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Author
Kish, Nathan Mata

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The Ethics and Politics of Style in Latin Rhetorical Invective

A dissertation submitted in partial satisfaction of the

requirements for the degree Doctor of Philosophy

in Classics

by

Nathan Kish

2018

ABSTRACT OF THE DISSERTATION

The Ethics and Politics of Style in Latin Rhetorical Invective

by

Nathan Kish

Doctor of Philosophy in Classics

University of California, Los Angeles, 2018

Professor Amy Ellen Richlin, Chair

This study investigates how literary battles fought over rhetorical style in ancient Rome and in the Renaissance concerned far more than style. Rather, the invective deployed in such disputes emerged in direct response to important sociopolitical changes and presented speakers and writers with a means to define and control the ethical and political boundaries of their societies. The six chapters within explore this idea in Roman rhetorical theory and in the works of Cicero, Seneca the Elder, and Poggio Bracciolini.

While the "Republic of Letters" familiar from the study of Early Modernity did not exist in ancient Rome, the term describes what happened when the traditional civic functions of oratory declined in the transition from Republic to Principate: writers attributed greater meaning to rhetorical style in itself. As *eloquentia* retreated from the Forum and the political assemblies to the study and the schoolroom, writers constructed their own identities through their style, and

engaged in stylistic polemics in order to attack personal enemies and ethical and political systems. Ultimately, this practice has its origins in the belief that speech reveals character.

Chapters 1 and 2 lay the foundation for the later chapters, as Chapter 1 reviews discussions of invective in ancient Latin rhetorical treatises, and Chapter 2 considers the understanding that speech corresponds to character: *talis oratio, qualis vita*.

Chapters 3 and 4 cover works Cicero composed after the outbreak of the Civil War: Chapter 3 investigates Cicero's polemical defense of his own style and attack on the Neo-Atticists in the *Orator* (46 BC); Chapter 4 takes up the *Second Philippic* (44 BC), which, besides smearing Antony's morals and lambasting his oratorical blunders, serves as a meditation on the metaphorical violence of invective.

Chapter 5 examines the elder Seneca's attitude towards the effect of style on morals and the effect of politics on oratory in his anthology of school practice speeches. Chapter 6, a prolegomenon to further study, considers Poggio's complex relationship to foul language: while Poggio utters strictures against obscenity in his letters, he embraces it in his own invectives, attacking Francesco Filelfo obscenely for his obscene poetry.

The dissertation of Nathan Kish is approved.

David L Blank

Robert A Gurval

Debora K Shuger

Amy Ellen Richlin, Committee Chair

University of California, Los Angeles

2018

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Acknowledgments

Over the course of this project I have incurred many debts. My greatest intellectually is to Amy Richlin. Looking back, I realize this dissertation was born on 1 April 2010, between 11:00 am and 12:45 pm, when she introduced me to Tacitus' *Dialogus* in her survey class on Latin literature. Since I first entered her classroom as a post-baccalaureate student, she has been the most invested and good-humored mentor I could hope for. Over her career she has redefined the field of Classics; if I have managed to acquire but only a small share of her ability to bring neglected topics to life and to inspire students, my own career will be a success. To the other members of my committee, Bob Gurval, David Blank, and Debora Shuger, I owe incalculable thanks for years of scholarly guidance, generosity, and—not least—perseverance. As Dr. Johnson wrote in regard to *Paradise Lost*, "None ever wished it longer." As for the rest of the UCLA Classics Department both past and present, I can acknowledge pivotal scholarly debts to Kathryn Morgan and Shane Butler for introducing me to oratory and Cicero respectively, but countless debts of a more general nature to all for warm support and intellectual stimulation throughout the years. And certainly not least, special thanks are due to Bob von Hallberg, who, as a student in an intensive summer Latin course, shaped the course of this dissertation by a few insightful and illuminating comments on Suet. *Rhet*. 22.2. Although M. Pomponius Porcellus, immortalized for speaking truth to power, does not himself reappear in the pages that follow, his words remain an inspiration throughout.

My writing group friends, Audrey Harris, Kathy Carbone, and Melissa Goodnight, have helped me become a better writer and a better thinker. Our meetings somehow enable me to take a break and work diligently at the same time. I owe much to Bill McCrary for encouragement, friendship, and discussion of issues both large and small. It was truly a glorious moment in one of our conversations at the now demolished Norm's on Pico Boulevard that the mists in my mind were suddenly dispelled and I was able for the first time to articulate my dissertation topic. To Meghan Krantz I owe the dearest thanks for years of patient, selfless support and memories that will never fade. Sharing with you the many milestones along the way lightened the journey considerably.

My greatest debts are to my family. I thank you all for your unflagging support. To my dad I owe my ability for hard, earnest work as well as my good humor, both of which were required in abundance. I heartily wish he could see me finish what his lifetime of hard work made possible. This dissertation is a record of yet another way he brought smiles and laughter into the world. And without my mom—who has shown unconditional love in the course of this long voyage and who might be the only person who finds greater relief in its completion than the voyager himself—I could not have reached the harbor. And now that I have you can take a breath.

VITA

Nathan Kish

Education

M.A., Classics, University of California, Los Angeles	2012
Post-Baccalaureate Certificate, Classics, University of California, Los Angeles	2009
B.A., English Literature, Lawrence University	2006

Conference Presentations

"Latinity and Obscenity in the Invectives of Poggio Bracciolini" March 2018
    Renaissance Society of America, Annual Meeting, New Orleans, LA
"*Novum genus disciplinae*: Novelty and Alterity in Roman Oratorical Criticism" April 2017
    "Approaching the Unknown: 'They Saw It With Their Own Eyes'"
    (Antiquity through the Early Modern), Mellon Conference, UCLA
"Isaac Casaubon's Persius: The Satirist as Moral Exemplar" March 2017
    Renaissance Society of America, Annual Meeting, Chicago, IL
"Seneca Censor: Seneca the Elder's Criticisms of Faulty Declamation" February 2017
    "Transgressive Language in the Ancient World,"
    Classics Graduate Colloquium, Boulder, CO
"Cicero as Schoolmaster: Declamation and the Criticism of Oratory in the March 2016
    Second Philippic"
    CAMWS, Annual Meeting, Williamsburg, VA
"Justifications for the Study of Greek at Oxford and Cambridge in the Early June 2013
    Sixteenth Century"
    Symposium on Medieval and Renaissance Studies, St. Louis, MO
"Cicero *Adulator*: *Fam.* 4.4 and the Integrity of the *Pro Marcello*" March 2013
    CAPN, Annual Meeting, Eugene, OR
 "The Power of Eloquence and the Political Subtext of Cicero's *Orator*" March 2012
    CAMWS, Annual Meeting, Baton Rouge, LA

In 1860, the French scholar Charles Nisard published an engagingly titled study, *Les gladiateurs de la république des lettres aux XVᵉ, XVIᵉ et XVIIᵉ siècles*, that took for its subject the learned polemicists who were imposing features of the early modern intellectual landscape. In two lengthy tomes, Nisard reviews in some depth the life and writings of a half dozen celebrated litterateurs who, trained from an early age not in the *ludus gladiatorius* but the *schola* and armed not with the *gladius* but paper and ink, waged battles that were primarily of a literary nature.[1] In the introduction to the work, Nisard stated that his title comes from his desire to distinguish these writers, on account of their "rough and brutal polemic," from those who "fought more for truth than for their own self-esteem" (VII). My dissertation—which ends where Nisard's begins, that is, with Poggio, Filelfo, and Valla—is a study of how literary battles fought over Latin rhetorical style in ancient Rome and in the Renaissance were about far more than self-esteem, or even style itself. Rather, such disputes about style emerged in direct response to important political and social changes and presented speakers and writers with a way to try to define and control the ethical and political boundaries of their societies.

In beginning with the image of the gladiator, Nisard nicely highlights several key elements of the combative and violent rhetoric that can characterize literary disputes. The polemics that Nisard's authors published—the earlier writers in manuscript, the later in print— have their roots in classical oratorical invective. Poggio, the eldest figure in Nisard's study,

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[1] The bookish gladiators who fought their way onto Nisard's pages are in volume 1, the Italian humanists Francesco Filelfo (1391-1481), Poggio Bracciolini (1380-1459), and Lorenzo Valla (c. 1407-1457) and the Italian-French physician, literary critic, and famous father Julius Caesar Scaliger (1484-1558); and in volume 2, the German scholar and polemicist Caspar Schoppe (1576-1649) and the French Jesuit controversialist Francois Garasse (1585-1631).

referred to his written invectives against Filelfo and Valla as *orationes*,[2] and Poggio's friend and older contemporary, Leonardo Bruni, wrote that Petrarch—the principal spiritual founder of humanism who in the 1350s initiated the genre of humanist invective to which both Poggio and Bruni were heirs—composed his invectives in order that he be considered an orator as well as a poet.[3]

The classical practice of oratory was a highly developed form of dispute settlement. In the two most important kinds of oratory, forensic and deliberative, a speaker would contend with another party (or parties) over a legal issue, or a course of action that the political community would take. As such, oratory is by nature an adversarial genre. Furthermore, especially in the case of forensic speeches, oratory functioned in the community as a substitute for violence.[4] For example, if someone is injured or loses a family member as a result of violence, rather than retaliating in kind and perpetuating a cycle of eye-for-an-eye bloodshed, an individual can summon the accused into court, state his complaints before a representative body of the citizens, and then let the community decide what course of action to take.[5] Even then, the decision of the representative body of the community could very well amount to an act of institutionalized violence; Cicero in *Pro Sexto Roscio* vividly describes the fate that might lie in store for a man convicted of killing his father (*S. Rosc.* 71-72).

