude, brilliant, clever, boastful.

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huic tristi ac derecto seni responderet Caelius se nulla cupiditate inductum signi? nulli sumptus, nulla iactura, nulla versura. at fuit fama. quotus quis praesertim in tam maledica civitate? vicinum eius mulieris miraris male sermones iniquorum effugere non potuit? leni vero et clementi patre, cui

fores ecfregit, restituentur; discidit vestem, resarcietur,

Caeli causa est expeditissima. qui esset, in quo se non facile defendere mulierem dico; sed, si esset, ad hanc causam istius, quae se omnibus perinde decretum semper habet, cuius in hortos, domum, Baiae iure suo libidine etiam adulescentes et parsimoniam patrum suis sumptibus sustinent, petulantia iuvenes effuse, libidinosa meretricio more viveret, adulterum ex liberiori salutasset?

(e) *fores... resarcietur* (lines 5–6): name the poet whom Cicero is quoting

(f)\* How does Cicero defend Caelius in these lines?

You should refer **both** to the content **and** to the language of the passage.

## 2. Read through the following passages and answer the questions below.

an vos aliam causam esse ullam putatis, cur in tantis maeroribus eloquentiae laude, tanta gratia, tanto honore tam sint pauci sumptusque fuerint, qui in obterendae sunt omnes voluptates, et in quibusda studia delectationis, ludae paene est familiarum deseruere. in hoc genere labor offendit hominem, quo aut ingenia deficiunt, aut doctrina puerilis.

an hic, si in hac vita dedidisset, consularem hominem admodum adulescentem, hic, si liberum fugeret, si obstrictus voluptatibus teneretur, hac in acie cum inimicitias, in iudicium vocaret, subiret periculum capitis, ipse inspectant menses aut de salute aut de gloria dimicaret? nihilne igitur illa vicinitas, nihil Baiae denique ipsae loquuntur?

(a)\* How does Cicero attempt to show that Caelius could not have indulged in which he was being accused?

You should refer **both** to the content **and** to the language of the passage.

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## Mark Scheme

Refer to the OCR marking grids for the 5-, 15- and 20-mark questions. Reference should also be made to the notes for fuller comment on the sections are taken. Reward valid points not covered by the mark scheme. I have not quoted the Latin in full, in order to save space, but learners will find the Introduction for Teachers, page 1).

### Section B

1. (a) Refer to the OCR marking grid.

Terentius:  
Filius, did you not remember that only just now you had had a man very famous and very brave man and a very great patriot, who, as soon as he crossed the threshold, surpassed almost every citizen in goodness, fame and rank, and he brought a very distinguished clan into a very famous family, why was Caelius not yours?

- (b) When the ship carrying the image of the Magna Mater (Cybele) ran aground, the goddess to help her free the ship (1), seized the rope attached to the ship.
- (c) When the senate were discussing peace terms with Pyrrhus, Appianus constructed an aqueduct to bring water to Rome (1); he constructed the aqueduct.
- (d) He is criticising Clodia's misuse of the water and road.
- (e) Terence.

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2. (a)\* Refer to the OCR 15-mark grid. Accept other valid points.

Content	
Cicero attempts to prove that there is such great effort involved in legal work, that Caelius (a very efficient lawyer) would not have had time to indulge in love affairs ( <i>voluptates, ludus</i> ), or even conversation with his father ( <i>sermo... familiarum</i> )	He uses repetition of forms (polyptoton) <i>voluptate... voluptas studio, versatur...</i>
He stresses the paucity of lawyers ( <i>tam... pauci</i> ) and that their rewards are so great	Balance of adjectives anaphora, asyndeton use of abstract nouns in -or
This has always ( <i>semper</i> ) been the case	Contrast of tenses
He stresses all the pleasures which have to be denied ( <i>voluptates... deserendus</i> ), including family conversation	Three phrases connected by a noun, the first two while the second assonance of -ende String of abstract nouns in asyndeton
He repeats the point about hard work being the reason for the paucity of lawyers, not the lack of talents or training	Balance of <i>aut</i> and <i>in</i>
Caelius would not have prosecuted a former ex-consul at his young age, in which I devoted himself to pleasures (as he <i>vocavisset</i> )	Three rhetorical devices conditional sentence fulfilled, thus denoting anaphora and asyndeton the juxtaposition of <i>si sese isti... deditis</i> Caelius would not have followed that way of life
Cicero describes the difficulty of fighting a case	Balance of <i>in acie</i> chiastic arrangement
The closeness of Clodia's house to Clodius's, gossip and Baiae speak for themselves	Use of military metaphor Balance of <i>aut</i> and <i>de</i> tricolon of <i>nihilum</i> the anaphora and

- (b) (i) Clodius's gang burned down Cicero's farms and his house on the Tiber  
(ii) Cicero's exile.
- (c) *tui dissimilis* (1); Cicero is saying that Clodia was not like the immoral woman of her name.
- (d) Refer to the OCR 15-mark grid.  
If a woman of that kind were to exist, such as I described a short while ago, and meretricious habit, it would not seem very disgraceful that a young man should have had any dealing with this kind of woman, as I prefer (to think), what is there for them to do?
- (e) Either Clodia was virtuous (*pudor tuus*), in which case Caelius had no deed (1), or she was shameless (*impudentia*), which would offer a great

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- 4 Caelius was handsome: 'your neighbour, a mere stripling, his handsome some judges may have been envious of his good looks.

