

Caelius and Cicero slides



Cicero

◦ Caelius (b. 82 BC): in April 59 successfully prosecuted (probably for extortion), Gaius Antonius Hybrida (Cicero's colleague in the consulship of 63). Cicero was on other side (Antonius had been the general nominally responsible for the defeat of Catiline in the field> attack on Antonius would be seen as an attack on Cicero's consulship).

Caelius left father's house for fashionable Palatine, renting from Clodius (near Clodia who about was 36 and recently widowed)

In either 58 or 57 Caelius seems to have become quaestor and entered the senate.

At end of 57 or the beginning of 56, Caelius broke with the Clodii.

Cicero



On 11 February 56 Caelius (prosecuting Lucius Calpurnius Bestia on grounds of electoral malpractice) v Cicero (defending, successfully).

Then Caelius brought a second charge against him (presumably for malpractice in the forthcoming election, with Cicero preparing to defend him

But Bestia's son Lucius Sempronius Atratinus sought to prevent his father's trial from taking place by bringing a charge against Caelius which if successful would prevent that trial (time running out, hence, according to Berry why Atratinus prosecuted Caelius in the violence court (*quaestio de vi*): which was convened even on public holidays).



Cicero



one strategy of prosecution is to attack Caelius using slander and rumour

Slander and rumour: Young (17 years old) prosecutor Atratinus vulnerable

Caelius vulnerable...

“To this blunt and morose old man Caelius would reply that no passion had led him astray, nor had he deviated from the straight and narrow. And what evidence did he have? There had been no [pg 144] extravagance, no waste, no borrowing from one creditor to pay off another. But there were rumours. How many of us can escape such rumours, particularly in a city so full of slanderers? And are you surprised that this woman's neighbour acquired a bad reputation when her own brother was unable to escape unkind gossip? (*Pro Caelio* 38)



Cicero



“But it seemed to me that what you were trying to do was to use the bad reputation of young men in general to stir up prejudice specifically against Caelius. So all that silent attention which was paid to your speech can be put down to the fact that, while there was a single defendant on trial, we were reflecting on the vices of many.” (29)

So if Caelius had really given himself up to the kind of life that is alleged, would he, when still a young man, have brought a prosecution against an ex-consul? If he shied away from hard work, if he were enslaved to pleasure, would he do battle here every day, go in search of personal enmities, bring prosecutions, and run the risk of being prosecuted himself, and would he also maintain for so many months now and in full view of the entire Roman people a struggle for one of two things—his own political survival, or glory?” (47)

Uses gossip and rumour against Clodia ... (see Duffalo)



Cicero



- one potential strategy of prosecution would be to attack Cicero given importance of ethos of orator
- remember Cicero is a “New Man” (*homo novus*): fewer than 35% of all consuls in the period 249–50 BC were “new men” (without famous ancestors)
- “Despite, or perhaps rather precisely because of the possibilities of social mobility, the rhetoric of social boundaries can be very strong.” (Dench 2005: 257)



Cicero



“But I have not the same privileges as men of noble birth, who sit still and see the honours our nation bestows laid at their feet; the present conditions of political life oblige me to behave far otherwise. I am reminded of that wise and clear-sighted man Marcus Cato. Believing that his merit, though not his birth, was gaining him his countrymen’s approval, and hoping to become the founder and promoter of a famous family of his own, he readily incurred the enmity of powerful persons, and at the price of immense exertions lived to be a very old and a very famous man” (*Verr.* 2.5.180); “In more recent times we have seen Fimbria and Marius and Caelius contending with formidable enmities and **heavy labours** in order to attain the high offices which you, gentlemen, have attained by a life of indolence and indifference. For persons like myself our lives must be planned to follow the same path and take the same direction; we belong to the same school, and copy the methods, of the men I speak of” (*Verr.* 2.5.181)



The speeches after his return (*post reditum*) (exiled in 58 BC; returned in 57 BC)



“In the *post reditum* speeches Cicero finds himself in a situation similar to that of the early speeches. Once again he is searching for a persona, struggling now to reassert his authority in the state, working to regain his damaged *dignitas*. His glorious recall from exile and his claim to have saved the state a second time by his withdrawal became the main grist for his rhetorical mill...

Cicero identifies himself with the state; the Republic becomes his advocate” (May 1988: 164)

“So then I saved the Republic by my departure from Rome, gentlemen of the jury; by my own grief and sorrow I kept off from you and your children devastation, fire, and rapine; alone I twice saved the Republic, once with glory, the second time with misery to myself” (*Pro Sestio* 49)



Cicero and Caelius



“Unlike most of the *post reditum* speeches, the *Pro Caelio*,.... says little about Cicero, his exile, and his public role in the state. Traces of the anxious and humiliating struggle to regain his *dignitas* are absent from the speech. The consular ethos is there, to be sure, but presented ever so subtly. Atratinus, the prosecutor, is devastatingly dismissed as a neophyte. Caelius, the client, and his efforts to be identified with Cicero, ... who, as the great consular orator, guarantees the young man’s allegiance to the state. Through this identification Cicero speaks for Caelius and, in a sense, becomes Caelius... Cicero’s persona as the understanding, supportive, and merciful father is an extension of this role and works to effect the same result” (May 1988: 115-16)



Cicero and Caelius



Cicero counters potential prosecution strategy by subtly reminding court of his contribution (e.g. v Catiline and “that dastardly attempt to destroy this empire” 14); this also works to defend Caelius

“If you restore Caelius to me, to his family, and to the country, you will have a man who is dedicated, devoted, and bound to you and your children; and from all his exertions and labours, it is you in particular, gentlemen, who shall reap the abundant and lasting fruits.” (*Pro Caelio* 79)