In ancient Rome, gladiatorial games were another cultural phenomenon in which violence was integrated into the community and regulated. In the *Brutus*, Cicero paints a memorable

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[2] Fubini (1964) 1.170, 234.

[3] *Franciscus scripsit etiam invectivas, ut non solum poeta, sed etiam orator haberetur*. Quoted in Marsh (2003) vii from Bruni's *Dialogi ad Petrum Paulum Histrum*.

[4] Cf. Cohen (1995).

[5] Aeschylus' *Oresteia* trilogy is a dramatization of the transition from settling vendettas by bloodshed to settling them in a law court.

scene of a forum packed with an attentive audience waiting in suspenseful silence for an acclaimed orator to begin his speech, and then hanging on his every word and being moved to laughter or tears as he wishes, a scene that would immediately indicate to anyone who happened to stumble upon it unaware of the particulars that a great orator was holding forth (*Brut.* 290). The crowds who flooded into the Colosseum over a century after Cicero's death, however, were not only much more numerous but presumably also much more passionate and vociferous than those that would form the *coronae* around important law cases. Indeed, the spectacle of violence that awaited attendees of the games, whether in the punishment of criminals or in wild beast hunts or in traditional gladiatorial combat, was an enduring source of entertainment across the Roman world for centuries. A good fight is always going to draw onlookers.

Similarly, invective has drawn and probably will always draw ears and eyes because it is entertaining and memorable. Cicero is, of course, Quintilian's favorite author, and to fill out his *Institutio Oratoria* with rhetorical precepts and examples Quintilian quotes liberally from Cicero's theoretical works and speeches. Still, the passage Quintilian returns to the most (12 times in all) is Cicero's description of Antony vomiting in public view while performing his official business in the *Second Philippic*: "But you, with that gullet, with that midsection, with that gladiatorial strength drawn from your entire body, you drank so much wine at Hippia's wedding celebration that on the following day it was necessary for you in full view of the Roman people to vomit. Oh, this is a thing shameful not only to see but even to hear about!"[6] And yet for millennia people have relished hearing about it, and Cicero exercised fully the rhetorical powers he had spent his life cultivating so that they should see it, too. Here Cicero the literary

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[6] *Phil.* 2.63: *Tu istis faucibus, istis lateribus, ista gladiatoria totius corporis firmitate tantum vini in Hippiae nuptiis exhauseras, ut tibi necesse esset in populi Romani conspectu vomere postridie. O rem non modo visu foedam, sed etiam auditu!*

gladiator turns Antony into the actual gladiator, a characterization that from the hindsight of history looks ominous.

The nature of spectacle that is a part of the gladiator image also accords well with the place of invective in the tripartite framework of oratorical genres (forensic, deliberative, epideictic) that can be traced back to Aristotle: invective or blame (*vituperatio*/ψόγος) was a subdivision of the epideictic genre, the type of oratory that was used for display and entertainment. This emphasis on show is evident in another element of Aristotle's general taxonomy of oratory, since for him the three genres correspond to three kinds of hearers: a judge of things past (forensic), a judge of things to come (deliberative), or a spectator of the ability of the speaker (epideictic) (*Rhet.* 1.3.1-3, 1358a-b). Invective is a highly performative genre, whether delivered before a deliberative body by a distinguished politician or through the persona of an iambographer in verse. For modern comparative evidence for this aspect of invective, we can look to verbal dueling and rap battles. These engagements take place before an audience who, by their own vocalized reactions to the insults being slung, signify which blows are finding the target, which are only glancing off, and which are failing to connect at all.[7]

Finally, it is worthwhile to note an aspect of Nisard's title that has only been implied so far: it draws specifically from the deep well of Roman culture. Besides *gladiateurs*, the book is about *la république des lettres*, and both *république* and *lettres*, in this case, have their roots in ancient Rome. The general area of Nisard's study, the republic of letters, that is, an early modern intellectual community, founded on the study of literature, that is not identifiable with any one single political entity, is a phenomenon that I argue has precedent in the way that Cicero responded to the political upheaval that he both contributed to and grievously lamented in the

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[7] For verbal dueling, cf. Pagliai (2009).

final years of the Republic. In the early years of the Principate, the spirit that can be seen in Cicero's retirement work found its way into the *scholae* ("rhetorical schools"), where, in the shadow of Cicero's achievement and death, the emphasis on the entertainment value of oratory in the form of declamation increased as its political significance sank. Even still, until the end of antiquity rhetoric would remain in classrooms as a central component of education, sometimes viewed, as it was by Quintilian, as valuable for making boys not only good speakers but also good men.[8] In the early centuries AD, epideictic oratory was a huge spectator attraction outside the schoolroom, as we see in Philostratus' *Lives of the Sophists*. It is telling, however, that Philostratus claims the Second Sophistic was begun by Aeschines of Athens, who retired to Rhodes after he had lost his great political—and oratorical—struggle with Demosthenes (*VS* 481). While the full splendor of the rhetorical tradition that radiated brilliantly in ancient Greece and Rome was rejected in what had been the Western Roman Empire in the 600s and 700s,[9] it came back under Charlamagne,[10] and its resplendence was eagerly and widely proclaimed by the humanists of the fourteenth and fifteenth centuries who viewed themselves as shining light upon the world again after years of enshrouding darkness. The writers that Nisard considers were the products of this rediscovery and rebirth of classical culture: they were brought up in an educational tradition at the heart of which was the study of Latin and classical Roman authors.

As I noted, my own study ends with the earliest of Nisard's *gladiateurs*, Poggio Bracciolini. Poggio's five *Orationes* against Lorenzo Valla are dense with criticisms of Valla's judgments on classical authors and the Latin language as well as with attacks on Valla's own

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[8] Cf. *Inst. Orat.* 12.1.

[9] Cf. Reynolds and Wilson (2013).

[10] Cf. Curtius (1953).

style. In Poggio's invectives, language and style are of paramount importance, and the entire worth of a person seems to rest on his status as an authority in regard to his knowledge of classical languages and literature. Whereas the belief that a man's style of speech corresponds to his life (*talis oratio, qualis vita*) can be found in ancient writers from Plato to the end of antiquity (a topic discussed in detail in Chapter 2), in humanist invective style really was the man. The criticism of an opponent's faulty oratory or speaking style and its connection to his character first appears in the Graeco-Roman oratorical tradition in Odysseus' reproach of Thersites for his fondness for abusive and disruptive speech in the *Iliad* (2.246-64). It is more elaborately and colorfully utilized in Demosthenes' and Aeschines' attacks against each other, and has been recognized as an invective topos by scholars of Roman Republican oratory.[11] In this dissertation, my objective is to examine how this one particular topic of invective acquired greater consequence in the wake of the transition from Republic to Principate. As the immediate practical and civic importance of oratory was diminished in the course of this momentous political change, contentions and battles over style emerged as alternative ways for speakers and writers to exercise the communal policing functions that oratory traditionally had.

Like the gladiators of ancient Rome, the figures on whom I focus most in this study—Cicero, Seneca the Elder, and Poggio—fought in the arena before the eyes of others, although mostly through circulated texts rather than orations delivered to an audience. But the absence of direct confrontation between combatants did not prevent their works from inflicting wounds. No greater proof of this point exists than Plutarch's note at the end of his *Life of Cicero* that in addition to his head, Antony requested that the executioner cut off Cicero's hands, the hands with which he had written the *Philippics* (*Cic*. 48.4). The stylus could still be sharp, and the

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[11] See the discussion of scholarly literature on Roman invective below.

terminology deployed to describe Roman rhetoric was rife with metaphors of violence.[12] What is more, Roman rhetoric was one of the spoils acquired as a result of a culture of violence and conquest: the formal study of rhetoric came to Rome in the early third century BC from Greece, which had been brought into Rome's orbit, and would soon be brought under its dominion, as a result of Rome's ongoing imperial expansion. Rome's ability gradually to subdue the neighboring peoples in Latium, starting with the rape of the Sabine women, and then the whole of Italy, and eventually the entire Mediterranean world and beyond, was made possible ultimately by their unmatchable prowess in warfare. Years of success on the battlefield provided the upper classes with the leisure to reach the great cultural attainments that are still celebrated today. Among these, no single Roman cultural production reflects and embraces the violent origins of them all more than invective.

The understanding of Roman oratorical invective has been well advanced in the past one hundred years. Earlier studies were most concerned with formalism and *Quellenforschung*. Beginning with Süss' seminal study of 1910, one primary interest was the identification and analysis of topoi of content, established and recurring themes for abuse that were shown to be a pervasive aspect of invective speeches.[13] The impression given is that invective was highly derivative and formulaic. Although this scholarship is useful, it potentially neglects interesting questions of how the speeches functioned within their specific historical and cultural contexts. Craig (2004) both brought this topoi approach to a culmination[14] and demonstrated how it could

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[12] Cf. Fantham (1972) 155-58.

