

IN DEFENCE OF
THE POET AULUS LICINIUS ARCHIAS

The Greco-Syrian poet, Archias, whom Cicero now defended in 62 B.C., was a friend and protégé of the cultured Lucius Licinius Lucullus, and was therefore an automatic target for prosecution from the friends of Pompeius, whose relations with Lucullus had become extremely strained when the former superseded the latter in the circumstances described in the speech. About the Command of Cnaeus Pompeius, Lucullus called Pompeius a carrion bird who had come to feast on another's kill; Pompeius named Lucullus a tragedy general whose successes were merely stage effects. Lucullus had come home in 64, and now Pompeius was on his way back. The indictment of Archias was a minor incident in the skirmishing between the noble oligarchy who backed Lucullus and the forces of innovation who were hopeful rather than frightened after the immense eastern victories of Pompeius.

This was one of the recurrent occasions in Cicero's life when disappointment at Pompeius momentarily got the better of his usual policy of supporting him (p. 129). He also realized that the military prestige of these oriental triumphs (though it was he himself who had got Pompeius appointed to accomplish them) was a threat to the Republican, senatorial form of government to which Cicero remained unwaveringly devoted.

The case he had to defend was somewhat obscure, but legally quite strong. A law of the tribune Gaius Papius (64 B.C.) had expelled all non-citizens from Rome. The law had been intended to clear the city not of poets but of its huge gangs of thugs. Yet if Archias could be proved an alien he would have to leave the city, and this would be a successful pinprick in the campaign against Lucullus and the conservatives. Archias had claimed the Roman franchise as a citizen of

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Heraclæa in Lucania. The prosecution then asserted that there was no good evidence either of his Heraclæan or of his Roman citizenship; but Cicero argues to the contrary. The court almost certainly decided in his favour.

But his speech, said Lord Brougham, 'of which not more than one-sixth is to the purpose, could not have been delivered in a British court of justice'. Its most remarkable and famous feature is a long, irrelevant and moving digression on the glories of Greek culture and literature, and of the civilized life which they alone made possible. This is perhaps the finest eulogy of the literary life in the whole of ancient literature. It presents a contrast with Cicero's distaste for most contemporary Greeks — which is significant to our estimate of the Romans' schizophrenic attitude towards their Hellenic heritage and subjects.

It must also be remembered, since Archias was a poet, that although Cicero's verse was laughed at by Juvenal, he began as a young man to acquire a reputation for being the best poet as well as the best orator at Rome. Surviving fragments hardly enable us to form an opinion, and Archias' poetry has not come down to us either, since some epigrams in the Greek anthology bearing his name are unlikely to be his work at all. In praising his poems, Cicero, in deference to Roman practicality, had pointed out how they contributed to the glory of Rome; and he hoped that this speech would inspire Archias to write a panegyric on his consulship. Alas, a letter from Cicero to Atticus in the following summer shows that this complimentary composition never materialized.

Whatever benefit, gentlemen, can be extracted from any or all of my qualifications, I feel in duty bound to place it at the disposal of Aulus Licinius.¹ I appreciate the limitations of my natural ability. But I cannot deny that my experience as a public speaker has been considerable; and I admit I have

1. Cicero deliberately describes his client here as Aulus Licinius (without the addition of Archias) since that is his name as a Roman citizen.

never at any time felt a disinclination to study the theoretical background of the art. Upon all my efforts, then, the best I can achieve, Archias has a pre-eminence, overriding claim. For as far as I can cast my mind back into times gone by, as far as I can recollect the earliest years of my boyhood, the picture of the past that takes shape reveals that it was he who first inspired my determination to embark on these studies, and who started me upon their methodical pursuit. And so if this voice of mine, trained by his encouragement and instruction, has on occasion been of service to others, my capacity to come to their assistance – and even to save some of them from destruction – is derived from him: and it is he, therefore, who must receive from me all the help and salvation it lies within my power to provide.

