

Therefore, O Caius Cæsar, I thank you, as if,—though I have not only been preserved in every sort of manner, but also loaded with distinctions by you,—still, by this action of yours, a crowning kindness of the greatest importance was added to the already innumerable benefits which you have heaped upon me, which I did not before believe were capable of any augmentation.

THE SPEECH OF M. T. CICERO IN DEFENSE OF QUINTUS LIGARIUS.

THE ARGUMENT.

Quintus Ligarius was a Roman knight, who had been one of the lieutenants of Considius, the proconsul of Africa, and one of Pompey's partisans, and as such had borne arms against Cæsar in Africa, on which account he had gone into voluntary exile, to get out of the reach of the conqueror. But his two brothers had been on Cæsar's side, and had joined Pansa and Cicero in interceding with Cæsar to pardon him. While Cæsar was hesitating, Quintus Tubero, who was an ancient enemy of his, knowing that Cæsar was very unwilling to restore him (for Ligarius was a great lover of liberty), impeached him as having behaved with great violence in the prosecution of the African war against Cæsar, who privately encouraged this proceeding, and ordered the action to be tried in the forum, where he sat in person as judge to decide it; and so determined was he against Ligarius, that he is said to have brought the sentence of condemnation with him into court, already drawn up and formally signed and sealed. But he was prevailed upon by Cicero's eloquence, which extorted from him a verdict of acquittal against his will; and he afterward pardoned Ligarius and allowed him to return to Rome.

Ligarius afterward became a great friend of Brutus, and joined him in the conspiracy against Cæsar.

I. It is a new crime, and one never heard of before this day, O Caius Cæsar, which my relation Quintus Tubero has brought before you, when he accuses Quintus Ligarius with having been in Africa; and that charge Caius Pansa, a man of eminent genius, relying perhaps on that intimacy with you which he enjoys, has ventured to confess. Therefore I do not know which way *I had best proceed*. For I had come prepared, as you did not know that fact of your own knowledge,

and could not have heard it from any other quarter, to abuse your ignorance in order to further the safety of a miserable man. But, however, since that which was previously unknown has been ferreted out by the diligence of his enemy, we must, I suppose, confess the truth; especially as my dear friend Caius Pansa has so acted that it would not now be in my power to deny it. Therefore, abandoning all dispute of the fact, all my speech must be addressed to your mercy; by which many have already been preserved, having besought of you, not a release from all guilt, but pardon from admitted error.

You, therefore, O Tubero, have that which is of all things most desirable for a prosecutor, a defendant who confesses his fault; but still, one who confesses it only so far as he admits that he was of the same party as you yourself, O Tubero, were, and as that man worthy of all praise, your father, also was. Therefore you must inevitably confess yourselves also to be guilty, before you can find fault with any part of the conduct of Ligarius.

Quintus Ligarius, then, at a time when there was no suspicion of war, went as lieutenant into Africa with Caius Considius, in which lieutenancy he made himself so acceptable, both to our citizens there and to our allies, that Considius on departing from the province could not have given satisfaction to those men if he had appointed any one else to govern it. Therefore, Quintus Ligarius, after refusing it for a long time without effect, took upon himself the government of the province against his will. And while peace lasted, he governed it in such a manner, that his integrity and good faith were most acceptable both to our citizens and to our allies. On a sudden, war broke out, which those who were in Africa heard of as being actually raging before any rumor of its preparation had reached them. But when they did hear of it, partly out of an inconsiderate eagerness, partly out of some blind apprehension, they sought for some one as a leader, at first only with the object of securing their safety, and afterward with that of indulging their party-spirit; while Ligarius, keeping his eyes fixed on home, and wishing to return to his friends, would not allow himself to be implicated in any business of the sort. In the mean time, Publius Attius Varus, who as *prætor* had obtained the province of Africa, came to Utica. Every one immediately flocked to him, and he seized

on the government with no ordinary eagerness, if that may be called government which was conferred on him, while a private individual, by the clamor of an ignorant mob, without the sanction of any public council. Therefore, Ligarius, who was anxious to avoid being mixed up in any transactions of the sort, remained quiet for some time on the arrival of Varus.

II. Up to this point, O Caius Cæsar, Quintus Ligarius is free from all blame. He left his home, not only not for the purpose of joining in any war, but when there was not even the slightest suspicion of war. Having gone as lieutenant in time of peace, he behaved himself in a most peaceable province in such a manner, that it wished that peace might last forever. Beyond all question, his departure from Rome with such an object ought not to be and can not be offensive to you. Was, then, his remaining there offensive? Much less. For if it was no discreditable inclination that led to his going thither, it was even an honorable necessity which compelled him to remain. Both these times, then, are free from all fault—the time when he first went as lieutenant, and the time when, having been demanded by the province, he was appointed governor of Africa.

