

Cicero's 'Friendly Disagreement' with Metellus Celer (*Fam.* 5.1-2)

Stanley E. Hoffer

The letters between Cicero and Metellus Celer in January 62 (*Fam.* 5.1-2) are paradigmatic letters of 'friendly disagreement' in Roman politics. After Cicero's execution of the Catilinarian conspirators on 5 December 63, the tribunes Metellus Nepos and L. Calpurnius Bestia prevented him from giving the official speech on his last day as consul (29 December), on the grounds that he had killed Roman citizens without a trial. Nepos then tried to prosecute him, but after an exchange of aggressive speeches in which Nepos tried to have Pompey recalled to lead the fight against Catiline, he departed to the East to rejoin Pompey.¹ In a brief letter Celer complains indignantly of how he and his brother Nepos have been treated. Cicero in reply blames Nepos for starting the conflict and says that he acted in self-defense.² Yet the disagreement remains within the unstated bounds of polite friendship, as do almost all the letters in the Ciceronian collection, since in principle personal letters are written to friends, and are not written at all between people who do not have even a facade of friendship.³ Celer and especially Nepos were apparently acting as supporters of Pompey in anticipation of his victorious return from the East, but the outcome showed the importance of not burning bridges. Dio reports that as consul, Celer opposed Pompey because Pompey had divorced his half-sister Mucia (Dio 37.49.3; cf. Plut. *Pomp.* 42, Suet. *Iul.* 50), and indeed Cicero was later on good terms with Celer (*Att.* 1.18.5, 1.19.4, 2.1.4, *Red. Senat.* 25, *pro Sest.* 131) and even Nepos (*Fam.* 5.3-4, *in Pison.* 35).

Though the letters are ostensibly a private exchange of complaint and defense, in all likelihood they are also aimed at a wider public, as Celer's use of the second person

¹ Dio 37.38, 42-43, Plut. *Cato Min.* 26-29, *Cic.* 23, 26; D.H. Berry, *Cicero: pro P. Sulla Oratio* (1996) 29, 206.

² The very length of Cicero's reply, especially in comparison with Celer's short letter, is an indication of the delicacy of his position, both because he was a 'new man' among nobles and because he was legally vulnerable after the executions. We might compare lengthy letters of awkward request or self-defense, for example to Cato (*Fam.* 15.4), Luceius (5.12), Memmius (13.1), Appius Claudius (3.6-10), or Lentulus Spinther (1.9), in which he explicitly apologizes for the length of the letter (15.4.15 *sed nimis haec multa de me*; 5.12.9 *tam multis verbis*; 13.1.5 *ne plura*; 3.10.10 *sed haec hactenus; pluribus enim etiam fortasse verbis quam necesse fuit scripta sunt*).

³ For example, in *Fam.* 5.5 Cicero tells C. Antonius that he had decided to write no letters to him except for recommendation letters, and in January 50 Cicero wrote to 'everyone' except for Hirrus and C<r>assi<p>e>s, *Att.* 7.1.8. An exceptionally hostile letter is *Fam.* 7.27, where Cicero rejects T. Fadius' demand for an apology, which Cicero considered to be lacking in *humanitas* (7.27.2 *si humaniter mecum questus esses ...*).

plural for Cicero and his supporters suggests.⁴ Both Celer and Cicero are jockeying for prestige and power, for public 'face', and the letters are embedded in a wider network of tactical moves that include Celer's mourning appearance (5.1 *in luctu et squalore*) and Cicero's personal appeals through relatives and friends of the Metelli (5.2.6, 8).⁵ Indeed, the rhetorical figure *communicatio*, offering that one's opponent may be the judge of something, which Cicero uses twice in his letter, can be regarded as his basic rhetorical stance: one impresses the judge (here, the court of public opinion) with the justice of one's case by saying that even one's opponent must agree.⁶ Celer is demanding from Cicero an apology that will lift his own political standing, and cause Cicero, as the acknowledged offender, to be the more subservient member in the relationship.⁷ Indeed, Celer alludes to a prior quarrel and reconciliation between them (1 *reconciliata gratia*), and we might suspect from Cicero's claim not to understand (5.2.5) that Celer considers Cicero to have been at fault then as well.