[13] Süss (1910), Nisbet (1961), Merrill (1975), Craig (2004). Opelt (1965) offers a typology of Roman insults drawn from a wide range of ancient pagan Latin texts. For a critique of the lexical/typological approach to insult from the perspective of sociolinguistics, see Bork 2018.

[14] Craig's (2004) 17 *topoi* of abuse, derived from his collation of *topoi* found in the earlier studies (esp. Süss 1910 and Merrill 1975), are the following: 1) embarrassing family origin; 2) unworthiness of one's family; 3) physical appearance; 4) eccentricity of dress; 5) gluttony and drunkenness; 6) hypocrisy for appearing virtuous; 7) avarice,

be directed towards other ends, insofar as he examines how Cicero selected and presented these topoi in light of a speech's forensic or deliberative purpose. Craig's approach is particularly valuable because it interprets instances of invective as cultural artifacts, the meaning of which can only be ascertained by analyzing them in context. Other work in this vein has focused on the policing function of rhetorical invective: Richlin (1992), examining this invective in light of a larger tradition of Roman sexual humor, saw the orator as specifically taking on the role of satirist/Priapic figure, whose task it is, along with his audience, to safeguard the community by defining what is the "other"; Corbeill (1996) sought through a study of aggressive humor to understand how orators created and reinforced ethical values of the community. The humor, community, and ethics of specific places and times are integral to understanding the cultural significance of invective.

More recently, a collection of essays dedicated to Ciceronian invective debated whether invective should be approached as a genre or a mode of discourse.[15] Certainly the latter permits greater flexibility for analysis, and coheres with the evidence that Roman Republican oratory was one link in a long chain of invective-satiric discourse that extended from Fescennine verse, triumphal processions, and *defixiones*, in the earliest periods, to the polemical works of the early church fathers.[16] This approach has obvious affinities with my own endeavor to conduct a transhistorical study of the tradition of Latin rhetorical invective, and in Chapter 1 my principal

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possibly linked with prodigality; 8) taking bribes; 9) pretentiousness; 10) sexual misconduct; 11) hostility to family; 12) cowardice in war; 13) squandering of one's patrimony/financial embarrassment; 14) aspiring to *regnum* or tyranny; 15) cruelty to citizens and allies; 16) plunder of private and public property; 17) oratorical ineptitude. Craig (2004) 191 notes that the *Second Philippic* contains 15 of his 17 *topoi*, more than any other speech.

[15] Booth (2007), especially Powell (2007). Scholars who espouse a more flexible approach have suggested that insights can be gained from considering *vituperatio* in light of other genres such as tragedy (Gildenhard [2007b]) and epic (Dominik and Smith [2011]).

[16] Merrill (1975) 1-3, 203-6; cf. Richlin (1992) 81-104, (2017) 151-84.

objective is to show how much insight into invective can be gained from the Latin rhetorical handbooks when we do not restrict ourselves to considering only the discussions of invective as an oratorical genre in those works, for invective escapes its chapter headings and pops up everywhere. Hammar (2013) synthesized many of the previous approaches to invective and immorality (including Edwards [1993]) and correctly emphasized that for Cicero and the Romans of the Republic, immorality was an important element in political arguments: immoral behavior was linked to immoral character, which itself could only be a source for further immoral behavior and a disqualification for office.

Many of these studies that focus on Roman oratory, valuable as they are, are mostly if not exclusively focused on late Republican oratory—not without good reason, for Cicero stands as the greatest and most ingenious exponent of invective from antiquity. Yet a study of invective, that begins with the end of Cicero's career, with particular interest in an invectivist's attention to his own style and criticism of his opponent's style, illuminates much about cultural responses to the seismic political shift of Republic to Principate. More broadly speaking, it shows how cultural forms reflect and seek to effect and affect ethical and political values.

The six chapters that follow take us from Roman rhetorical theory, to Cicero's late work, to his successor Seneca the Elder, and then leap ahead to Poggio. Chapters 1 and 2 lay the foundation for the analysis in the later chapters. In Chapter 1, I review the discussions of invective in ancient Latin rhetorical treatises of the first centuries BC and AD and arrive at a more comprehensive understanding of invective than is offered by the narrow rhetorical category of *vituperatio* ("blame," the counterpart to *laus* "praise"), which is where previous scholarly treatments have stopped. In Chapter 2, I consider the criticism of faulty oratorical style in the rhetorical treatises, including the ancient understanding that speech corresponds to character

(*talis oratio, qualis vita*, "as is his speech, so is his life"). In critiques of style in invective

discourse, however, this phenomenon is an attempt not to characterize someone, but to caricature

them, as characteristic features of invective are distortion and misrepresentation.

In Chapters 3-6, I analyze the works of three authors (Cicero, Seneca the Elder, and

Poggio Bracciolini) who engage in polemics of style, considering what these polemics mean for

each author, how they function within the works in which they appear, and how they relate to

their historical and cultural contexts.

Chapters 3 and 4 are devoted to Cicero's (106-43 BC) works composed during the Civil

War in which he criticizes the style of his adversaries. In Chapter 3, I investigate Cicero's

polemical defense of his own style in his final major rhetorical treatise the *Orator* (46 BC).

When Cicero was writing this work he was embroiled in the controversy about "Asianist" style

(eastern, flowery, effete) vs. "Atticist" style (western, terse, manly). I show how for Cicero, who

was often accused of being an Asianist, this aesthetic issue had strong ethical and political

significance. In Chapter 4, I turn to Cicero's *Second Philippic*, the denunciation that was to cost

Cicero his head and his hands; in this speech, alongside smearing Mark Antony's morals, he

caustically lambastes his oratorical blunders. All the same, I also read the speech, which in the

text Cicero presents as being delivered although it never was, as a meditation on the power (or

impotence) of the metaphorical violence of oratory when threatened with actual bloodshed.

Chapter 5 takes up Seneca the Elder's (ca. 55 BC-ca. 39 AD) *Oratorum et rhetorum*

sententiae divisiones colores, his recollections of the declamations that he heard in rhetorical

schools throughout his life. Declamations were practice speeches on sensational topics, packed

with opportunities for speakers to display their rhetorical fangs as they inveighed against

imaginary opponents and criticized rival declaimers. With declamation, the principal question

was, does the speech meet with the approval of the school's impresario, his fellow declaimers, and his students? Their approval depended as much on oratorical style as on substance. In this chapter, I examine the criticisms that the declaimers make about one another's speeches as well as Seneca's own criticisms. For Seneca, who adopts a censorial persona, the alleged present-day decline in eloquence is commensurate with a decline in morals. And yet, as I intend to indicate by my use of "persona," Seneca himself enters into character for some of his most thundering moral pronouncements, just as the declaimers he describes would do. Indeed, there is much play going on in the rhetorical *ludi*, and over the course of the work Seneca's attitude towards the effect of style on morals, as well as the effect of politics on oratory, is a mixture of criticism and ambivalence.

These issues continued to structure education and male acculturation through Late Antiquity and, after a hiatus, into the Middle Ages and Renaissance. Chapter 6 picks up the story with Poggio Bracciolini (1380-1459 AD). In fourteenth- and fifteenth-century Italy, the renewed and reinvigorated interest in classical Greek and Roman culture fermented great excitement and intellectual energy and, of course, fierce competition between rival humanists. This spirit of rivalry could become extremely bitter, proof of which is seen in the invectives written by one humanist against another and circulated as open letters. In humanist invective, criticism of style plays a crucial part in the charges advanced, since knowledge of classical Latin was a significant basis for pride, prestige, and livelihood. In this chapter, which is a prolegomenon to further study, I discuss Poggio's complex relationship to obscenity, an important component of humanist invective. While Poggio utters strictures against obscenity in his letters, he fully embraces the use of it in his own invectives. This problem becomes particularly fascinating in the invectives he wrote against Francesco Filelfo, whom Poggio

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attacks (obscenely) for his obscene poetry. Here again, the ludic element that markedly

characterizes Seneca's declamation anthology, but also Cicero's later works to a certain extent,

comes to the fore. Surely style matters, but the meanings of words are contextually determined.

One of the great and famous claims made about rhetoric is that it can make the better

seem worse. This conveys that rhetoric manipulates perceptions and does not affect the material

world. Another familiar attempt to dismiss the real-world effect of language is the playground

jingle "Sticks and stones may break my bones but words will never hurt me." As I hope to show

in the chapters that follow, this is untenable. Invective is a substitute for physical violence and it

can be a prelude to physical violence. Words do things and they can hurt.[17] Accordingly,

invective is an essential topic for study because it requires people to come together to explore

material that is meant to rip societies apart. But the academy must remain a space where we can

freely discuss challenging, unfortunate, and painful ideas, for through these discussions we may

extend and strengthen the bonds of the community.

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[17] Cf. Austin (1962).