To hear such words from my lips may cause a certain surprise, seeing that his own talents have found expression in spheres far removed from my own study and practice of oratory. But in fact I myself have never concentrated exclusively on this one activity. And besides, all branches of culture are closely related and linked together with one another. A further point, however, which some may equally find surprising, is that in a formal inquiry and official court of justice, at a hearing conducted by a carefully chosen Roman praetor and judges of the highest principles in front of a crowded audience, I have planned that my speech shall assume a form out of keeping with forensic tradition and style. But this deviation from the usual custom happens to be particularly appropriate to my client, yet will not, I hope, cause any inconvenience to yourselves; and so I urge you to allow me this indulgence. The fact is that I am speaking on behalf of an excellent poet, who is also a man of great learning. And I am speaking before listeners of strong literary tastes, judges thoroughly well versed in the humanities, and a praetor of exceptional calibre. What I therefore ask is that you should permit me to enlarge with rather more freedom

than usual on cultural and literary matters. The studious seclusion of Archias' life has kept him unacquainted with the hazards of the courts, and it is because of the special nature of his talents that I want to frame my defence in these somewhat novel and unfamiliar terms. If I can but feel that you will have the kindness to concede me this request, I for my part undertake to convince you that Aulus Licinius should not be excluded from the list of Roman citizens; and indeed that he should certainly be made a Roman citizen here and now – if it were not the case that he is one already.

As soon as Archias had grown out of his boyhood and the studies which form a boy's usual liberal training, he began to devote himself to becoming a writer. He came from a good family at Antioch. At that time, it was a city of extensive population and wealth, overflowing with fine scholars and scholarly activities, and it was there that he first succeeded, very rapidly, in showing gifts of an exceptional nature. Later on, when he visited various parts of Asia and toured round the whole of Greece, his arrival in a place would arouse the keenest interest. His talents had by now won him a high reputation, and the excitement aroused by the news of an imminent visit by Archias reached remarkable heights. Nevertheless, even this excited expectation was eclipsed by the admiring enthusiasm with which he was actually received.

Southern Italy was in those days full of Greek culture and learning, and in Latium too such studies were pursued with greater keenness than could be found in the same towns today; while here at Rome also, where the internal situation was peaceful at the time, these pursuits were by no means neglected. Accordingly, Archias was granted citizenship and other honours by Tarentum and Rhegium and Neapolis, and all who were able to recognize a brilliant mind were glad to make his acquaintance and offer him hospitality.

We, too, became aware of his considerable fame, although

we had so far never seen him; but soon he made his way to Rome. That was during the consulships of Marius and Catulus,² so that the consuls he had the good fortune to find in office included one man who could provide a splendid theme for his pen, and a colleague who was able to supply him not only, again, with notable exploits but also with an appreciative ear. As soon as Archias arrived, while he was still very young,³ the Luculli welcomed him to their house — and it is a tribute to his literary genius, and indeed to his whole personality, that the home which was first opened to him in his very youthful years is also the one he most constantly frequents now that he is an older man.

In those early days, Archias also enjoyed the most affectionate relations with the famous Metellus Numidicus and his son Pius. He used to read out his poems to Marcus Aemilius Scaurus. He associated with Quintus Catulus senior and his junior. His friendship was cultivated by Lucius Crassus. He was also on very intimate terms not only with the Luculli but with Drusus and the Octavii and the whole family of Hortensius. He was held in the greatest honour; so much so, indeed, that the roll of his admirers was by no means limited to men who really wanted to learn and listen, but also came to include the sort of people who found it desirable to pretend they had a taste for such things.

Next, after a certain lapse of time, he went to Sicily with Marcus Lucullus, and then, after returning from that province in the company of that gentleman, he proceeded to Heraclea. This was a town which possessed the fullest treaty rights with Rome, and Archias expressed a desire to become a citizen of the place. His own personal qualities were quite sufficient recommendation in themselves, but he also had the support

2. Q. Lutatius Catulus sen. (consul 102) was associated with Marius in the destruction of the Cimbri at Vercellae (101).

3. Cicero speaks of the garb of manhood (*toga praetexta*, worn at 17) as if Archias was a Roman boy.

of Lucullus' authority and influence; and his wish was granted by the Heracleian people. In consequence of this, he also received the citizenship of Rome, according to the law of Silvanus and Carbo which granted the franchise to all who have been admitted as citizens of federated towns on the condition that, when the law was passed, the persons concerned were domiciled in Italy.⁴ They were also required to report to a praetor within sixty days. Archias had long been resident at Rome, and reported to the praetor Quintus Metellus who was one of his close friends.

