

In 62 B.C.E., the poet Archias, Marcus Tullius Cicero's childhood tutor, faced prosecution based on the tribunal law of Gaius Papilius, which expelled non-Roman citizens from Rome. In *Pro Archia Poeta*, Cicero implied that Archias, a resident of Heraclea, might have qualified for citizenship under the *Lex Julia* and *Lex Plautia Papiria*,¹ but chose instead to base his defense on Archias' status as a heralded Roman poet.² In this context, Cicero asserted that even lawyers lack a proper education, unless they possess a thorough knowledge of literature. Cicero, by including the distinguished writing of Archias, attempts to establish the pre-eminence of literature within a legal education in the Roman Republic.

I. The Literary Foundations of an Early Legal Education

Recalling “the most remote memories of my boyhood,”³ Cicero acknowledges Archias' influence as a poet and teacher in the Exordium of *Pro Archia Poeta*.⁴ Cicero's emphasis on his own early childhood provides a glimpse into the earliest foundations of his education.⁵ To this extent, Cicero maintains, “It was he [Archias] who first fitted my back for its burden and my feet for their destined path.”⁶ Although Cicero maintains his

¹ In *The Roman Citizenship*, Sherwin-White analyzes the *Lex Julia* and *Lex Plautia Papiria* in the chapter “The Political Unification of Italy and Consequent Changes” (150-2).

² “Ciceronian Invective” in *Brill's Companion to Cicero: Oratory and Rhetoric* focuses on the nature of Cicero's defense speech and the status of Archias as a poet (Corbeill 206).

³ *Nam quoad longissime potest mens mea respicere spatium* (Cicero, *Pro Archia Poeta* 8-9). For all English translations of *Pro Archia Poeta*, N.W. Watts will be used.

⁴ Gotoff even asserts, “The idea that Archias had been Cicero's cultural inspiration is expressed as a formal application with a fullness that borders on redundancy” (101).

⁵ Corbeill's essay in *Brill's Companion to Cicero: Oratory and Rhetoric*, “Rhetorical Education in Cicero's Youth”, emphasizes the importance of literature and rhetoric taught by Archias (27).

⁶ *Inde usque repetens hunc video mihi principem et ad suscipiendam et ad ingrediendam rationem horum studiorum exstitisse* (11-13).

conventional guise of humility,⁷ the emphasis on *burden* and *destiny* suggest that it was Cicero's earliest ambition to enter the political arena in Rome. As evident in *Pro Archia Poeta*, Cicero's ambitions were not fostered by an eminent politician or a member of the aristocracy. Instead, Archias, who not only was a poet and scholar, but an individual facing expulsion from Rome,⁸ provided Cicero with the means to engage in politics. In *Pro Archia Poeta*, Cicero asserts that a devoted literary apprenticeship at a young age remains pivotal for a legal education.

Cicero states, "I...persuaded myself from my youth up, thanks to the moral lessons derived from a wide reading, that nothing is to be greatly sought after in this life save glory and honor."⁹ By classifying the study of literature as an exceptionally noble pursuit, Cicero demonstrates the inherent value of literature, especially for the youth.¹⁰ Cicero recognizes that the values cultivated at a young age will carry over into a political career. Moreover, the impressionable nature of youth remains vital for the preparation of a legal career. To this extent, Cicero asserts, "But this [literature] gives stimulus to our youth and diversion to our old-age." Literature remains a captivating and appealing force, especially for aspiring adolescents.¹¹ Literature "links together all arts [and occupations] which have any bearing upon the common life of mankind."¹² Cicero, in

⁷ According to Steven M. Cerutti's text *Cicero: Pro Archia Poeta*, Cicero is "always the humble servant," and Cicero remains careful to define himself by three essential characteristics of an orator, *ingenium*, *exercitio*, and *ratio* (2).

⁸ *Perficiam profecto ut hunc A. Licinium non modo non segregandum, cum sit civis, a numero civium, verum etiam, si non esset, putetis asciscendum fuisse* (43-46).

⁹ *Nam nisi multorum praeceptis multisque litteris mihi ab adolescentia suasisset nihil esse in vita magno opere expetendum nisi laudem atque honestatem* (187-90).

¹⁰ Wood's work *Cicero's Social and Political Thought* characterizes the intellectual and literary influences of Cicero at length (42).

¹¹ According to Mole's translation of Plutarch's work *The Life of Cicero*, Cicero "held no form of literature or education in dishonour, [yet] he was somewhat more enthusiastically inclined towards poetry" (59).

¹² *Etenim omnes artes, quae ad humanitatem pertinent, habent quoddam commune vinculum et quasi cognatione quadam inter se continetur* (23-5).

reference to Archias' childhood, contends that young people lack corruption and possess an inherent innocence.¹³ Thus, aspiring youth need good influences, such as Archias and his poetry.