In ancient rhetorical theory, *vituperatio* (commonly translated as "blame" or "invective") was one of the six genres of oratory, paired with *laus* "praise" as one of the two genres of epideictic oratory.[1] Nevertheless, even ancient authors of rhetorical textbooks found this designation inadequate. Quintilian, for instance, expressing his dissatisfaction with the rigid scheme of only three kinds of oratory (forensic, deliberative, epideictic)—he ultimately (and characteristically) adopts this scheme himself—asks, what type of oratory are we practicing when we, among other things, rebuke (*obiurgamus*) and abuse (*maledicimus*), if we restrict the function of praise and blame only to the epideictic category (*Inst.* 3.4.3)? Indeed, invective was not quarantined or neatly sequestered off from the more important and frequently practiced types of oratory, forensic and deliberative. Many speeches from antiquity, both Greek and Latin, are infused with attacks that seem designed to discredit, disgrace, and ridicule the speaker's adversaries and make them the target of the audience's ire and animus, and these attacks contribute to the persuasive goals of the speeches.

The instructions for *vituperatio* as a rhetorical genre in the ancient rhetorical handbooks, however, do not account for all the ways that invective is used in actual oratory. That requires one to move beyond the genre of *vituperatio* and undertake a wider examination of precepts, examples, and ensuing analysis that pertain to or demonstrate invective rhetoric. The primary purpose of this chapter is to show that a less restricted approach to invective greatly enlarges and

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[1] These divisions are discussed in more detail below.

enriches the material that the rhetorical handbooks can offer on the subject and thus yields a more vivid and profound understanding of how ancient rhetorical theorists thought invective worked in the context of actual speeches. As such, this chapter establishes an ancient theoretical foundation for the analysis of invective in the following chapters.

This chapter consists of three major parts. In the first, I consider *vituperatio* as a genre of oratory. The discussions of *vituperatio* in the ancient rhetorical texts do offer some insight into how invective functioned for the Romans, and previous scholars have based their own discussions of the ancient theory of rhetorical invective on the treatments of *vituperatio* (or ψόγος) that the handbooks offer. As Quintilian notes, however, the ancient rhetorical genre of *vituperatio* does not encompass all the aggressive and insulting language that is found in ancient oratory, and so such an approach is inherently limited when one is attempting to understand how invective rhetoric was thought to function. The range of attacks in ancient oratory and rhetoric was very wide, and the theoretical understanding of these should arise from actual use.

Accordingly, in the second part of the chapter I consider four topics that are not unique to the oratorical genre of *vituperatio* but can tell us much about how the processes and effects of aggressive and insulting language were understood in rhetorical theory. These four topics are 1) character, 2) anger, 3) humor, and 4) "spin and smear." This last topic, the least explored in scholarly literature on ancient rhetoric, is rarely explicitly addressed in the handbooks but nevertheless is at the heart of rhetoric, encompassing essential rhetorical techniques like exaggeration, caricature, misrepresentation, obfuscation, misdirection, and sleight of hand.[2]

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[2] In this list, I am consciously drawing on vocabulary commonly used to describe modern magic performance, as important parallels exist between it and the practice of ancient rhetoric: both are performances designed to captivate an audience, leave them convinced of things that are sometimes only illusionary, and disguise the artistry involved in this process.

In the third part, I turn to another rhetorical category, the commonplace (*communis locus/*κοινὸς τόπος). In particular, I will look at this exercise as it appears in the progymnasmata course, a sequence of elementary composition exercises for young students of rhetoric. In this course, the commonplace exercise (which often immediately preceded the *laus* and *vituperatio* exercises) was also centered on attack, but differed from *vituperatio* in being generic rather than specific. That is, in a commonplace, one attacked a type of person (e.g. a drunkard), whereas *vituperatio* was aimed at a specific individual (e.g. Philip, who may habitually get drunk). Nevertheless, *vituperatio* and commonplace exhibit far greater similarities than differences, and so the theoretical discussions of commonplaces can further illuminate how aggressive language was perceived in Roman rhetoric and demonstrate the inherent limitations of restricting an examination to *vituperatio* alone.

Since I am focusing on a long tradition of a cultural phenomenon in the Latin language, I generally attempt to confine my focus to the Latin rhetorical treatises as opposed to the Greek.[3] In the first two parts of this chapter, the principal texts I consider span a period of roughly 200 years. The earliest are Cicero's *De Inventione* (ca. 92-88 BC) and the anonymous *Rhetorica ad Herennium* (ca. 86-82 BC), two texts that are the best examples of ancient Latin textbooks on rhetoric and contain significant overlap in the material that they present.[4] I also consider two of Cicero's more mature works on rhetoric, the *De oratore* (55 BC), a dialogue in three books

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[3] As I will discuss briefly below, many of the ideas that originated in the works of Classical and Hellenistic Greek authors had already been assimilated by the Latin rhetorical tradition in the first century BC, and so I do not believe that my approach involves an overly narrow scope. In some cases, however, such as the progymnasmata, the evidence in Latin is regrettably limited, and so it is necessary to turn to Greek texts for a more complete picture of the subject.

[4] Scholars have long discussed the relation of these texts to each other. See Caplan (1954) xxv-xxx. I use the term *auctor* to refer to the anonymous author of the *Rhetorica ad Herennium*.

addressed to his brother, Quintus, and *Partitiones oratoriae*.[5] In the highly polished *De oratore*

(55 BC), Cicero, purportedly recounting a conversation between the most eminent and eloquent

men of the preceding generation, addresses the entire subject of oratory (*de omni ratione dicendi*,

De Or. 1.4), and in Book 2 deals in unprecedented depth with the important subject of rhetorical

humor. In the *Partitiones oratoriae*, he gives a catechetical treatment of the technical

classifications of oratory based on the Middle Academy (*Part.* 139). The latest text is

Quintilian's *Institutio Oratoria* (ca. 90-94 CE), which is actually a guide to the complete subject

of oratory for the teacher or parent rather than a textbook for the student.

All of these works cannot be properly described as textbooks, but with the exception of

De Inventione, they all address systematically the five parts of rhetoric and so attempt a

comprehensive treatment of the subject.[6] Accordingly, I believe they are adequately

representative of ancient Latin rhetorical instruction, and their influence can be seen in later

works.[7] Many of the fundamental concepts and systems of classification that appear in the extant

Latin treatises from the first centuries BC and AD can also be found in Aristotle's *Rhetoric* and

in the *Rhetorica ad Alexandrum* from the middle of the fourth century BC. This indicates that

within the discipline of rhetoric there was, at least in some respects, a strong continuous tradition

from the Hellenistic period through the first century CE, and this tradition continues through the

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[5] The date of this work is indeterminable, and 54 and 46-44 have been suggested (Marinone [1997] 276). The authenticity of the work has been questioned since at least the sixteenth century, but most scholars now accept it as genuine (Gaines [2002] 447).

[6] The five parts of rhetoric (*partes rhetorices*) are invention (*inventio*), arrangement (*dispositio*), style (*elocutio*), memory (*memoria*), and delivery (*actio*). *De Inventione* only discusses the first part, *inventio*, but appears to be the first essay in Cicero's undertaking to cover the whole subject (2.178), afterwards abandoned, since he did not continue the project.

[7] See Kennedy (1994) 275-82 for a discussion of the influence of these works (especially *De Inventione*) on the late antique rhetorical treatises that appear in Halm's 1863 *Rhetores Latini Minores* (*RLM*).

imperial period to the end of antiquity.[8] In what follows, I treat these Latin rhetorical texts in a

predominantly synchronic fashion, partly on account of the traditional nature of the discipline,

and partly because some topics are addressed more fully in some works than in others. At the

core of all of them, however, is a common system of classifications that can be traced back to the

earliest surviving Greek rhetoric texts.

I. *Vituperatio* and the Latin Rhetorical Handbooks

In the tradition of ancient rhetorical theory that appears in the Latin rhetorical handbooks

and treatises, invective occupies a formal and important position. The treatises divide rhetorical

speeches into three genres (*causarum genera*): forensic (*iudicale*), deliberative (*deliberativum*),

and epideictic (*demonstrativum*).[9] These three genres can in turn each be subdivided. The

forensic genre can be divided into prosecution (*accusatio*) and defense (*defensio*) in criminal

cases, or claim (*petitio*) and counter-claim (*recusatio*) in civil cases. The deliberative genre can

be subdivided into persuasion (*suasio*) and dissuasion (*dissuasio*). Finally, the epideictic genre

can be subdivided into praise (*laus*) and blame (*vituperatio*).[10] Nevertheless, although invective

(*vituperatio*) is recognized as one of the six genres of oratory, the treatment of *vituperatio* itself

in the theoretical works is usually quite meager. This is due in part to the fact that forensic

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[8] In addition to the texts in *RLM*, see Flower (2013) 33-55.

[9] Cicero traces this important division back to Aristotle (*Inv.* 1.7; cf. *De Orat.* 2.43, Quint. *Inst.* 3.4.1). For the division, see also *Rhet. Her.* 1.2; Cicero, *De Orat.* 1.141; *Part.* 70; Quint. *Inst.* 2.21.23, 3.4. Aristotle claimed that the three genres (γένη/εἴδη) of oratory correspond to three kinds of hearers: a judge of things past (forensic [δικανικόν]), a judge of things to come (deliberative [συμβουλευτικόν]), or a spectator of the ability of the speaker (epideictic [ἐπιδεικτικόν]) (*Rhet.* 1.3.1-2, 1358a-b). This explanation for the three genres, however, was not assimilated into the Roman tradition.