If the question of his Roman enfranchisement, and the legal position in this respect, are the only issues we have to bear in mind, I have nothing more to say; and I can close my case. For I am convinced, Gratus,⁵ that you would not be able to disprove a single one of these facts. You will not, surely, attempt to deny that he was enrolled at Heraclea at the time of which I am speaking? If this should be your intention, Marcus Lucullus, whose authority and conscience and honour are beyond question, is here to say that he not only believes this happened but also knows it did, that he did not hear of the enrolment from someone else but saw it being done with his own eyes — and indeed, that he was not merely among those present but took the initiative in person. Envoys are also on the spot from Heraclea itself. They are a very distinguished group of men, who have come to Rome specially to attend this case. They are commissioned by their city, they bring with them its official testimonial, and they are prepared to confirm that Archias was, in fact, made a citizen of their town. On this point you have asked for the public archives of Heraclea to be produced; but we all know that they were destroyed when the local record office was burnt during the Italian war.⁶ It is ridiculous to ignore proofs

4. This is the *Lex Plantia Papiria* (89).

5. Gratus, otherwise unknown, was the prosecutor.

6. Italian war: Social (Marsian) War (90–88).

which are available, yet to demand evidence which we cannot possibly obtain; to be deliberately silent about things that men are actually in a position to remember, but to clamour for documentary record. You have the word of a great and scrupulous gentleman. You have the sworn affidavit of an irreproachably honest town council. There can be no tampering with things like that. Yet you brush them aside and call for documents! And you do this although you admit in the same breath that the possibility that such records might be forged is seen by experience to be considerable.

Or do you propose to deny that Archias lived at Rome? Surely not! Years before he ever became a Roman citizen he had established Rome as his residence, and the place where all his worldly possessions were concentrated. Or did he omit to report? No, he reported as he should have. Indeed, out of all the registrations sought from the board of praetors at that time, his was actually the only application which was accompanied by truly valid supporting evidence.

There were allegations that the citizen-lists of Appius had not been very carefully kept. Indeed, the authenticity of all such compilations had been cast into doubt first by the unreliability of Gabinius,⁷ before he was condemned by the court, and then by the discredit brought upon him by his conviction. Nevertheless the conscientious and law-abiding Metellus Pius exhibited such scruples with regard to these lists that he went to the praetor Lucius Lentulus and a board of judges, and indicated to them that he was extremely disturbed at having to erase even one single name. And yet when you consider the documents which relate to the present case, you will see that there is not the slightest question of any erasure in respect of the name of Aulus Licinius.

These facts regarding his position at Rome are very far from suggesting any doubts about his previous enfranchisement at Rome. ⁷ P. Gabinius Capito was condemned for extortion after his governorship of Achaia.

Heraclaea. Besides, as to that, Heraclaea was by no means the only town where he became a citizen. It has, as a matter of fact, been not uncommon for the Greek communities of Italy to bestow their citizenship for no particular reason at all, even on individuals whose qualifications were extremely slender or non-existent. So how can you venture to suggest that the people of Rhegium, Locri, Neapolis or Tarentum, when they were perfectly prepared to make a habit of bestowing such honours even upon mere actors, would have refused it to this man of really brilliant and outstanding gifts?

All the other persons whose Roman status has been questioned contrived to insinuate their names into the citizen-lists of their municipalities not merely after the dates of their alleged enrolment but even after the passing of the Papian law.⁸ But my client, on the other hand, does not even think it necessary to cite the lists on which his name was inscribed, because there has never been a time during all this period at which he has not looked upon himself as belonging to Heraclaea. You say you miss his name on the census-rolls. But is it really such a deadly secret that at the time of the last census he was with the army, on the staff of the eminent Lucius Lucullus, and on the immediately preceding occasion he was likewise with Lucullus, during the latter's quaestorship in Asia? The census before that, when Julius and Crassus were censors — the first after his enfranchisement — is irrelevant since on that occasion no registration of any part of the population was in fact conducted at all.