Celer's brief, allusive, and abstract style allows him to maintain an imperious tone of righteous indignation without descending to details of which he may not have been fully informed. By moving from past to present to future, he contrives to describe Cicero's treacherous offense repeatedly, first as something he never expected, then as the cause of the present situation, and then as the background to Cicero's future regret and Celer's continuing loyalty to the public interest. An additional reproach intrudes into the future closing section (*te tam mobili ... animo non sperabam*, 'I did not expect that you would have such a fickle disposition'), rounding off the letter with an echo of the opening (*existimaram pro mutuo ... animo*). Celer's vocabulary emphasizes the idea of betrayal and wrongdoing through its numerous value-laden terms (*gratia*, *dignitas*, *clementia*, and *iniuria*) and expressions of reversal and failure of expectations: *existimarem* ('I had imagined'), *debebat ... sublevare* ('should have come to his relief'), *minime conveniebat* ('was hardly in keeping'), *qui ... bellum gero* ('I, who am conducting a war'), and *non sperabam* ('I did not expect'). Events are conveyed allusively through general terms, as if they and their significance are well-known: *reconciliata gratia* (our 'restored friendship'), *ludibrio* ('by mocking'), *ob dictum* ('because of something said'), *oppugnatum*

⁴ For evidence for the circulation of 'open' letters, as opposed to confidential letters, see J. Nicholson, 'The Delivery and Confidentiality of Cicero's Letters', *CJ* 90 (1994) 58-9.

⁵ On the use of the modern sociological concept 'face' to describe public stature and dignity, see J. Hall, 'Cicero *Fam.* 5.8 and *Fam.* 15.5 in the Light of Modern Politeness Theory', *Antichthon* 30 (1996), 24-5.

⁶ 5.2.4 *tu ipse velim iudices*, 'I am willing for you yourself to be the judge of that'; 10 *ut tu quoque aequum te iudicem dolori meo praebeas*, 'that you too act as a fair judge of my grief'. For other examples of this figure, called *communicatio* at Cic. *de Orat.* 3.204 and Quint. 9.2.20, and *permissio* at Quint. 9.2.25, see Cic. *Div. Caec.* 37-39, *Verr.* 5.136 (admired by Quintilian, 6.1.3), *Att.* 6.1.7; cf. H. Lausberg, *Handbook of Literary Rhetoric* (1998), 383-4. On forensic rhetorical features in Cicero's letters, see M. Wistrand, *Cicero Imperator: Studies in Cicero's Correspondence 51-47 B.C.* (1979), 16-17, 88, 94, 117.

⁷ At *de Offic.* 2.68 Cicero explains how to apologize: one explains why the offense was unavoidable, and one will have to 'pay back' (*erit ... compensandum*) for the apparent violation by other services and duties. At *Fam.* 3.12.4, Cicero tells Appius Claudius that their prior quarrel made him more careful in their friendship so that no one would think that the reconciliation was insincere.

(‘attacked’), *quae ... administrastis* (‘you managed these matters’), and *paenitebit* (‘you will regret’). And behind the basic idea of family solidarity that underlies Celer’s complaint on behalf of his brother we also hear the aristocrat’s indignation against the ‘new man’ Cicero (*familiae nostrae dignitas*, and perhaps *maiorum nostrum clementia*).⁸