**Solution**

'Those slanders are spread around against all who as young men have been of fine figure and distinguished appearance.' (6).

- 5 Caelius associated with Clodia and was a young 'man about town', probably a target of attacks. Accused by Herennius of 'luxury, wantonness, vices of youth, and membership of the Luperical 'gang' (26).

**Solution**

Cicero discusses the education and training which Caelius's father had given him. Crassus, a friend of Cicero, who, with mock modesty, says, 'I will say nothing about Caelius except with his father or with me or with those with whom he was being trained in the most honourable pursuits' (9); 'For by the agreement of all, it was **granted to this age**' (a weak defence) (28); 'There is no foundation of these charges, they are not accusations but slanders' (31) – flat denials, but not proof; Cicero defends Caelius's behaviour by stating, 'These types of virtues, far from being found in our times, are now even in books' (40) and 'Let some fun be allowed to youth', going on to say that men of the past had 'excessive licence in youth' (42).

- 6 Caelius accused of associating with Catiline, who conspired against the state. [This is a problem for Cicero, but reward reference to this problem.]

**Solution**

'many other young men did the same' (12) – not a valid defence; Cicero points out Catiline's deceptive character who made himself agreeable to young men (13). Cicero says Caelius was nearly taken in by him (14).

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Cases		
The Ablative Case (continued)	ablative of description	see under genitive of description (38.4; 39.3–4)
	ablative of means	the ablative is used to express the means by which an action is performed, very similar to the instrumental ablative (41.2)
	ablative of measure of difference	the ablative is used to express by how much one thing differs from another, e.g. <i>multo post</i> , 'much later' (38.11; 50.1)
	ablative of origin	the ablative is used to express the origin of a person or thing, e.g. 'goddess' (36.1; 39.1)
	ablative of place	the ablative is used to express the place where an action takes place, usually with a preposition, apart from the names of small islands and towns.
	ablative of respect	this expresses the point of view from which something is said or done
	ablative of separation	this is used after verbs or adjectives, e.g. <i>vacuus</i> (39.1)
	after verbs and adjectives	certain verbs and adjectives take the ablative (49.2)
	instrumental ablative	this expresses the instrument or means by which an action is performed, usually found after passive verbs, e.g. <i>gladio</i> 'sword' (37.9; 38.1; 41.5; 42.1–2)
Connecting Relative		the use of the relative pronoun rather than the demonstrative to connect a sentence to the previous one (33.6; 37.8; 43.3)

Verbs		
Gerund + Gerundive	ablative of the gerund	this is sometimes used instead of a preposition
	accusative of the gerund(ive)	this is used with <i>ad</i> to express purpose
	genitive of the gerund(ive)	this is used with <i>causa</i> to express purpose
	gerundive of obligation	used to express what <b>should</b> be done

Moods		
Infinitive		a statement which becomes indirect as a result of being used with a verb of saying, thinking, knowing (the infinitive is used instead of the direct statement) (34.1; 35.3, 8, 10; 38.1)
Subjunctive	causal clauses	these denote the reason for an action
	concessive clauses	clauses introduced by 'although' in which the subjunctive is used in ideal conditions
	conditional clauses	the subjunctive is used in ideal conditions in unreal conditions relating to the present (47.1, 2; 49.1, 2–3, etc.)
	deliberate subjunctive	the subjunctive is used when the speaker expresses a wish or intention (37.1–2, 8)
	fearing clauses	the subjunctive is used after verbs of fearing introduced by <i>ne</i> and negative fears by <i>ut</i>
	generic subjunctive	this denotes the <b>type</b> of person who does something (48.1; 50.6)
	indirect question	a question which becomes indirect as a result of being used with a verb of asking (why), knowing (who), etc. (34.1; 35.3, 8, 10; 38.1)
	jussive subjunctive	the use of the subjunctive to express a command or wish (5, 7–9; 50.2)
	potential subjunctive	the subjunctive represents the apodictic conditional clause being understood, 'if you were you' (37.10; 38.1, 7)
	purpose clause	a clause which expresses the purpose of an action (10; 37.14; 39.2–3; 41.5–7; 42.11–12; 50.1)
	result (or consecutive) clause	the subjunctive is used to express the result of an action (33.7–8; 35.1, 2–3; 39.4–5)

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<i>praeteritio</i>	saying that you will omit things already mentioned or
rhetorical question	a question to which no answer is required because it is 56.2–7; 61.5)
sarcasm	a feature, though not really stylistic (36.3, 8, 11; 38.10; 6
sibilance	use of the letter s, making a hissing sound and often e contempt (33.1*; 34.3; 36.7–9; 38.3, 10; 41.4, etc.; 51.3, 5 57.1–2, etc.)
superlative	Cicero uses the superlative adjective or adverb f 37.2; 38.7, etc.; 52.4–5; 53.6; 54.4; 63.4; 64.1; 68.1)
tricolon 	three successive phrases, clauses or sentences, the last longest (34.4, 10; 35.5–6; 36.9; 38.2; 42.1–2; 45.2, etc.; 52 55.3–4, 4–5; 61.6–7, etc.)
use of words and word order	where Cicero uses particular words or word order, us 39.4*; 44.6; 53.1, 4, 5; 54.2, 7–8; 55.1, 3, 6, etc.)
<i>variatio</i>	variation in the way two or more parallel ideas are exp synonyms (35.9; 36.3, 11; 39.2, 7–8; 40.1–2, 3, etc.; 54.8, 68.5–6)
zeugma	the use of two separate words or phrases to express or

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