In any case, however, it has to be recognized that census-lists are no real proof of Roman citizenship, but merely indicate that the men whose names appear on them claimed it at that particular time. It may therefore be helpful for me to add that during the years in question my client, so far from not being one of our citizens even in his own eyes (as you

8. The *Lex Papia* made all non-citizens liable to eviction from Rome (64).

pretended), made his will on a number of occasions according to Roman law, received legacies left him by Roman citizens, and was recommended to the treasury by the proconsul Lucius Lucullus, as a Roman, so that a reward might be given him for his services.

As regards your contrary assertions, the burden of proving them rests with you and no one but you. For no judgements he has passed on himself, and no judgements passed on him by his friends, will be of the smallest assistance towards the refutation of his claim.

You will no doubt be asking me, Grattius, why I feel such an affection for this man. The answer is that he provides my mind with refreshment after this din of the courts; he soothes my ears to rest when they are wearied by angry disputes. How could I find material, do you suppose, for the speeches I make every day on such a variety of subjects, unless I steeped my mind in learning? How could I endure the constant strains if I could not distract myself from them by this means? Yes, I confess I am devoted to the study of literature. If people have buried themselves in books, if they have used nothing they have read for the benefit of their fellow-men, if they have never displayed the fruits of such reading before the public eye, well, let them by all means be ashamed of the occupation. But why, gentlemen, should I feel any shame? Seeing that not once throughout all these years have I allowed myself to be prevented from helping any man in the hour of his need because I wanted a rest, or because I was eager to pursue my own pleasures, or even because I needed a sleep!

I cannot therefore, I submit, be justly rebuked or censured if the time which others spend in advancing their own personal affairs, taking holidays and attending Games, indulging in pleasures of various kinds or even enjoying mental relaxation and bodily recreation, the time they spend on protracted parties and gambling and playing ball, proves in my case to

have been taken up with returning over and over again to these literary pursuits. And I have all the more right to engage in such studies because they improve my capacity as a speaker; and this, for what it is worth, has unfailingly remained at the disposal of my friends whenever prosecutions have placed them in danger. Even if some may regard my ability as nothing very great, at least I realize the source from which the best part of it has come. For unless I had convinced myself from my earliest years, on the basis of lessons derived from all I had read, that nothing in life is really worth having except moral decency and reputable behaviour, and that for their sake all physical tortures and all perils of death and banishment must be held of little account, I should never have been able to speak up for the safety of you all in so many arduous clashes, or to endure these attacks which dissolute rogues launch against me every day. The whole of literature, philosophy and history is full of examples which teach this lesson — but which would have been plunged in utter darkness if the written word had not been available to illuminate them. Just think of the number of vividly drawn pictures of valiant men of the past that Greek and Latin writers have preserved for our benefit: not for mere inspection only, but for imitation as well. Throughout my public activities I have never ceased to keep these great figures before my eyes, and have modelled myself heart and soul on the contemplation of their excellence.

It might be objected that those great men, whose noble deeds have been handed down in the literary record, were not themselves by any means thoroughly well versed in the learning which I praise so highly. Certainly, it would be difficult to make a categorical assertion that they were. Nevertheless, I am quite clear what my answer to such a point should be. I agree that there have been many people whose exceptional inborn qualities, expressed in almost godlike endowments of mind and character without the support of any cultural qualifications at all, have enabled them by their own unaided

endeavours to reach the heights of self-management and moral excellence. Indeed, I would go further, and express the view that the number of virtuous and admirable men produced by character without learning exceeds those who are the products of learning without character. Nevertheless I do also maintain that, when noble and elevated natural gifts are supplemented and shaped by the influence of theoretical knowledge, the result is then something truly remarkable and unique. Such a personality could be seen by our fathers in the super-human figure of the younger Scipio Africanus. Such, too, were those paragons of moderation and self-control Gaius Laelius and Lucius Furius;⁹ such was the courageous and venerable Marcus Cato, the most erudite man of his day. They would certainly never have spent their time on literary studies if these had not helped them to understand what a better life could be, and how to bring that ideal into effect for themselves.