Celer first presents a pair of reasons, listed in increasing importance, for why he had not expected Cicero’s actions: their reciprocal feelings, *mutuo animo*, and a violated and restored friendship, *reconciliata gratia*. Then he lists the actions themselves in another rising pair: the mockery of the absent Celer, and the assault on the civic existence and status of his brother Metellus simply because of something he said.⁹ He continues with further reasons why his brother should not have been harmed, first a reason that was not adequate, his *pudor* (‘sense of shame, sensitivity to public propriety and disapproval’), and then another rising pair of reasons, the public standing of the great Metelli family, and in particular Celer’s devotion to the Senate and the public welfare, public reasons which complement the personal factor of friendship. A second description, giving the outcome of Cicero’s (and the Senate’s) offense, shifts the focus onto Celer by reversing the order of the brothers, presenting first Nepos (*circumventum*) and then Celer (*desertum*). First Celer was mocked by Cicero in the Senate (in December), and then Nepos was assaulted by his senatorial opponents. Now, as a result, Nepos has been overcome (in departing from Rome under pressure) and Celer has been abandoned, probably because of Nepos’ departure. The indignant tone of unjust suffering passes into the conventional topos of the loyal general, abandoned by the rascals in control at home (e.g. Plut. *Sulla* 22.1, Hirtius *BG* 8.55). ‘And so I am in the grief and garb of mourning, I who am in charge of a province and of an army, and am waging a war’. Though pledging his obedience to the public interest, Celer drops ominous threats against his opponents in the Senate (*vos paenitebit*). The letter’s rhetoric of reversed proprieties is a literary representation of this visual reversal in the camp, the general wearing dark mourning garb instead of the red *paludamentum*, and the letter gives public circulation at Rome to this visual symbol of indignation, and to the contrast between how the Metelli should have been treated and how they were treated. But Celer’s public indignation is a dangerous game, a possible invitation to the soldiers to take indignant action in the general’s personal interest. Antony, for example, was said to have used his long hair, beard, and black cloak to instigate mutiny in Lepidus’ army after the battle of Mutina

⁸ In his letter, Cicero refrains from flattering Celer’s illustrious family, though elsewhere he routinely speaks respectfully of the Metelli as one of the great noble families, e.g. *Rosc. Amerin.* 15, *pro Sest.* 130-31, *pro Balbo* 40, *de Fin.* 5.82; cf. *Fam.* 3.7.5, explaining his refusal to grovel before *Appiatus* or *Lentulitas*.

⁹ It is not necessary to emend the text from *absente<m> ludibrio laesum iri* to *absente<m> me a te> ...* (Wesenberg) or *absente<m> unquam me abs te> ...* (Shackleton-Bailey) in order to match Cicero’s echo *numquam te a me ludibrio laesum iri* (5.2.1). Cicero often does not quote precisely — see e.g. *Fam.* 2.9.1 ~ 8.3.1, 2.10.2 ~ 8.5.1, and W.C. Schneider, *Vom Handeln der Römer: Kommunikation und Interaktion der politischen Führungsschicht vor Ausbruch des Bürgerkriegs im Briefwechsel mit Cicero* (1999), 88 n. 13. Cicero substitutes the bland *numquam* (‘ever’) for Celer’s emotive *absentem* (‘behind my back’), and adds *te* to supply the missing object for the supine *laesum*, and *a me* in place of *per te* in the not-yet-quoted second half of Metellus’ charge (cf. 5.2.6 *a me oppugnari* for Celer’s *per te oppugnatum iri*).

(Plut. *Anton.* 18). Moreover, Dio says that people at Rome wore mourning garb until after Catiline's defeat at Pistorium (37.33.3, 37.40.2). Celer is usurping the propaganda value of the public mourning against Catiline, declaring that he needs protection against the very leaders whom he is protecting from Catiline.