There is a third time: that during which he remained in Africa after the arrival of Varus; and if that is at all criminal, the crime is one of necessity, not of inclination. Would he, if he could possibly have escaped thence by any means whatever, would he rather have been at Utica than at Rome,—with Publius Attius, in preference to his own most united brothers? would he rather have been among strangers, than with his own friends? When his lieutenantcy itself had been full of regret and anxiety on account of the extraordinary affection subsisting between him and his brothers, could he possibly remain there with any equanimity when separated from those brothers by the discord of war?

You have, therefore, O Cæsar, no sign as yet of the affections of Quintus Ligarius being alienated from you. And observe, I entreat you, with what good faith I am defending his cause. I am betraying my own by so doing. O the admirable clemency, deserving to be celebrated by all possible praise, and publicity, and writings, and monuments! Marcus Cicero is urging in Ligarius's defense before you, that the inclinations of another were not the same as he admits his own to have been; nor does he fear your silent thoughts, nor is he under

any apprehension as to what, while you are hearing of the conduct of another, may occur to you respecting his own.

III. See how entirely free from fear I am. See how brilliantly the light of your liberality and wisdom rises upon me while speaking before you! As far as I can, I will lift up my voice so that the Roman people may hear me. When the war began, O Cæsar, when it was even very greatly advanced toward its end, I, though compelled by no extraneous force, of my own free judgment and inclination went to join that party which had taken up arms against you. Before whom now am I saying this? Forsooth, before the man who, though he was acquainted with this, nevertheless restored me to the republic before he saw me; who sent letters to me from Egypt, to desire me to behave as I always had behaved; who, when he himself might have been the sole leader of the Roman people in the whole empire, still permitted me to be the other; by whose gift it was (this very Caius Pansa, who is here present, bringing me the news) that I retained the fasces wreathed with laurel, as long as I thought it becoming to retain them at all, and who would not have considered that he was giving me safety at all, if he did not give it me without my being stripped of any of my previous distinctions.

Observe, I pray you, O Tubero, how I, who do not hesitate to speak of my own conduct, do not venture to make any confession with respect to Ligarius: and I have said thus much respecting myself, to induce Tubero to excuse me when I say the same things of him. For I look in the forum on his industry and desire of glory, either on account of the nearness of our relationship, or because I am delighted with his genius and with his earnestness, or because I think that the praises of a young man who is my relative redound somewhat to my own credit. But I ask this—Who is it who thinks that it was any crime in Ligarius to have been in Africa? Why, the very man who himself also wished to be in Africa, and who complains that he was prevented by Ligarius from going there, and who certainly was in arms and fought against Cæsar. For, O Tubero, what was that drawn sword of yours doing in the battle of Pharsalia? against whose side was that sword-point of yours aimed? What was the feeling with which you took up arms? What was your intention? Where were your eyes? your hands? your eagerness of mind? What were you desirous of? What were you wishing for? I am

pressing you too hard. The young man appears to be moved. I will return to myself. I also was in arms in the same camp.

IV. But what other object had we, O Tubero, except to be able to do what this man can do now? Shall, then, O Cæsar, the speech of those men spur you on to deeds of cruelty, whose impunity is the great glory of your clemency? And in this cause, in truth, O Tubero, I am somewhat at a loss to discern your usual prudence, but much more so to see the sagacity of your father, since that man, eminent both for genius and erudition, did not perceive what sort of case this was. For if he had perceived it, he would, I doubt not, have preferred that you should conduct it in any manner in the world, rather than as you did.

You are accusing one who confesses the facts which you allege against him. That is not enough. You are accusing one who has a case, as I say, better than your own, or, as you yourself allow, at least as good as yours. This is strange enough; but what I am about to say is a perfect miracle. That accusation of yours does not tend to the point of procuring the condemnation of Quintus Ligarius, but of causing his death. And this is an object which no Roman citizen has ever pursued before you. That way of acting is quite foreign. It is the hatred of fickle Greeks or of savage barbarians that is usually excited to the pitch of thirsting for blood. For what else is your object? To prevent him from being at Rome? To deprive him of his country? To hinder him from living with his excellent brothers, with this Titus Brocchus, whom you see in court, his uncle, or with Brocchus's son, his cousin? To prevent his appearing in his country? Is that it? Can he be more deprived of all these things than he is already? He is prevented from approaching Italy; he is banished. You, therefore, do not wish to deprive him of his country, of which he already is deprived, but of his life.