And yet let us leave aside for a moment any practical advantage that literary studies may bring. For even if their aim were pure enjoyment and nothing else, you would still, I am sure, feel obliged to agree that no other activity of the mind could possibly have such a broadening and enlightening effect. For there is no other occupation upon earth which is so appropriate to every time and every age and every place. Reading stimulates the young and diverts the old, increases one's satisfaction when things are going well, and when they are going badly provides refuge and solace. It is a delight in the home; it can be fitted in with public life; throughout the night, on journeys, in the country, it is a companion which never lets me down.

And indeed even if we ourselves were not capable of any inclination or taste for these pursuits, we ought all the same to

9. C. Laelius (Minor) Sapiens and L. Furius Philus were prominent members of the circle of Scipio Aemilianus (Africanus junior).

feel admiration when we see such gifts exemplified in others. No one can have been so boorish and insensitive that he remained unaffected when Roscius¹⁰ recently died. Although he was an old man at the time of his death, we had a feeling that such a superb and attractive artist ought somehow to have been exempted from our common fate. And if such a man's mere physical compartment on the stage was enough to win the hearts of us all, surely we cannot be left indifferent by genius of a purely intellectual kind, with all its enigmatic motions and scintillations.

Many is the time, gentlemen, that I have listened to this Archias – for I am going to presume on your indulgence, since I see that the unconventional shape of my speech has succeeded in gaining your attention – many is the time I have listened to him improvising quantities of admirable verses about topics of the day without having written down one single letter before he spoke. Many times also I have heard him respond to demands for an encore by repeating the same subject-matter in an entirely new set of words and phrases. And as for his written works, the products of meticulous care and cogitation, I have seen them accorded a degree of appreciation in no way inferior to the reverence felt for writers of ancient times. Should I not love and admire such a man, and deem it my duty to defend him by every means in my power?

We have it on eminent and learned authority that, whereas other arts need to be based upon study and rules and principles, poets depend entirely on their own inborn gifts and are stimulated by some internal force, a sort of divine spark, within the depths of their own souls. Our great Ennius¹¹ was therefore right to call poets holy, because they seem to bring

10. Q. Roscius Gallus was the outstanding comic actor of the Roman stage and also played tragic parts.

11. Ennius of Rudiae, 'the father of Roman poetry' (d. 169).

to us some special gift and endowment which the gods have accorded them as a passport for this world. Even the most barbarous of races has never treated the name of poet with disrespect. How imperative therefore it is that you yourselves, with all your noble culture, should regard it as holy indeed! The very rocks and deserts echo the poet's song. Many is the time when ferocious beasts have been enchanted and arrested in their tracks as these strains come to their ears. Shall we, then, who have been nurtured on everything that is fine, remain unmoved at a poet's voice?

The people of Colophon declare that Homer came from their city, the Chians assert he belongs to them, the men of Salamis lay a rival claim, while the people of Smyrna are so sure he is theirs that they have even allotted him a shrine within their town; and a great many other communities, too, have joined in this competitive struggle to be regarded as Homer's birth-place. These people, in fact, are eager for the possession of a man who has long been dead and who, even when he lived, was a foreigner. It is because of his poetic genius that they feel this powerful urge. Are we, on the contrary, to reject a poet who is still alive, and who is indeed ours by law, and ours by his own inclination as well?

This would be particularly misguided in the case of Archias, since he has for many years past devoted all his expert skill and talent to celebrating the glorious renown of Rome. When he was a young man he wrote about the Cimbrian war, and he even succeeded in gaining the approval of Gaius Marius himself, although that great man did not have a reputation for appreciating this kind of activity. But no one is, in fact, so uninterested in the Muses that he does not want his own deeds to be glorified and perpetuated in verse. There is a story that the renowned Athenian Themistocles was asked which actor or singer he liked the best. His favourite, he replied, was whichever one praised his exploits the most highly! And that, for example, was the reason why Gaius

Marius was attached to Lucius Plotius,¹² whose gifts he saw to be well fitted for the commemoration of the deeds that he himself had accomplished.