Next, Celer moves to the future: 'since you people have conducted these matters without sense and without the mercy of our forefathers ...' 'Mercy', *clementia*, refers explicitly to Cicero's treatment of the Metelli (*quae ... administrastis*), but since the cause of Nepos' attack, and therefore ultimately of Cicero's future regrets, was Cicero's execution of the Catilinarian conspirators, it also suggests criticism of the execution, and indeed, Cicero says that Celer avoided praising Cicero for the executions (5.2.1). Celer's threat, that it will be no surprise if 'you people come to *regret*' what you have done, appears to echo Nepos' threat before he left Rome, that the city will soon *regret* dishonoring so great a man as Pompey (Plut. *Cato Min.* 29). Perhaps this was a standard trope used by Pompey's supporters to arouse indignation against the conservative senatorial oligarchy.

A final reproach rephrases the opening reproach. 'I did not expect that you were of such *variable* spirit towards me and my people' (*tam mobili in me meosque animo*; cf. *1 pro mutuo inter nos animo*). Celer is not ending the mutual relationship, but announcing, condescendingly and threateningly, his disappointment that Cicero has ended it. Cicero has been inconstant to the friendship, but Celer will be constant — to the public interest. The closing reference to the public interest omits half of the prior doublet, 'my zeal towards *you people* and the public interest' (1). There is no longer a friendship with Cicero (and his supporters) for Celer to be loyal to; it is up to Cicero to apologize and plead to be restored to Celer's good graces.

Cicero's response has three sections of narrative, responding to three accusations, *ludibrio laesum iri* (5.2.1-2), *mutuo inter nos animo* (3-4), and *fratrem ... oppugnatum iri* (6-8); the accusation implied in *reconciliata gratia* is dismissed in a single line (5), and the conclusion occupies sections 9-10. Cicero obtains this structure by quoting Celer's letter only up to *ludibrio laesum iri* and then treating the two accusations chiasmatically, first the mocking of Celer, and then the violation of reciprocal obligations. The chiasm allows Cicero to begin with his strongest material; it is easier to show that he did nothing against Celer than that his counterattack against Nepos was justifiable self-defense.¹⁰ Furthermore, whereas Celer closely connected the offenses against the two Metelli, Cicero detaches the two charges as much as possible. Only after refuting each charge separately does Cicero take up the issue of family solidarity, and as a point in his own favor. Nepos should have told you, in which case you should have dissuaded him (9); either you should be angry at *him* (for not telling you), or I should be angry at *you* (for not dissuading him). Brotherly solidarity also means joint brotherly responsibility.

Cicero's letter teems with allusions, reinterpretations, and substitutions for almost every key word and concept in Celer's letter. Celer's opening *mutuo animo*, 'reciprocal spirit', becomes Cicero's closing *nostra benevolentia*, 'goodwill' (and earlier, *voluntatis*

¹⁰ Rhetorical theory advised starting a defense speech with strong arguments, and in particular choosing an accusation that is easily refuted (Quint. 7.1.10-11).

mutuae, 2). *Ludibrio*, 'mocking', is softened into *non iniucunda*, 'not unamusing', and *mediocris quidam risus*, 'some moderate laughter' (2). *Ob dictum*, '(merely) because of something he said', becomes *non me dicto Metelli, ut scribis, sed consilio eius animoque in me inimicissimo esse commotum*, 'with very hostile plan and disposition' (9; also 6 *impetum crudelissimum*). *Oppugnatum*, 'attacking' Nepos, becomes *repugnavi* (10), 'counterattacking'. Cicero proclaims his own loyalty to the *res publica* (6), and says that he *did* contribute to Nepos' being 'relieved' (9 *sublevaretur*). It is Cicero who has been 'bereft' (10 *desertus*) of Celer's obligatory services. It is not Nepos who was attacked *capite ac fortunis*, 'in civic existence and standing', but Cicero who had to defend his own 'well-being' (6 *meam salutem*). Celer owes his *provincia* to Cicero (3), who even had a right to avail himself of Celer's 'army' for help (10). Far from lacking *clementia*, Cicero was *lenis, facilis*, and *humanus* ('mild', 'easy-going', and 'humane'), even to the point of *remissio animi ac dissolutio* ('slackness and weakness of spirit', 9). Cicero indignantly exposes the lurking threat of *paenitebit* ('you will be sorry') with the etymological pun *paene minitanti* ('almost threatening', 10).¹¹ His spirit is not *mobili* but *stabili* (10). He shows that *iniuria* was done to *him* (6, 6, 7, 7, 8, 9 *iniuria*) rather than to Celer, and finally asks Celer to be a fair judge to Cicero's own *dolor* as Cicero has shown understanding and even praise for Celer's *dolor* (10; 5.1.2 *nec domesticus dolor nec cuiusquam iniuria*).