[10] This classification is also found in Aristotle (*Rhet.* 1.3.3, 1358b). In the *Rhetorica ad Alexandrum*, usually attributed to Anaximenes of Lampsacus and roughly contemporaneous with Aristotle's *Rhetoric*, the author divides "political speeches" (πολιτικοὶ λόγοι) into seven species (εἴδη): persuasion (προτρεπτικόν), dissuasion (ἀποτρεπτικόν), praise (ἐγκωμιαστικόν), blame (ψεκτικόν), prosecution (κατηγορικόν), defense (ἀπολογητικόν), and investigation (ἐξεταστικόν), which can stand on its own or be found in the other species (1.1, 1421b).

oratory was considered the most important genre of oratory, and so the theoretical treatises

largely focused on it and only provided comparatively sketchy treatments of deliberative and

epideictic oratory. Additionally, within the epideictic genre itself, all of the treatises prioritize

laus, treating it first and in much more detail than *vituperatio*, the advice for which can simply

amount to, "To blame, do the opposite of praise."[11]

It may come as no surprise then that the theory of Latin invective as it appears in the

rhetorical treatises has generated considerably less scholarship than the actual instances of

invective that appear in speeches.[12] Some studies of invective have assessed its place in ancient

rhetorical theory, but nevertheless they can be narrow in both their aims and results. As the

rhetorical handbooks are by their nature rigorously organized with specific instructions for what

to say in a speech and when to say it in order to achieve a desired effect, it not infrequently

happens that scholars do little more than recount the perspicuous prescriptions that the ancient

texts themselves offer. Moreover, as was mentioned above, these studies can be hampered by an

initially restricted conception of invective. In a fundamental study on poetic and prose invective

that ranges from Homer to the late antique invective poems of Claudian, Severin Koster

considers invective in theory from Plato to the progymnasmata of Aphthonius in the fourth and

fifth centuries CE.[13] Although he treats these texts roughly in chronological order, his ultimate

goal is to produce a single working definition of invective culled from all these texts that he can

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[11] Cf. *Rhet. Her.* 3.12: *quibus sententiis contraria sumuntur a vituperatione*; *De Orat.* 2.349: *Iam vituperandi praecepta contrariis ex vitiis sumenda esse perspicuum est*.

[12] Useful early studies on the ancient rhetorical handbooks surveyed relevant individual topics (e.g. Plöbst's 1911 dissertation on *amplificatio*, *Die Auxesis*, which traces the development of the device from Gorgias to Aristotle), and these are potentially good resources for accessing the material. Harry Caplan's excellent 1954 Loeb edition of the *Rhetorica ad Herennium* is very useful as a gateway to older scholarship, and is also especially copious in its cross-references to ancient texts.

[13] Koster (1980) 7-39.

then compare to examples of actual invective. On the basis of the theoretical treatises, Koster

defines invective as a structured, literary form (*eine strukturierte literarische Form*), the

objective of which is to diminish (*herabsetzen*) openly a named person according to applicable

values.[14] This definition is certainly helpful, and since Koster's work scholars have produced

rich studies that demonstrate how rhetorical invective reinforces the ethical values of the

community by attacking those who transgress them, independently confirming part of Koster's

definition.[15]

Nevertheless, in formulating his definition Koster primarily took into account only those

passages in the rhetorical treatises that deal specifically with *vituperatio*. This was a result of his

interest in a "structured literary form," which was best represented in ancient theory by self-

standing *vituperatio*.[16] Very few of the ancient texts that have survived and can be identified as

invective are technically *vituperationes* in the most restricted sense of the term, and almost all

the ancient authors state that the epideictic genre by itself is not often practiced.[17] For example,

in concluding his treatment of the *demonstrativum genus*, the author of the *Rhetorica ad*

Herennium states that although the epideictic genre is not often used by itself independently,

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[14] Koster (1980) 21; see 353-4 for Koster's review of this definition in light of the findings of his entire study (he concludes that it is essentially accurate). The concept of *herabsetzen* appears in Freud's theory of the comic (*das Komische*): caricature, parody, and travesty are "directed against people and objects which lay claim to authority and respect, which are in some sense *'sublime'*," and they are procedures of *Herabsetzung*, which Freud translated as "degradation" ([1960] 248). For a discussion of *Herabsetzung* in connection with Roman satire, see Richlin (1992) 62-3.

[15] E.g. Richlin (1992), Corbeill (1996).

[16] Cf. Hammar (2013) 100-4 for a similar, although less restricted approach. Hammar (2013) 103 rightly observes, "To fixate *vituperatio* solely within the epideictic genre, however, soon turns out to be problematic," but he does not go far enough in expanding the range of material to consider in the handbooks in order to arrive at a more sensitive assessment of the ancient theoretical understanding of invective available in those texts.

[17] Epideictic oratory did, however, flourish in the Second Sophistic and later: cf. Fronto's *Laus fumi et pulveris* and *Laus neglegentiae* and the *Panegyrici Latini* (289-389 AD).

nevertheless large parts of deliberative and forensic speeches are given over to praise and invective (*in iudicialibus et in deliberativis causis saepe magnae partes versantur laudis aut vituperationis*, *Rhet. Her.* 3.15).[18] Similarly, Quintilian says that while Aristotle and Theophrastus separated the epideictic genre from the type of oratory that treated affairs and assigned it instead to the audience alone, Roman practice has incorporated it into practical affairs, of which he provides examples: praise is of great importance in funeral orations; both praising and blaming witnesses is important in judicial situations; and Cicero's published speeches *In Toga Candida*, *In Pisonem*, and *In Clodium et Curionem*, contain invective (*vituperatio continent*), although they were delivered in the senate as formal opinions (*sententiae*) (*Inst* 3.7.1-2).[19] These statements most accurately reflect the oratorical invective that survives, as almost all of it is found in deliberative or judicial speeches rather than epideictic.[20]

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[18] Cicero makes a similar remark at *De Orat.* 2.349: *Atque his locis et laudandi et vituperandi saepe nobis est utendum in omni genere causarum*.

[19] For fragments and analysis of *In Toga Candida* (64 BC) and *In Clodium et Curionem* (61 BC), see Crawford (1994) 159-99 and 227-63 respectively.

[20] The most obvious exceptions to this are the Pseudo-Sallust and Pseudo-Cicero invectives, which are short, freestanding invectives. Although the question of what exactly these texts are has not been resolved, a recent extended study has argued that they were declamatory exercises from the Augustan period (Novokhatko [2009] 16, 26). Most commentators approach Cicero's *Second Philippic* as an epideictic speech, although Koster (1980) 129-33 takes the unusual position of analyzing it as a deliberative speech and accordingly does not discuss it at great length. While recognizing the epideictic qualities of the speech is helpful, labeling it as such underplays its generic complexity. As I argue in Chapter Four, the speech constitutes a "meta-discussion" of oratory and significantly incorporates all three genres of oratory. Cicero's *In Pisonem*, an attack against L. Calpurnius Piso that was delivered in the Senate in 55 BC, is often treated as a full blown invective (see the extended analysis of Koster [1980] 210-81), but Quintilian, as the passage just quoted shows, seems to approach it as a deliberative speech (*sententia*) that included invective (*Inst*. 3.7.2).

II. Enlarging the Scope of Invective: Four Topics

Broadening the conception of invective and considering it as a mode of discourse rather than an ancient rhetorical category can allow one to study it as language that was situated in and responded to specific historical and cultural contexts and had real effects on real people.[21] This encourages one to understand invective as a flexible and dynamic cultural phenomenon rather than a static literary form that was determined by established generic expectations. Moreover, not being restricted by an *ad hominem* definition also enables one to include as invective attacks against groups,[22] which conceivably had the effect of denigrating and discrediting members of them. In broadening the definition of invective to include varieties of aggressive rhetorical language beyond structured *ad hominem* attacks, it is possible to arrive at a more productive understanding of how insulting and abusive language worked for and was understood by the Romans. To this end, I will now turn to four broader topics that can illuminate how invective works: 1) character, 2) anger, 3) humor, and 4) spin and smear.

1. Character

Character is one undeniably valuable feature of invective in ancient rhetorical theory.[23] It is a common precept in rhetorical instruction that for both *laus* and *vituperatio* the material will

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[21] For the debate about invective as a genre or discourse, see Powell (2007) on Cicero, who offers a definition of invective as a genre ("An invective in the proper sense is not only a direct personal attack but also, at least to some degree, a declaration of open enmity") and provides some examples (*In Pisonem*, *In Vatinium*, *Second Philippic*; but not the *First Catilinarian*, which is more properly placed in the category of denunciation since it is "not primarily an attack on Catiline's person," [2]); nevertheless, Powell ultimately cautions against the shortcomings of a strictly generic approach (17-8). For discourse, cf. Seager (2007) 25: "invective is not a strictly delimited genre, rather a mode of discourse to be employed whenever the occasion demands"; Arena (2007) 150: "if we are prepared to broaden our definition, speeches whose first aim was not to attack the opponent directly, but to discredit him or her in order to achieve a specific persuasive goal, might also be considered invective."