Due to this need for good influences, the role of a poet is essential in fostering honorable characteristics,¹⁴ which are crucial to a legal career. Due to Archias' "studious seclusion,"¹⁵ he remains outside of the corruptible morass of politics. Essentially, Archias lacks conflicting motives. Furthermore, the education provided by Archias, and presumably other poets, lacks bias and promotes unhampered and critical thought. Cicero expressly acknowledges the importance of literature in the educational curriculum of his 'aspiring youth':

Yet, I do at the same time assert that when to a lofty and brilliant character is applied the molding influence of abstract studies [literature], the result is often inscrutably and unapproachably noble.¹⁶

Although poets seemingly isolate themselves from the entrapments of politics, they nevertheless promote the well being of the state. Archias taught Cicero about the great deeds of Roman citizens. For example, Archias, "wrote on the Cimbrian campaign, thereby winning the approbation of the great Gaius Marius himself,"¹⁷ and he even composed an account of the war with Mithridates.¹⁸¹⁹ Cicero's references to glory,

¹³ *Verum etiam naturae atque virtutis* (73-4)

¹⁴ Mitchell's work, *Cicero: The Senior Statesman*, focuses on the conception of *humanitas*, "the refining or humanizing effects of a broad education in the liberal arts," and the importance of refined individuals, like Scipio Aemilianus (37).

¹⁵ *Quae propter otium ac stadium.* (40)

¹⁶ *Atque idem ego hoc contendo, cum ad naturam eximiam et illustrem accesserit ratio quaedam conformatioque doctrinae, tum illud nescio quid praeclarum ac singulare solere existere* (215-8).

¹⁷ *Nam et Cimbricas res adolescens attigit et ipse illi C. Mario* (280-1).

¹⁸ *Mithridaticum vero bellum.* (290-1)

¹⁹ According to Sherwin-White, the war with Mithridates had profound impacts on the willingness of the

honor, and duty assert that Archias provides an honorable set of standards upon which aspiring youth can model their behavior:

But deep in every noble heart dwells a power which plies night and day the goad of glory, and bids us to see to it that the remembrance of our names should not pass away with life, but should endure coeval with all the ages of the future.²⁰

These attitudes of Archias inspired Cicero to pursue a legal career. Archias glorified Rome, not as a means of securing temporary fame, but to assist Romans in living up to their full potential.²¹ While politics are often seen as dangerous, Cicero was taught from an early age that he must stay above their snares and corruptions.²²

Strengthening the contention that the proper legal characteristics for a legal career are fostered at a young age, Cicero turns to Archias' own adolescence. For example, at Antioch, Archias' "intellectual pre-eminence rapidly gained for him a commanding position among his contemporaries."²³ After he experienced the "influences which mould and elevate the boyish mind,"²⁴ Archias devoted himself to a literary career.²⁵ Once again, a strong foundation in literature appears foremost, regardless of whether the eventual career is scholarly, legal, or even political. By referring to Antioch, Tarentum,

Romans to extend citizenship to Greeks of Achaëa and Asia (307).

²⁰ *Nunc insidet quaendam in optimo quoque virtus, quae noctes ac dies animum gloriae stimulis concitat atque admonet non cum vitae tempore esse dimetiendam commemorationem nominis nostri, sed cum omni posteritate adaequandam* (399-404).

²¹ According to Gotoff, "Cicero exposes the inconsistency of those philosophers who decry the quest for immortal fame" (198).

²² Mitchell's work, *Cicero: The Senior Statesman*, reveals Cicero's "uncommon political prudence and good sense" from an early age (46-7).

²³ *Atque eruditissimis hominibus liberalissimisque studiis affluent, cleriter antecellere omnibus ingenii gloria coepit* (51-4).

²⁴ *Nam ut primum ex pueris excessit Archias atque ab iis artibus, quibus aetas puerilis ad humanities informari solet* (47-9).

²⁵ *Se ad scribendi studium contulit* (49-50).

Rhegium, and Neapolis,²⁶ Cicero underscores the importance of traveling and experiencing the dynamic cultures of the Mediterranean world at a young age.²⁷ For example, Archias traveled to the former cities “even before he received the garb of manhood.”²⁸ Traveling also fosters an awareness of other forms of society, which eventually will be pivotal in understanding the complexity of Roman laws.²⁹ Although Archias traveled extensively, his learning environments were exceptionally stable.³⁰ Such stable environments in and of themselves promote a reasonable mentality, which are vital to a lawyer.³¹ Typically, Archias remained in the presence of notable politicians and statesman,³² and their homes “were the earliest resort of his youth, and have given him an affectionate shelter to his declining years.”³³ Archias was exposed to politics, yet he was not immersed in the “perils of the courts.”³⁴

Pro Archia Poeta demonstrates that the earliest foundations of a legal education do not merely reside in actual political ties, but in the cultivation of honorable characteristics.³⁵ To this extent, the ability to determine right and wrong is not imbedded in a blind confidence in laws, but through a proper grounding in literature, which can teach those honorable characteristics. With the assistance of an honorable tutor like Archias, literature provides the foundations from which to explore the historical figures

²⁶ *Itaque hunc et Tarentini et Regini et Neapolitani* (61-2)

²⁷ Gutoff asserts that the mentioning of these places is very emphatic and also serves as an “elegant periphrasis for *homnes eruditiores*” (121-2).