In the first section we find Cicero doing damage control for his famous wit, which has brought him into trouble. Apparently when Celer was last at Rome, probably in December, he ostentatiously refrained from praising Cicero in the Senate, and at a later meeting Cicero complained that Celer's 'relatives' (Nepos, and perhaps Clodius) had induced him to be silent. Cicero says that his 'open and frank' confession of his desire to be praised by Celer aroused laughter in the Senate, but we could also picture a comic *tour-de-force* in which Cicero put on a naive act of surprised disappointment at not getting the praise he yearns for, in order to arouse malicious laughter at the expense of Celer. In any case, Cicero describes Celer's behavior in as flattering a way as possible: Celer was induced to be silent by relatives to whom he *could not* say no (*a te propinquos tuos, quibus negare non potuisses, impetrasse* ...). Whether his public complaint about Celer's silence was in good faith or not, Cicero recognizes Celer's obligation to refrain from praising Cicero in the Senate at his brother's request.

In turning to Celer's complaint about 'reciprocal spirit', Cicero in turn lists his services for which Celer has not shown equal goodwill.¹² He surrounds this list with an

¹¹ This ancient etymology (A. Gellius 17.1.9) appears to be correct, Walde-Hofmann, *Lateinisches Etymologisches Wörterbuch*, (1938), 2.235 s.v. An alternative ancient etymology derived *paenitet* from *poena* (Isid. *Orig.* 6.19.71).

¹² As Spielvogel shows, 'Das Prokonsulat des Q. Caecilius Metellus Celer (Prätor 63 v. Chr.)', *Hermes* 121 (1993), 245, the title 'procos.' in the salutations explains Cicero's 'extensive, honorific deeds' (1 *rebus amplissimis atque honorificentissimis*) and his speech that Celer said was 'not only honorific to himself but even insulting to his fellow praetors' (3 *non solum in te honorificam sed etiam in collegas tuos contumeliosam*). The granting of the title 'proconsul' instead of 'propraetor' to a praetorian commander would give Celer practical advantages in prestige and advancement.

introductory trope of not understanding his correspondent ('I don't know what *you* consider "reciprocal" in friendship') and a concluding use of *communicatio* ('*you* be the judge of whether your last visit to Rome was a "reciprocal" return').¹³ Before explaining how and why he resisted Celer's brother so vigorously, Cicero wants to establish that Celer was in debt to *him* before the quarrel with Nepos broke out. Cicero is giving us the same event as in the prior section, Celer's silence in December, but from a prospective view from the past, explaining why Cicero had the right to expect Celer's praise *in return* (4 *mutue respondisse*). Celer's reason for his (disappointed) expectations of Cicero has turned into Cicero's reason for his (disappointed) expectations of Celer.

The third and longest narrative section, on the conflict with Nepos, begins with a three-part headline description of his attitude. First (*primum*), he approves of Celer's brotherly feelings of humaneness and piety (*fraternam plenam humanitatis ac pietatis voluntatem*). Second (*deinde*), he asks forgiveness if he opposed Nepos in anything on account of the public interest (*si qua ego in re fratri tuo rei publicae causa restiterim, ut mihi ignoscas*). And third (*vero*), it should be enough for Celer that Cicero is not complaining about Nepos' savage and wrongful attack against Cicero's own well-being (*si vero meam salutem contra illius impetum in me crudelissimum defenderim, satis habeas nihil me etiam tecum de tui fratris iniuria conqueri*). The implicit tension between Cicero's two principal aims in the letter, both to appease Celer's anger and to justify his own actions, shows itself in the slight contradiction between the second headline, in which he offers an apology, and the third headline, in which he suggests that he might have demanded one.