[22] E.g. the unnamed companions of Catiline, whom Cicero claims are identifiable by their appearance (*Cat*. 2.22).

[23] This emerges through Koster's analysis ([1980] 17-9) and is emphasized to a greater extent by Hammar (2013) 102-6. See May (1988), Riggsby (2004) for the place of character in Ciceronian oratory more generally.

be derived from three categories: external circumstance (*externae res*, e.g. circumstances of birth, education, wealth, titles), bodily advantages (*corpus*), and character (*animus*).[24] Although in *vituperatio* one can attack under each of these three categories, character is by far the most significant. Indeed, in the *Rhetorica ad Herennium* the *auctor* surreptitiously incorporates character into the other categories by instructing the speaker, for example, to deal with the subject's physical advantages by discussing how he has acquired and used or misused them. These actions, which constitute choices the individual has made, reflect his character. As the *auctor* advises, a speaker in a speech of praise (*laus*) should say that the person being praised makes good use of his beauty, strength, quickness, and health, although some of these qualities are brought about by nature and others by good habits and discipline. In *vituperatio*, however, the *auctor* advises the speaker to say that if the subject possesses any such physical advantages, he makes poor use of them, and in any case, he possesses them due to chance and nature, just as any random gladiator (*quilibet gladiator*) does. If he lacks these qualities, however, it is due to his lack of self-control (3.14).[25] Cicero offers similar advice in the *De Inventione*: it is not so much a matter of treating what bodily or external attributes the subject possesses, but rather what use he is making or has made of them.[26] This basic principle demonstrates how central character

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[24] Cic. *Inv.* 2.177, *De Orat.* 2.342, *Part.* 74-5; *Rhet. Her.* 3.10; Quint. *Inst.* 3.7.12-6.

[25] *Rhet. Her.* 3.14: *Deinde transire oportet ad corporis commoda: natura si sit dignitas atque forma, laudi fuisse eam, non quemadmodum ceteris detrimento atque dedecori; si vires atque velocitas egregia, honestis haec exercitationibus et industriis dicemus conparata; si valetudo perpetua, diligentia et temperantia cupiditatum. In vituperatione, si erunt haec corporis commoda, male his usum dicemus quae casu et natura tamquam quilibet gladiator habuerit; si non erunt, praeter formam omnia ipsius culpa et intemperantia afuisse dicemus.*

[26] *Inv.* 2.178: *Videre autem in laudando et in vituperando oportebit non tam, quae in corpore aut in extraneis rebus habuerit is, de quo agetur, quam quo pacto his rebus usus sit. Nam fortunam quidem et laudare stultitia et vituperare superbia est, animi autem et laus honesta et vituperatio vehemens est.* See also Cic. *De Orat.* 2.342, *Part.* 75-5; Quint. *Inst.* 3.7.12-6.

is to invective and epideictic oratory more generally.[27] It also expands the possibilities for the use of rhetoric in invective: both desirable (e.g. physical strength) and undesirable (e.g. physical weakness) attributes can be used to attack an opponent, and the same trait can burn both ways. The speaker ostensibly looks beyond the surface of apparent goods like status and beauty and discloses to the audience the character of his target. The advice in the handbooks, however, shows that it is the speaker's duty to interpret and spin facts in such a way that he persuades the audience to feel contempt or hostility towards the target.

Character also has an important role apart from the epideictic genre of oratory, however, and so focusing on it can deepen our appreciation for the theoretical understanding of the use of invective. Invective was particularly useful for the prosecution in forensic oratory, and in the *De Inventione* Cicero advises the prosecutor to impugn the character of the defendant, since the motive the prosecutor has offered will have little weight if it seems completely contrary to the defendant's way of life.[28] The prosecutor in a criminal trial will thus attempt to discredit the life (*vitam improbare*) of the defendant by demonstrating that he had the character to commit the crime that he is being prosecuted for. This is accomplished by showing that defendant has previously been convicted or suspected of equal crimes, since then the defendant's own actions would suggest that he is the kind of person who does such things; if this line of argument is not possible, then by showing that he has previously been convicted of different crimes; if this again is not possible, by arguing that he has concealed his true character, which ought to be judged in light of the present case; and if again this is not possible, by claiming, as a last resort, that he

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[27] As I will discuss in detail in the following chapter, inferences about a person's character could also be made from his speech and manner of writing.

[28] Cf. Hammar (2013) 105-6.

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who wishes to do wrong must have a first offense.[29] Cicero's advice requires the speaker at each

step to look more deeply into the defendant and uncover what lies hidden within him, but at each

step the basis for the accusation becomes more tenuous. The prosecutor here attempts to raise

suspicion against the defendant by revealing the defendant's true character, but he potentially

accomplishes this only by smearing the defendant and attributing unfounded motives to him.[30]

Accordingly, it is evident from this application of invective to forensic oratory that invective is a

messy business that plays on the force of suggestion and prejudices. It does not depend on

precision, but on broad, colorful strokes that excite the emotions of the audience and blur the line

between truth and fiction.[31] Since the understanding of character in ancient rhetorical thought

seems to result from the interpretation of outward signs (such as appearance, gestures, and

actions), character presents a speaker with ample opportunity to color and spin an event to his

own advantage.

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[29] *Inv.* 2.32-4.

[30] While it appears to be a common practice for *prosecutors* to blur the distinction between accusation and slander, some *defense speeches* make a point of emphasizing it: Dem. 18.123: ἐγὼ λοιδορίαν κατηγορίας τούτῳ διαφέρειν ἡγοῦμαι, τῷ τὴν μὲν κατηγορίαν ἀδικήματ' ἔχειν, ὧν ἐν τοῖς νόμοις εἰσὶν αἱ τιμωρίαι, τὴν δὲ λοιδορίαν βλασφημίας, ἃς κατὰ τὴν αὑτῶν φύσιν τοῖς ἐχθροῖς περὶ ἀλλήλων συμβαίνει λέγειν. οἰκοδομῆσαι δὲ τοὺς προγόνους ταυτὶ τὰ δικαστήρι' ὑπείληφα, οὐχ ἵνα συλλέξαντες ὑμᾶς εἰς ταῦτα ἀπὸ τῶν ἰδίων κακῶς τἀπόρρητα λέγωμεν ἀλλήλους, ἀλλ' ἵν' ἐξελέγχωμεν ἐάν τις ἠδικηκώς τι τυγχάνῃ τὴν πόλιν, "I think that abuse differs from accusation in that accusation is concerned with misdeeds, for which there is assistance in the laws, but abuse with slander, whatever occurs to enemies to utter against one another due to their nature. I do not suppose that our ancestors built these law courts so that, after we assembled you in them, we would wretchedly say to each other abominable things that we gathered from our private lives, but so that we would convict someone if he had committed a wrong against the city"; Cic. *Cael.* 30: *Omnia sunt alia non crimina, sed maledicta, iurgi petulantis magis quam publicae quaestionis. Adulter, impudicus, sequester convicium est, non accusatio; nullum est enim fundamentum horum criminum, nulla sedes; voces sunt contumeliosae temere ab irato accusatore nullo auctore emissae*, "All the other things are not accusations but slanders, more at home in a vulgar quarrel than a public court. 'Adulterer,' 'shameless,' 'bribery agent': these are insults, not accusations. For there is no foundation to these charges, no basis. These are insulting words rashly tossed out by an angry prosecutor without authority."

[31] Cf. Alexander (2002) 9: "It is commonly accepted today among criminal lawyers that prosecutors and defendants require quite different styles of advocacy and personalities to fit those styles. Prosecutors must relentlessly tell a clear and coherent story, so that their audiences will easily grasp what the defendant is supposed to have done. Defense lawyers try to destroy the clarity of the story by casting doubt on various pieces of it, picking here and pulling there until it falls apart."

Although I am now moving on from character itself to take up the other topics, this is not the end of my discussion of it, since as noted above it will often reemerge in the remaining topics as a key feature of invective rhetoric.

2. Anger

Emotional manipulation is a critical aspect of invective. While attacking another can result in hurting him or her emotionally ("hurting her feelings," one might say), the authors of the rhetorical handbooks interestingly seem to be little concerned with the emotions of the target of the attacks. Rather their interest lies in how the emotions of the audience can be utilized for the persuasive goals of the speech.[32] If we conceive of the parties involved in invective as protagonist (speaker), antagonist (target), and spectator (audience), the protagonist's success lies not necessarily in affecting the emotions of the antagonist but of the spectator.[33] The speaker aims to persuade the audience to think and especially to feel a certain way about the target, whom the speaker is not so much interested in harming directly as harming in the eyes of the spectators, in which group is included the general public as well the *iudices*.