Archias has also dealt with the entire war against Mithridates, a vast and complicated war consisting of many varied operations on land and sea. This work sheds lustre on the valiant and magnificent Lucius Lucullus, but in so doing it contributes to the splendour of Rome as well. For it was Romans whom Lucullus led to open up Pontus, protected though it was by the resources of its king and by its own geographical position. It was Romans who under the same general, with a force of only moderate size, put the numberless hordes of Armenians to flight. It was Romans, still under the direction of Lucullus, who gained the glory for rescuing and preserving the friendly city of Cyzicus from all the onslaughts of the king and the ravaging jaws of warfare. To Rome, too, comes eternal honour for that amazing naval battle at Tenedos in which Lucullus slew the enemy's admirals and crushed their fleet.¹³ Ours are the trophies, ours the monuments, ours the triumphs. Those who dedicate their powers to the literary celebration of such events are increasing the fame of the people of Rome itself.

Our noble Ennius was held in affection by the elder Africanus, and the tomb of the Scipios is said to have contained a marble statue of the poet. And yet his compliments to Africanus surely illuminate not only that hero himself but the entire commonwealth of Rome. Ennius also extolled to the skies the Carthage whose great-grandson is with us today; and bright is the brilliance shed by those panegyrics upon the renown of our country in general. In the same way, again, when compliments are paid to the names of Maximus,

12. L. Plotius Gallus was said to be the first man to teach Latin rhetoric at Rome (c. 95-93).

13. L. Licinius Lucullus defeated Mithridates VI of Pontus off Tenedos in 73.

Marcellus and Fulvius,¹⁴ it is all of us Romans, and not just themselves, to whom distinction is added by such eulogies. That is why the writer from Rudiae who uttered these praises was admitted by our ancestors to the citizenship of Rome.

The man whom we are now considering possesses the franchise of Heraclea. Many other Greek townships, too, have competed to make him a citizen of their own communities. He has also received a similar gift, by due legal process from Rome itself. How on earth can we deprive him of this manifest entitlement?

Archias is a Greek poet. But it would be entirely wrong to suppose that Greek poetry ranks lower than Latin in value. For Greek literature is read in almost every country in the world, whereas Latin is understood only within its own boundaries which, as you must admit, are restricted. Our deeds, it is true, extend to all the regions of the earth. But the effect of this should be to inspire us with the determination that every country where the strong arm of Rome has carried its weapons should also be given an opportunity to learn of our illustrious achievements. For literary commemoration is a most potent factor in enhancing a country's prestige. And to those who hazard their lives for the sake of glory, such literature is a vigorous incentive, stimulating them to risk fearful perils and perform noble endeavours.

We are told that Alexander the Great took around with him a great number of authors engaged in writing about his achievements. And yet, as he stood beside the tomb of Achilles at Sigeum, he uttered these words: 'Fortunate youth, who found Homer to proclaim your valour!' He was right; for, if the *Iliad* had never existed, the tomb where Achilles' body was buried would have buried his memory as well. And

14. Q. Fabius Maximus, M. Claudius Marcellus (captor of Syracuse, 211) and Q. Fulvius Flaccus (captor of Capua in the same year) were all eulogized in the *Annals* of Ennius.

then again Pompeius known as Magnus, outstanding alike for his bravery and good fortune, conferred Roman citizenship upon Theophanes of Mitylene,¹⁵ the historian of his deeds, before his whole assembled army. Now, our gallant men, countryfolk and soldiers though they were, felt influenced by the splendid tale Theophanes had told. And so, feeling that part of the grandeur belonged also to themselves, they declared their approval with a mighty shout.