Cicero's headline summary of his defense, like Celer's accusation, traverses a rising scale of values. First comes Celer's brotherly love, based on *humanitas* (mildness) and *pietas* (sacred, permanent obligation).¹⁴ Brotherly love must be mild and forgiving precisely because it is sacred and permanent. As Cicero later says (10), he knows the strength of brotherly love from his own feelings (to Quintus).¹⁵ Next comes the public

¹³ On pretending not to understand, cf. 1 *satis intellegere non possum, 5 non intellego*. A notable example is *Att.* 9.11a.1 to Caesar, *de gratia et de ope quid significares mecum ipse quaerebam*; Caesar aggressively replies with *opes* instead of *ops* (*Att.* 9.16); cf. *Fam.* 3.8.2, *Att.* 9.6a, 9.9.3, 9.11.2.

¹⁴ Cicero later glosses *humanitas* to mean being mild and forgiving, understanding that the other person is 'only human' (9 *cognosce nunc humanitatem meam, si humanitas appellandast in acerbissima iniuria remissio animi ac dissolutio*). Gellius, to be sure, argues *against* the common belief that *humanitas* means φιλανθρωπία, or *dexteritatem quandam benivolentiamque erga omnes homines promiscam* and *facili et tractabili et benivolo*, in favor of the meaning παιδεία, or *eruditionem institutionemque in bonas artis* (13.17). Cf. Charisius (G.L. 1.116.11 Keil), *sed humaniter quidem significat φιλανθρωπίως, humane autem ἀνθρωπίνως*; J. Hellegouarc'h, *Le vocabulaire latin des relations et des partis politiques sous la République* (1972), 268 n. 12; *RE Supp.* 5.299-300 s.v. *humanitas*.

¹⁵ We have early signs of conflict between Cicero and Quintus in references to Quintus' difficult marriage to Pomponia, arranged by Cicero (*Att.* 1.5.2, 1.6.2, 1.10.5, 1.17.1-2). Cicero says that his pain when Quintus manumitted Statius in 59 was the less because he

interest, an obligation of comparable weight: in so far as Cicero blocked Celer's brother for the sake of the *res publica*, he is willing to apologize. But third, Cicero's rights to self-defense outweigh brotherly affection so much that Cicero could almost demand an apology from Celer for Nepos' attack. Ultimately, Cicero does not rest his case on political justifications, although he does highlight them during his narrative, when he denounces Nepos for doing him *iniuria* when Cicero was consul (7) and for equating himself, the savior of the state, with the Catilinarians (8). Anyone can claim that he is acting in the public interest, and Celer, whose army is fighting Catiline, twice referred to *his* devotion to the *res publica* in his letter. Hence Cicero emphasizes that Nepos' attack was mainly a personal, violent, extra-legal attack on his welfare, much as Celer described Cicero's attack on Nepos (5.2.8 *non iudicio neque disceptatione sed vi atque impressione evertere*, 'to overthrow me not by legal process or argument, but by a violent onslaught'; cf. 5.1.1 *oppugnatum iri ... circumventum*).¹⁶