²⁸ *Cum praetextatus etiam tum Archias esset* (70-1).

²⁹ Mitchell, in *Cicero: The Senior Statesman*, describes the importance of the “knowledge of current affairs, national and international” (18-19).

³⁰ *Domum, quae huius adolscntiae prima favit, eandem esse familiarissimam senectuti* (74-5).

³¹ In *Cicero: The Senior Statesman*, Mitchell considers *gravitas* and *constantia* to be crucial for a sense of responsibility and consistency (31).

³² In Mitchell’s other work, *Cicero: The Ascending Years*, Mitchell describes Archias’ “warm patronization by all the prominent *boni*, including Crassus (6).

³³ *Domum, quae huius adolscntiae prima favit, eandem esse familiarissimam senectuti* (74-5).

³⁴ *In iudiciis periculisque*. (41)

³⁵ Mitchell’s work, *Cicero: The Senior Statesman*, maintains, “He [Cicero] believed that all liberal studies

and the nature of a political society, without witnessing or being dragged into the actual strife.³⁶ It is as if poets and writers in general serve as a medium between the pure and corruptive forces of politics. Thus, poets are indispensable in the preparation for the legal burden Cicero was destined to accept, and so are essential to the proper education of a lawyer, politician, and citizen.

II. Literature and a Legal Career

From the literary foundations laid by Archias in Cicero's youth, Cicero still looks towards literature and poets for advice throughout his public career.³⁷ To Cicero, while literature plays a crucial role in an early legal education, literature also provides a proper historical, practical, and emotional background for a legal career.³⁸ Secondly, literature is a valuable asset for the analysis of Roman laws, and finally, literature helps to mitigate any undue ambition,³⁹ which might threaten the honor and duty of politicians in the Roman Republic.

Cicero maintains that historical figures like Ennius recognized their patrons and their foundations in literature. For example, Ennius erected a marble statue of the elder Africanus near the Tomb of the Scipios.⁴⁰ The elder Africanus was a model general and statesman, and, like Cicero, looked to poets for advice and support in the affairs of the

contributed to the process of moral development and that this was an important part of their intent" (41).

³⁶ In Cicero: The Senior Statesman, Mitchell asserts, "Cicero comes back many times to the importance of history and philosophy in the education of political leaders" (20)

³⁷ *Quia suppeditat nobis ubi et animus ex hoc forensi strepitu reficiatur et aures convitio defessae conquiescant* (161-3).

³⁸ In Cicero: The Senior Statesman, Mitchell describes the manifold benefits of the study of history (21).

³⁹ According to Mitchell's work, Cicero: The Senior Statesman, "*virtus* must never have as its purpose any personal ends such as wealth or power" (42).

⁴⁰ *Itaque etiam in sepulcro Scipionum putatur is esse constitus ex marmore* (309-11).

state.⁴¹ Before Ennius, Alexander the Great also recognized the importance of literature. Alexander the Great “carried in his train numbers of epic poets and historians.”⁴² Like these historical examples, Cicero, also, attests the importance of literature in his public career, especially in Roman laws. Literature helped to demonstrate the valor and honor that must be sought and, in the words of Alexander, “Fortunate youth, to have found in Homer a herald of thy valor.”⁴³

Moreover, the knowledge and study of literature is essential to a legal career due to its theoretical value.⁴⁴ While literature hardly glorifies actual Roman laws, it provides the facilities to fully understand the potential of the laws. The study of literature is a highly intellectual activity, and such intellectual depth helps to develop the formulas and techniques of lawyers.⁴⁵ In the opening sentence of the speech, Cicero states that he developed a theoretical understanding of the laws from a devoted literary career.⁴⁶ Then, at the conclusion, in a reflective sense, Cicero rhetorically asks, “And how much more anxious should we be to bequeath an effigy of our minds and characters, wrought and elaborated by supreme talent?”⁴⁷ Since the study of literature shapes and molds the intellect, the study of literature is of the utmost value not only to a legal education, but also in a legal career.

At the same time, Cicero realizes the dangers of unmitigated ambitions in politics

⁴¹ Mitchell finds Cicero to have a “genuine admiration” for Scipio in Cicero: The Senior Statesman (46).

⁴² *Quam multos scriptores rerum suarum magnus ille Alexander secum habuisse dicitur* (333-4).