The importance for invective of rousing strong emotions in the audience can be seen in Quintilian's explanations of *vituperatio* and *perorationes*. In his discussion of *vituperatio* as one of the two subdivisions of the epideictic genre of oratory (*Inst*. 3.7.19-22), Quintilian offers speaking points that can elicit a number of reactions from the audience that signify the community's disapproval of an individual. These reactions include *opprobium* "reproach," *contemptus* "contempt," *odium* "hatred," subjecting someone to *ignominia* "disgrace," and

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[32] Cf. Arist. *Rhet*. 1.2.3, 5 1356a, 2.1 1377b-1378a on emotion—that is, putting the listeners in a certain state—as one of the types of rhetorical proof.

[33] For this conception of the parties involved in invective, cf. Freud (1960) on the three parties involved in jokes and Richlin (1992).

making someone *invisus* "hated." Additionally, Quintilian advises the orator to be aware of the values of his audience, so that the audience believes that the qualities that it hates (*oderunt*) are exhibited by the person against whom the orator speaks.[34] While *vituperatio* can be said to have a target—namely, the person who is being attacked—its real target, so to speak, is whomever the speaker addresses, as he should design his speech in accordance with his audience's values and aim to make them hostile to the object of his attack. The hostility arises from hatred, envy, and similar emotions, and so inspiring these feelings in the audience is the goal of *vituperatio*.

In his discussion of the *peroratio*, the concluding section of the speech in which the orator aims specifically to create an emotional reaction in the audience,[35] Quintilian closely associates the strong emotions of hatred, envy, and anger. Quintilian writes that in the *peroratio* of a prosecutorial speech one can give freer rein to inciting envy, hatred, and anger (*Concitare quoque invidiam odium iram liberius in peroratione contingit*, *Inst*. 6.1.14). Quintilian himself offers a brief explanation for what arouses each of these emotions: "Unmerited influence inspires envy, moral turpitude inspires hatred, and offense inspires anger, if the defendant is insolent, arrogant, or smug."[36] From these remarks it appears that hatred arises from the character of the defendant, whereas envy and anger result from his actions. Nevertheless, Quintilian more commonly groups these emotions together than emphasizes their differences.[37] He claims that all three are accustomed to be roused not only by recounting words and deeds, but also by facial

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[34] Quint. *Inst*. 3.7.23: *Nam plurimum refert qui sint audientium mores, quae publice recepta persuasio, ut illa maxime quae probant esse in eo qui laudabitur credant, aut in eo contra quem dicemus ea quae oderunt.*

[35] In Book Six of the *Institutio Oratoria*, the first chapter (6.1) covers the *peroratio* while the second (6.2) treats the emotions.

[36] *Inst*. 6.1.14: *invidiam gratia, odium turpitudo, iram offensio iudici facit, si contumax adrogans securus sit. quae non ex facto modo dictove aliquo sed vultu habitu aspectu moveri solet.*

[37] Cf. *Rh. Al.* 34.12-6, where these three emotions are also grouped together.

expressions, bearing, and demeanor.[38] In drawing attention to these latter three aspects, a

speaker not only communicates to the audience what was done, but how it was done. Things

such as facial expression and disposition can indicate or suggest the state of mind in which an

individual undertook an action, and thus reveal the individual's feelings and character. In his

discussion of πάθος (pathos), Quintilian writes that it is concerned almost entirely with anger,

hatred, fear, envy, and pity (*Haec pars circa iram odium metum invidiam miserationem fere tota

versatur*, *Inst*. 6.2.20). For Quintilian, envy, anger, and hatred are alike in that they can be

aroused by the same kinds of qualities and that they are strong emotions. Moreover, hatred,

envy, and anger can be allied emotions in invective discourse: they can work together to augment

the hostility that the audience feels for an individual.[39]

In the Roman rhetorical handbooks, however, there is more attention devoted to arousing

anger than hatred and envy. Accordingly, looking closely at instructions for how to evoke anger

and considering what anger can help the speaker achieve will be useful for arriving at a more

comprehensive understanding of the intended effects of invective. In rhetorical theory in

general, anger is closely associated with amplification (*amplificatio*).[40] The instructions for

arousing anger frequently say to magnify and expand upon the enormity and atrocity of a person

or action. By amplifying the alleged wickedness, the speaker in turn amplifies the audience's

emotional response and hostility. Through *amplificatio* the speaker's goal is to make someone or

something seem worse, and, by extension, to make the audience feel worse about it. In the

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[38] *Inst*. 6.1.14: *non ex facto modo dictove aliquo sed vultu habitu aspectu moveri solent*.

[39] Furthermore, in the context of a forensic speech in which a prosecutor calls for a punishment to be exacted against a defendant, the intended result of the hostility that the speaker inspires can be an act of institutionalized violence.

[40] For *amplificatio*, see Plöbst (1911), Caplan (1954) *ad* 2.47.

remainder of this section, I will examine the place of anger in three areas of the rhetorical treatises: A) the peroration, B) delivery, and C) style.

A. The Peroration

Cicero's *De Inventione* and the *Rhetorica ad Herennium*

In *De Inventione* and the *Rhetorica ad Herennium*, stirring up anger in the audience is one of the three components of the peroration (*conlcusio*/*peroratio*), the concluding part of a speech.[41] In *De Inventione,* Cicero provides a tripartite division of the peroration in which the orator's tasks are recapitulating what has already been said (*enumeratio*), inciting the audience (*indignatio*), and arousing pity (*conquestio*).[42] The name *indignatio* evinces the inherent connection of anger with the component of the peroration that is intended to incite the audience, even though in his definition of it Cicero does not specifically mention anger: *indignatio est oratio, per quam conficitur ut in aliquem hominem magnum odium aut in rem gravis offensio concitetur*, "*indignatio* is a mode of speech through which great hatred is roused against some person or strong disgust for a thing" (Cic. *Inv.* 1.100).[43] Here again we encounter the association of anger (*indignatio*) and hatred (*odium*), and again the focus is on creating these belligerent

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[41] The parts of the speech, as they are given in order in the *Rhetorica ad Herennium* (1.4), are *exordium* ("introduction"), *narratio* ("narrative"), *divisio* ("division"), *confirmatio* ("proof"), *confutatio* ("refutation"), and *conclusio* ("peroration").

[42] Cic. *Inv.* 1.98: *Conclusio est exitus et determinatio totius orationis. Haec habet partes tres: enumerationem, indignationem, conquestionem*, "*Conclusio* is the end and conclusion of an entire speech. It has three parts: *enumeratio* (summary), *indignatio* (excitement of anger)*,* and *conquestio* (excitement of pity)." The *auctor* gives a similar division (*Rhet. Her.* 2.47): *Conclusiones, quae apud Graecos epilogi nominantur, tripertitae sunt. Nam constant ex enumeratione, amplificatione, et commiseratione*, "*Conclusiones*, which the Greeks call *epilogi*, have three parts. For they consist of *enumeratio* (summary), *amplificatio* (amplification), and *commiseratio* (appeal to pity)." Cf. also *De Orat.* 2.332.

[43] *Indignatio* is an essential aspect of Juvenal's satiric program: s*i natura negat, facit indignatio uersum/ qualemcumque potest, quales ego uel Cluuienus* (Juv. 1.79-80; cf. Braund (1996) *ad loc*.). See also Braund (1988) 1-23, Keane (2015).

emotions in the audience. According to Cicero's definition, in the *indignatio* component of a peroration, the anger and indignation that are voiced at perceived wrongs generate hostile feelings toward individual persons or things. The feelings of hatred and disgust that are the products of the indignant rhetoric in turn could be the launching grounds for further injurious attacks against the target. These two emotions, anger and hatred, then, can be said to feed off each other, each justifying and intensifying the other.

Following this definition, Cicero advances the fundamental point that *indignatio* is able to arise from the general topics (*loci*) that are used for making arguments about persons (*personae*) and actions (*negotia*) (*Inv.* 1.100).[44] For formulating arguments about persons, these topics are name (*nomen*), nature (*natura*), way of life (*victus*), fortune (*fortuna*), habit (*habitus*), feeling (*affectio*), pursuit (*studium*), purpose (*consilium*), and lastly—treated together—the person's actions (*facta*), what befalls him (*casus*), and his words (*orationes*), all three of which are to be considered in the past, present, and future (e.g. what he has done, what he is doing, what he will do) (*Inv.* 1.34-6). These topics enable the speaker to make inferences and raise suspicions about the kind of person someone is and the kinds of things that he would do. For example, a speaker could claim that someone named *caldus* ("hot") is so named because he is prone to hot-headed actions (*Inv.* 2.28).[45] Even though these topics clearly seem to lead to *ad hominem* arguments, Cicero's unqualified description of them shows that such argumentative

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[44] In *De Inventione*, Cicero first discusses these topics when he considers the *confirmatio* ("proof") part of a speech, that is, the part of the speech most fully concerned with making arguments to prove the case (*Inv.* 1.34-43). According to Cicero, the topics he outlines for the *confirmatio* are the raw material (*quaedam silva atque materia universa*) that is necessary for making all arguments (*Inv.* 1.34). For further elaboration of these topics, including which angles are most productive for the prosecution and which for the defense, see *Inv.* 2.28-44. In a more general discussion of arousing emotions in *De Oratore*, Cicero briefly touches on some topics (*loci*) that can be used for evoking several emotions (*De Orat.* 2.204-11).