Cicero's narrative is divided into two occasions of Nepos' attempts to harm him, each preceded by Cicero's attempts at intercession and negotiation. He must show that he tried for a mediated solution precisely because he foiled the attacks. One might even have imagined that he welcomed it that Nepos forced him only to swear the standard, but problematic, oath that he had done nothing illegal in office, since his quick wit — or perhaps his carefully planned stratagem — turned it into something far more effective than any speech could have been; he swore to great acclamation that the republic and Rome had been saved by his effort alone (*in Pison.* 6; cf. Dio 37.38, Plut. *Cic.* 23). But his appeal to Nepos through intermediaries gives him objective evidence, that can be later used in contexts like this letter, that he considers Nepos' planned actions to be a major threat which he is trying to prevent peacefully, but if necessary will resist vigorously despite his friendship with the family. The initial use of female relatives keeps things private and nominally secret, but after the public conflict over the consul's oath, Cicero appeals through 'common friends', that is, leading political figures.¹⁷ Nepos cannot simply shake them off without replying, and so he is reduced to giving a technical excuse to counter their plea, as if he would like to comply, but it is too late: he has committed himself (8 *non esse integrum*) in his speeches before the People, and so he would lose face to back down, as if he were abandoning the rights of the People under corrupt senatorial pressure — or at least this was his excuse; perhaps he too gave public notice in order to strengthen his hand and give him this excuse to fall back on later.

Cicero, like Celer in his letter, breaks down the narrative into the time before, during, and after each of the two stages (the oath, and the exchange of hostile speeches), describing Nepos' offenses many times (when I heard he would do X, ...; he did X; when he had done X, ...). He repeatedly uses the word *iniuria* to describe the first event,

was 'already calloused' (*Att.* 2.18.4 *iam prorsus occallui*), but he cannot even be angry with someone he loves so much (*Att.* 2.19.1 *ne irasci possum quidem iis quos valde amo*).

¹⁶ In fact, after Nepos supported Cicero's recall from exile, Cicero politely describes the conflict as a disagreement over the *res publica* (*in Pison.* 35, *pro Sest.* 72, 130).

¹⁷ Plutarch says that because of Cato's initial moderate treatment of Nepos in the Senate Nepos became more extreme, believing that his opponents were cowed (*Cato Min.* 26). On intermediaries in quarrels, see e.g. *Att.* 1.11.1, *Caelius Fam.* 8.12.2 (on Appius); D. Konstan, *Friendship in the Classical World* (1997), 126.

Nepos' blocking the consul's retirement speech (6 *ab illa iniuria*; 7 *qua iniuria*, 7 *cuius iniuria*, 8 *hac accepta ... iniuria*, 9 *acerbissima iniuria*). The repetition emphasizes that Nepos, and not Cicero, committed a violation (cf. 5.1.2 *iniuria*). The second part of Nepos' attack was a power struggle, not a violation of his rights, so Cicero does his best to distinguish Nepos' rashness (8 *temeritati*) and extra-legal violence (8 *vi atque impressione*) from his self-defence 'with manly excellence and spirit' (*virtute atque animo ... restitissim*).

Having finished the basic narrative, Cicero ends with a masterly conclusion that reminds us of his famous skill in perorations.¹⁸ A narrative tag, describing his mildness in the senatorial debate on Nepos, divides the conclusion into two sections. Rhetorical theory recommended putting the strongest arguments at the beginning and the end (*ad Herenn.* 3.18, Cic. *de Orat.* 2.314, *Orator* 50, Quint. 5.12.14), so having begun his letter by disproving that he harmed Celer, he ends it with a narrative tag proclaiming his mildness to Nepos. In each of the two sections of the peroration, Cicero restates one of the three headlines from 6 (I approve of your brotherly spirit; forgive me for opposing your brother; be glad I'm not complaining). Section 9 echoes the third headline (be glad I'm not complaining), and section 10 echoes the first (I approve of your brotherly feeling). Cicero sharpens the reason that Celer should be glad at his mildness; he should be glad not merely because Cicero had to ward off a savage, wrongful attack (6), but because Celer may have known about the attack beforehand. If, on the one hand, Celer did not know about Nepos' plans, his brother has kept him in the dark about highly important matters (*te maximis de rebus a fratre esse celatum*). Cicero implies that such major plans *would* normally be told to immediate family. For relatives to function in concert politically, they must share and consult on plans jointly. But if, on the other hand, Celer *did* know about such hostile plans, then he should consider Cicero mild not to lodge a protest; presumably Celer should have dissuaded Nepos, or warned Cicero, or at the least, should have accepted Cicero's resistance without protest. In order to demand consideration from Cicero over his brother, Celer also must take joint responsibility for his brother's actions.