⁴³ *O fortunate, inquit, adolscens, qui tuae virtutis Homerum praeconem in vereris* (336-7).

⁴⁴ In Wood’s work, Cicero’s Social and Political Thought, Wood asserts, “Cicero shares with most ancient thinkers the opinion that philosophy should always be of a practical value, providing us with principles to be followed in our everyday lives” (57).

⁴⁵ *Atqui sic a summis omnibus erudissimisque acetous, ceterarum rerum studia et doctrina et praeceptis et arte constare.*

⁴⁶ *Aut si huiusce rei ratio aliqua ab optima rum artium studiis ac disciplina profecta* (3-5)

⁴⁷ *Studiose multi summi homines reliquerunt, consiliorum relinquere ac virtutum nostrarum effigiem nonne multo malle debemus, summis ingeniis expressam et politam?* (321-4)

and in law. While Cicero states, “Ambition is a universal factor in life, and the nobler a man is, the more susceptible he is to the sweets of fame,”⁴⁸ he also acknowledges, paradoxically, that literature has the potential to calm even the most ferocious temperaments.⁴⁹ Therefore, literature helps promote reason, which is critical for applying the law in a rational manner.

III. The Delivery of *Pro Archia Poeta*

While the defense of Archias relies on the *Lex Julia* and *Lex Plautia Papiria*, Cicero verges from the conventional legal dialogue. With typical rhetorical flourishes, Cicero asks the “cultivated audience and enlightened jury”⁵⁰ to allow this defense speech. Although Brougham maintains that the crux of Cicero’s legal argument could be summarized in one-sixth the actual length of *Pro Archia Poeta*,⁵¹ Cicero uses his lengthy speech quite intentionally both to reaffirm and to demonstrate the importance of literature.⁵² Furthermore, the rhetorical nature of *Pro Archia Poeta* implies that the *Lex Julia* and *Lex Plautia Papiria* are secondary in Archias’ defense. Archias remains indispensable as a poet and scholar regardless of the details of his legal status, and Cicero is even convinced of the propriety of awarding Archias citizenship because of his literary contributions to Rome.⁵³ Cicero bolsters his contention by referring to dramatists like

⁴⁸ *Neque enim est hoc dissimulandum, quod obscurari non potest, sed prae nobis ferendum, trahimur omnes studio laudis et optimus unque maxime gloria ducitur.* (364-7)

⁴⁹ *Bestiae saepe immanes cantu flectuntur* (67-8).

⁵⁰ *Hoc concursu hominum litteratissimorum, hac vestra humanitate* (36-7).

⁵¹ In the introduction to *Pro Archia Poeta*, Watts refers to Brougham’s statement, “[Pro Archia Poeta] is exquisitely composed, but of which not more than one-sixth is to the purpose, could not have been delivered in a British court of law” (5).

⁵² According to Guttoff, “Cicero had at his disposal only words and the stylistic genius to construct from those words arguments that would shape men’s opinions and move their hearts.” (8)

⁵³ *Cum sit civis, a numero civium, verum etiam, si non esset, putetis ascendum fuisse.* (46-7)

Roscus, who also captivated and inspired Roman audiences.⁵⁴ Thus, literature and its study become the most compelling argument in *Pro Archia Poeta*. Although the verdict of the actual trial was not preserved, in his letters to Atticus, Cicero later refers to Archias.⁵⁵ The letters suggested that he was acquitted of the charges, allowed to remain in Rome, and enrolled as a Roman citizen.

IV. The Legacy of A Proper Legal Education

Pro Archia Poeta not only remains a profound document of a brilliant legal defense, but is also a tribute to Archias that reflects the importance of literature in Cicero's training and suggests that literature is an essential part of a proper education. While there was not an actual pre-law curriculum in the Roman world, Cicero considers literature to be an inherent and compelling force from any aspiring lawyer to study. Yet literature did not serve as a means to a solely political end.⁵⁶ Instead, Cicero involves literature as a noble means by which to aid Archias, the very man who fostered these virtues. Despite being at the pinnacle of his political career in 62 B.C.E.,⁵⁷ Cicero desired to defend Archias, his childhood tutor. In *Pro Archia Poeta*, Cicero did not just defend the legitimacy of Archias' citizenship, but took the opportunity to assert the value of literature in his legal career and as a central component of a legal training. The legacy of a proper legal education goes beyond courtroom victories; a foundation in literature preserves and protects the dignity of life.

⁵⁴ *Quis nostrum tam animo agresti ac duro fuit, ut Roscii morte nuper non commoveretur* (237-9)

⁵⁵ *Et Archias nihil de me scripserit* (Cicero, *Letters to Atticus* 1.16.15).

⁵⁶ See note 40.

⁵⁷ Wood asserts that Cicero was at the height of his political career (51).

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