But even in the time of that dictator who punished with death every one whom he disliked, no one ever proceeded in that manner to accomplish such an end. He himself ordered men to be slain, without any one asking him; he even invited men to slay them by rewards; and that cruelty of his was avenged some years afterward by this self-same man whom you now wish to become cruel!

V. "But I am not asking for his death," you will say. I

think indeed that you do not intend to do so, O Tubero. For I know you, I know your father, I know your birth and your name, and the pursuits of your race and family; your love of virtue, and civilization, and learning; your many admirable qualities,—all are known to me. Therefore I know for a certainty that you are not thirsting for blood, but you give no heed to the effect of your prosecution. For the transaction has this tendency, to make you seem not contented with that punishment under which Quintus Ligarius is at present suffering. What further punishment then is there but death? For if he be in exile, as he is, what more do you require? That he may never be pardoned? But this is much more bitter and much harsher. That which we begged for at his house with prayers and tears, throwing ourselves at his feet, trusting not so much to the strength of our cause as to his humanity, will you now struggle to prevent our obtaining? Will you interrupt our weeping? and will you forbid us to speak, lying at his feet, with the voice of suppliants? If, when we were doing this at his house, as we did, and as I hope we did not do in vain, you had all on a sudden burst in, and had begun to cry out, “O Caius Cæsar, beware how you pardon, beware how you pity brothers entreating you for the safety of their brother;” would you not have renounced all humanity by such conduct? How much harder is this, for you to oppose in the forum what we begged of him in his own house! and while numbers are in this distress, to take away from them the refuge which they might find in his clemency!

I will speak plainly, O Caius Cæsar, what I feel. If in this splendid fortune of yours your lenity had not been as great as you of your own accord—of your own accord, I say (I know well what I am saying), make it, that victory of yours would have been pregnant with the bitterest grief to the state. For how many of the conquering party must have been found who would have wished you to be cruel, when some of even the conquered party are found to wish it! how many who, wishing no one to be pardoned by you, would have thrown obstacles in the way of your clemency, when even those men whom you yourself have pardoned are unwilling that you should be merciful to others!

But if we could prove to Cæsar that Ligarius was actually not in Africa at all, if we wished to save an *unfortunate citizen* by an honorable and merciful falsehood; still it would

not be the act of a man, in a case of such danger and peril to a fellow-citizen, to contradict and refute our falsehood; and if it were decent for any one to do so, it would certainly not be so for one who had himself been in the same case and condition. But, however, it is one thing to be unwilling that Cæsar should make a mistake, and another to be unwilling that he should be merciful. Then you would say, "Beware, O Cæsar, of believing all this—Ligarius was in Africa. He did bear arms against you." But now what is it that you say? "Take care you do not pardon him." This is not the language of a man; but he who uses it to you, O Caius Cæsar, will find it an easier matter to abjure his own humanity than to strip you of yours.

VI. And the first beginning, and the first proposition of Tubero, I imagine, was this; that he intended to speak of the wickedness of Quintus Ligarius. I make no doubt that you wondered how it was that no one made this statement respecting some one else, or how it was that he made it who had been in the same condition himself, or what new crime it was which he was bringing forward. Do you call that wickedness, Tubero? Why so? For that cause has not as yet been attacked by that name. Some call it mistake; some call it fear; those who give it a harder name term it hope, ambition, hatred, obstinacy; those who use the hardest language style it rashness. But up to this time no one except you has ever called it wickedness. My own opinion is, if any one seeks for a proper and accurate name for our misfortune, that some disaster sent by destiny descended upon and occupied the improvident minds of men; so that no one ought to wonder that human counsels were overruled by divine necessity.

Let it be allowed to us to be miserable, although that we can not be when this man is our conqueror. But I am not speaking of those who have perished. Grant that they were ambitious, that they were angry, that they were obstinate men; but still let Cnæus Pompeius, for he is dead, and let many others with him, be free from the imputation of wickedness, of insanity, of parricide. When did any one hear such an expression from you, O Caius Cæsar? or what other object did your arms propose to themselves except the repelling insult from yourself? What was it that was accomplished by that invincible army of yours, *beyond the preservation of its own* rights, and of your dignity? What? when you were anxious

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