In the second and final conclusion (10), Cicero summarizes and raises the emotional pitch by echoing, rephrasing and refuting the main elements of Celer's letter at a greatly intensified pace. He did not 'fight against' Nepos (*oppugnavi*), but rather, he fought *back* against him (*repugnavi*). And he has been of 'steadfast' (*stabili*), not 'fickle' spirit (*mobili*), remaining in friendly goodwill to Celer even though he (and not Celer) is the one who has been 'abandoned' (*desertus*). The word 'goodwill', *voluntas*, becomes the keynote of the peroration. He pauses to highlight the next line with a programmatic announcement; 'even now, despite your almost threatening me by letter, I write back in answer' (*atque hoc ipso tempore tibi paene minitanti nobis per litteras hoc rescribo atque respondeo*). In short, *this* is the message of the letter: 'I forgive — even praise — your (brotherly) grief; accordingly I ask that you too act as a fair judge of *my* grief'. In echoing the first of the three introductory headlines (6 'I approve of your brotherly spirit'), he uses the verb from the omitted second headline (6 *ignoscas*). In this one-line summary of his letter, he does *not* repeat the request for forgiveness; instead, he

¹⁸ *Brutus* 190, *Orator* 130.

pointedly forgives *Celer* for feeling his brother's pain. And retorting to *Celer*'s indignant reference to his mourning while leading an army in war, he even says that *Celer* and his army should have helped *him*.

From reciprocal request, Cicero moves to reciprocal love.

maneo in voluntate et, quoad voles tu, permanebo, citiusque amore tui fratrem tuum odisse desinam quam illius odio quicquam de nostra benevolentia detraham.

I remain in friendly wishes; and as long as you wish, I will continue to remain in them, and I will sooner stop hating your brother because of my love for you, than take away, because of my hatred of him, a bit from our good wishes.

The etymological echo (*voluntate ... voles*) brings out the mild threat contained in *voles*. Cicero will only have friendly *wishes* as long as *Celer wishes*, as long as *Celer* has *goodwill*.¹⁹ Whereas *Celer*, still campaigning against *Catiline*, had declared his unconditional loyalty to the public interest, Cicero only mentions the continuation of their friendship. But having justified his behavior with *Nepos*, he refuses to grovel and beg for friendship on any terms. Though he has suffered wrong, he will not make claims against *Celer*, he even briefly asked for forgiveness (6), and now he offers his continuing friendship in exchange for friendship, as long as *Celer* is willing. Yet the final note is the power of love over hatred, the offer to stop hating *Nepos* out of love for *Celer*, and the final words describe their mutual goodwill in a fuller form, not *voluntas*, but *benevolentia*.

We do not know whether Cicero's letter contributed to his later good relations with *Celer*. Like a trial, whose outcome often depends on external considerations such as the facts of the case, judges' prejudices, intimidation, and so on, so too the fate of Cicero's political friendship with *Celer* may have depended more on external circumstances, such as *Celer*'s break with *Pompey*, than on the quality of his pleading. But as long as the constraints of civil society remain, even these outside influences are presented in terms of widely accepted values and moral judgments. The very fact that Cicero considered it worthwhile to compose such an outstandingly long and careful reply to *Celer* testifies to the letter's potential importance in smoothing the way, and giving public justification, for *Celer* to remove his mourning outfit after a decent interval, and to continue his friendly relations with Cicero despite Cicero's conflict with *Nepos*.

Tel Aviv University

¹⁹ Cicero uses the same combination to *Appius Claudius*, *fretus conscientia ... benevolentiae ... quam ... quoad tu voles, conservabo*, *Fam.* 3.7.6.