



## AP<sup>®</sup> Latin Literature 2002 Sample Student Responses

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In this passage Cicero attempts to explain to the jury why Caelius is on trial and being prosecuted by ~~at~~ Atratinus, who is only 17, for the murder of Dione and preparing poison for Clodia; and the reason for his prosecution is not by law, because various other groups have attacked magistrates and taken arms against the senate, but must be due to some other outside motives.

Cicero states right away that he forgives Atratinus. "Atratinus, humanissimo atque optimo adulescenti, meo necessario, ignosco." (5) (Atratinus, a most urbane and noble young man, I forgive you.) Cicero states 3 reasons for Atratinus' prosecution of Caelius. The first reason is for filial piety, since, not so long ago, Caelius prosecuted Atratinus' father in court. This would be a type of revenge for Atratinus, seeking to regain or at least avenge for whatever dignity his father may have lost due to the case. If his family's reputation was in anyway harmed, then it would be the duty of Atratinus to ~~reprimand~~ avenge for it. "Si voluit accusare, pietati tribuo..." (7) (If he wishes to accuse, I attribute it to piety.) The second reason Cicero states that Atratinus might be prosecuting Caelius is that it was ordered and Atratinus must fulfill this order. "Si iussus est, necessitati..." (7) (If it is ordered, it is necessary [to accuse].) His final statement covers all other possibilities for why Atratinus is prosecuting Caelius. "Si speravit aliquid, peritiae..." (7) (If he is hoping for something else, [I attribute it] to boyhood.)

It is especially puzzling to Cicero why this case has such precedence, that on a day of public games and festivals, where all businesses are closed, this case

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presses on.

By stating these three points about the motivation for Atratinus, Cicero hopes to persuade the jury members that Atratinus is not prosecuting Caelius for just causes, but ulterior motives which have nothing to do with the law. By doing this, Cicero gains a great advantage over ~~the~~ the young Atratinus because he has nearly proven that this case is driven by the outside motives of another person.

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When making his oration, Cicero found himself in a unique situation in which the lead prosecutor was a 17-year old boy, Atratinus. To viciously attack such a youth would certainly cause the jury to look down at the old Cicero and perhaps be less willing to offer a decision in Caelius' favor. Therefore, Cicero's pathetic <sup>ethical</sup> appeals to the jury <sup>are ones</sup> ~~is one~~ that ~~do~~ not show him to be a bloodthirsty, heartless lawyer.

The start of this ~~part~~ <sup>section</sup> begins by showing the motives of the prosecution as being somewhat hateful and fierce. They lowered themselves to a new level by accusing Caelius of these charges, chiefly 'impudicitia'. He speaks in a roundabout manner, saying that one who would descend to such a charge must be relying on either intolerable lust or overflowing hatred for someone. <sup>"cum descendisset... nimis acerbo odio nitetur"</sup> He does not specifically say that the prosecution ~~is~~ is doing just that, but he makes this inference quite obvious. He explains to the jury that they are making such outrageous claims only because they have some hard feelings of their own toward Marcus Caelius.

Because of his aforementioned situation, he then must mention Atratinus and try to seem like he isn't going too hard on him. He calls Atratinus "meo necessario": "my friend" and says that he forgives him. He says that Atratinus has an excuse for being involved in such slander and maledictions. Because M. Caelius had once persecuted Atratinus' father, he says that Atratinus may have the excuse of pique and respect for his father and so he is trying to ~~see~~ get some type of "revenge". If he was ordered to make the oration, then it is necessity. Finally, he says that it's okay if Atratinus, at such a young age, is trying to make a ~~name~~ name for himself and be known throughout Rome for his talent. ~~These~~ These excuses don't make the speech and charges right, but Cicero uses it to take on the ethos of a fatherly, forgiving figure. Perhaps at the same time that it makes Cicero look kind, it also makes Atratinus look young, brash, & foolish; an appearance that can only help the defense. He ends by not forgiving

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the others and saying they must be fiercely resisted. Old, experienced men like them should know better.

The jury will see this part of Cicero's speech and hopefully realize what the prosecution is doing. They are bringing up horrible slander, rumors, and maledictions to make Caelius look like a complete dirtbag. They are trying to remove all Roman virtue from him and ~~not~~ show that because he is unchaste, he is capable of committing any crime imaginable. But they are not focusing on the facts and evidence, they are focusing on unrelated information to the charge and Cicero wants the jury to see that!