If the law did not happen to have made Archias a Roman citizen already, he would find it the easiest thing in the world, as I am certain you cannot deny, to win the franchise from one of our generals in this selfsame way. Surely Sulla, who dispensed citizenship so freely to Spaniards and Gauls, would never have refused such a request from Archias. Once, at a public meeting, some bad poet from out of the crowd handed Sulla an epigram the man had written about him, with every other line longer than it ought to be. Sulla, who was conducting an auction, immediately ordered a reward to be paid the scribbler from its proceeds — on the condition that he never wrote anything again! Here then was a personage who felt that even the worst of poets should be rewarded for his industry; so how could he have failed to help a writer with the talent and style and fluency of Archias? Or, again, if Quintus Metellus Pius had been approached, the personal influence of Archias, not to speak of the intervention of the Luculli, would unmistakably have been successful, especially as Metellus was his intimate friend and had, besides, conferred the franchise on numerous other people as well. Moreover, Metellus was eager to have his own actions recorded; he even gave a hearing to certain poets who came from Corduba, for all the ponderous, exotic flavour of their language.

For there is no concealing the fact, and it had better be

15. Theophanes wrote an account of the campaigns of Pompeius in the east.

accepted and openly admitted: we all like to be praised! The better the man the greater his desire for celebrity. The philosophers who bid us despise ambition do not forget to affix their names to their own books! On the very writings in which they deplore publicity and self-advertisement, they publicize and advertise themselves. And then again that heroic commander Decimus Brutus, when he erected temples and monuments, adorned their forecourts with verses written by his friend Accius.¹⁶ Another outstanding example is Fulvius,¹⁷ who took Ennius with him on his campaign against the Aetolians, and when it was over forthwith dedicated the spoils of war to the Muses. In a city, then, where even generals scarcely lay down their weapons before offering honours to poetry and the Muses' shrine, it would indeed be unbecoming for judges, who wear the garb of peace, to act in a fashion repugnant to the honour of those divinities and the well-being of the poetical profession.

To incline you to my way of thinking, gentlemen, I will place myself in your hands and confess to you my own passion to be famous. This is a passion which may seem exaggerated; but I am sure it is not dishonourable. The fact is that the measures which I took during my consulship, with your collaboration, to ensure the salvation of this city and the empire and the lives of all its citizens and everything that our country stands for, have been chosen by Archias as the subject of a poem. He has already started upon its composition, and when he read out to me what he had written, I judged the project a very worthwhile and attractive one, and singled him out as just the man for the task.

16. Dec. Junius Brutus Galliaicus celebrated a Triumph in 136 for the conquest of Lusitania and Gallacia (Galicia). L. Accius of Pisaurum (d. c. 85) was regarded as the leading tragic poet.

17. M. Fulvius Nobilior defeated the Aetolians during his consulship of 189.

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A person with right ideas hopes for no reward whatever for any toils and perils he may have to undergo – except only praise, and the good opinion of his fellows. Take those things away, gentlemen, and in the brief and transient span of this life I cannot see what stimulus remains to encourage our arduous labours. If the human spirit felt no anticipations of posterity, if the range of its imagination were bounded by the limits that circumscribe human existence, we should never be prepared to tire ourselves out with all these exertions, suffer torments of sleepless anxiety, face ceaseless confrontations in which our very lives are at stake. It does appear, however, that men of true nobility contain within themselves a force which day and night applies the prick of ambition to their hearts, and never allows us to stop struggling to ensure that the memory of our names shall not perish with our deaths, but shall survive them for all time to come.

For how could we, who undergo the toils and hazards of public life, be spiritless enough to feel satisfied with the idea that, after we have spent not one single moment of our lives in peace and tranquillity, all this effort will go for nothing at the very moment when we die? Many distinguished men have taken great pains to leave their statues and representations behind them. But those are likenesses only of the body, and not of the spirit at all, and so have not we all the more reason to feel enthusiastic about bequeathing a similar image of our intellectual and moral personalities as well, to be moulded and elaborated by the very finest talents available?

As for myself, even at the actual time when I was busiest with great matters, I felt I was also diffusing and disseminating a knowledge of those very same deeds throughout the entire earth to be remembered for ever. Perhaps, when I am dead, I shall no longer be able to perceive whether their memory does, in fact, remain. Or possibly, as certain philosophers have argued, some part of my being will still be conscious that this is happening. But however that may be, at least I derive

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 *dilubi* when he was accused of sacrilegious violation of the secret rites of the Bona Dea) proposed a law sending him into exile for his execution of the Catilinarian leaders, the Triumvirs did nothing to save him from his 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.