[45] A more familiar example drawn from the corpus of actual Roman oratory is Cicero's play on the name of Verres ("boar").

strategies were acceptable in Roman rhetoric. The topics for discovering arguments about persons also play a fundamental role in the genre of oratory most immediately associated with invective, *vituperatio*. At the end of *De Inventione* when he comes to discuss the *genus demonstrativum*, Cicero returns again to these topics, stating that *laus* ("praise") and *vituperatio* ("blame") are derived from them (2.177). Thus, a similar *ad hominem* approach is used for inciting anger in the audience in the peroration and attacking a person in a *vituperatio* speech proper.

Beyond the general topics for persons and actions, however, Cicero discusses fifteen topics (*loci*) that belong especially to *indignatio*. These topics include discussing who has been affected by the act, inquiring what would happen if others acted in the same way, showing that the deed was carried out by deliberation and diligence, declaring that the act is unknown to wild, barbarous peoples and savage beasts, and demonstrating that insult was added to injury (*cum iniuria contumelia iuncta*) (*Inv.* 1.101-5). This extensive list of *loci* illustrates how artificial the process of moving the emotions of the audience was in rhetorical theory. Even though Cicero is here providing instructions for inciting the strong emotions of hatred and anger, he adopts a calculated and methodical approach to accomplish this. The *auctor* of the *Rhetorica ad Herennium* similarly provides a list of ten topics for this part of the peroration (which he calls *amplificatio* and says is to be used "for the sake of inciting the audience" [*instigationis auditorum causa*]),[46] and the *auctor's* ten topics correspond in order with the first ten that Cicero gives.[47] The correspondence between Cicero's and the *auctor's* accounts further emphasizes the

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[46] *Rhet. Her.* 2.47: *Amplificatio est res quae per locum communem instigationis auditorum causa sumitur. Loci communes ex decem praeceptis commodissime sumentur adaugendi criminis causa*, "*Amplificatio* is used for the sake of inciting the audience by a common-place. Common-places will be taken up most conveniently from ten topics for the sake of intensifying a charge of criminality."

[47] For an illustration of the similarity (but also differences) between the two accounts, cf. their third topics: *Inv.* 1.101: *Tertius locus est, per quem quaerimus, quidnam sit eventurum, si idem ceteri faciant; et simul ostendimus,*

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mechanical nature of inspiring anger in the audience, as it suggests that multiple speakers (and their teachers) were using similar approaches and presumably saying the same kinds of things.

From the accounts of both Cicero and the *auctor*, the topics seem designed to magnify and play on the fears of the audience. This is particularly evident from the fourth and fifth topics that both Cicero and the *auctor* include (fourth: if you allow this man to commit a crime with impunity, many people will feel emboldened to commit crimes because they will not fear punishment; fifth: while it is possible to fix some mistakes after they have been made, an erroneous judgment in this case will never be able to be corrected [Cic. *Inv.* 1.102, *Rhet. Her.* 2.48]). These topics present the action as a pressing threat and indicate that the judges are in a critical position to check this threat before it leads to the dissolution of society. Such fear-mongering rhetoric is also achieved in part by emphasizing that the action in question is utterly unnatural. In addition to those topics already mentioned that stress unnaturalness, Cicero includes the following three: the act was committed by one who least of all should have committed it; the act had never before befallen someone; and, finally, even personal foes and enemies do not usually seem to deserve what the victim has suffered (*Inv.* 1.104-5). All of these topics seek to show the extraordinary nature of the action, making it appear singularly and unprecedentedly heinous. The threat that the action presents is strange, unknown, monstrous. This culminates in the fifteenth and final topic—enemies are not even worthy of such mistreatment—which at once amplifies the outrageousness of the act and makes a show of the speaker's own restraint toward his enemies.

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huic si concessum sit, multos aemulos eiusdem audaciae futuros; ex quo, quid mali sit eventurum, demonstrabimus; *Rhet. Her.* 2.48: *Tertius locus est quo percontamur quid sit eventurum si omnibus idem concedatur, et, ea re neglecta, ostendemus quid periculorum atque incommodorum consequatur.*

Other topics for *indignatio*/*amplificatio* attempt to utilize the fears of the audience by encouraging the audience to imagine that they are experiencing the actions that are being denounced. For these topics, the audience's own fears and imagination are a source of power that the speaker draws on. As we shall see throughout this chapter, this is a critical feature of invective rhetoric, and its usefulness is not limited to amplification or generating anger. The tenth topic for both Cicero and the *auctor* is essentially *enargeia* (ἐνάργεια), the widely practiced and praised literary technique of strikingly vivid description.[48] *Enargeia* is an important rhetorical strategy, because it seems to be able to draw on the full emotional power of rhetoric. The *auctor* says that in this topic we consider vehemently, accusingly, and carefully everything that happens in the event or follows as a consequence of it, so that through the enumeration of the attendant circumstances the matter seems to be performed and the action seems to be carried out.[49] That is, through a careful yet forceful depiction, the action seems to be undertaken as the description unfolds and come to life. Cicero is more explicit: he emphasizes that the speaker, by means of his words, is to put the action before the eyes of the audience (*ante oculos eius apud quem dicitur*), so that what is intolerable seems to the listener to be just as intolerable as if he himself were present and looking on it with his own eyes.[50] Here, the power of rhetoric is such as to place the listener at the scene of the action and transform him into a spectator.

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[48] For *enargeia*, cf. Caplan (1954) *ad* 4.68 (the *auctor's demonstratio*), Quint. *Inst.* 8.3.61-71, 4.2.63-5, 6.2.29-36, Vasaly (1993) 89-104, Webb (2009) 87-130, Lausberg §§ 810-9.

[49] *Rhet. Her.* 2.49: *Decimus locus est per quem omnia quae in negotio gerundo acta sunt quaeque rem consequi solent exputamus acriter et criminose et diligenter, ut agi res et geri negotium videatur rerum consequentium enumeratione.*

[50] Cic. *Inv.* 1.104: *Decimus locus est, per quem omnia, quae in negotio gerundo acta sunt quaeque post negotium consecuta sunt, cum unius cuiusque indignatione et criminatione colligimus et rem verbis quam maxime ante oculos eius, apud quem dicitur, ponimus, ut id, quod indignum est, proinde illi videatur indignum, ac si ipse interfuerit ac praesens viderit.*

Nevertheless, whatever scene an audience member envisions will in part be a product of his own imagination.[51]

For his fourteenth topic, Cicero states that we ask the audience to reckon our injuries as their own: if the matter involves children, they should think of their own children; if women, their wives; if old men, their fathers and grandparents (*Quartus decimus locus est, per quem petimus ab iis, qui audiunt, ut ad suas res nostras iniurias referant; si ad pueros pertinebit, de liberis suis cogitent; si ad mulieres, de uxoribus; si ad senes, de patribus aut parentibus*, Cic. *Inv.* 1.105). In altering the audience's perception of the issue in question—or, to be more specific, in making it personal—Cicero is attempting to influence the audience's emotional response. This topic seeks to make the audience feel threatened by the action of another—to feel that the threat is entering their homes.[52] One rhetorical strategy used in invective is to suggest or even openly claim that an evil has managed to spread surreptitiously throughout society, and so lead the audience to believe they are surrounded by the evil and under attack. Cicero's fourteenth *indignatio* topic relies on similar logic, but is more subtle in creating the effect. Although the speaker will not explicitly state that each person and those nearest to him are threatened, the objective appears to be to make the listeners feel this way. Similar to *enargeia*, this topic illustrates the rhetorical power of the audience's imagination. In both topics, the speaker describes a situation that the listener will envision in greater detail, and so the listener's own imagination is fundamental for the emotional impact that the speaker's words will have.

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[51] Cf. the use of a "creaky door" in horror movies, in which an established motif draws on viewers' expectations to create suspense and heighten their emotional state.

[52] Cf. anti-Communist propaganda in the 1950s.

Quintilian's *Institutio Oratoria*

Quintilian's description of the peroration (*peroratio*) has many points in common with Cicero's and the *auctor's*, as he too views this part of the speech as a vehicle for amplifying the atrocity of the alleged wrong and thus of the judges' emotional response to it. Quintilian stresses this point near the conclusion of his discussion, stating that strong emotions should be reserved for the peroration, since there, if anywhere in the speech, it is permitted to open all the sources of eloquence (*Inst.* 6.1.51), and that "the most important part of the peroration is *amplificatio*" (*maxima pars epilogi amplificatio*, *Inst.* 6.1.52).[53] Although his approach is fundamentally similar, Quintilian nevertheless presents the appeal to emotions in a less rigid and schematic manner.

As for the peroration in general, Quintilian does not maintain the tripartite scheme that is found in Cicero and the *auctor* (enumeration, incitement, and pity), but makes a primary division in the *peroratio* between recapitulation (*rerum repetitio et congregatio*) and emotional appeals (*adfectus*, *Inst.* 6.1.1). He then divides the latter into two categories, inciting the judges (*concitare iudices*) and softening (*flectere*) them, noting that the prosecution more commonly incites and the defense more commonly softens (*Inst.* 6.1.9). Here inciting the judges is associated particularly with aggressive, prosecutorial rhetoric, and although Quintilian provides the clearest evidence of this, Cicero and the *auctor* suggest the same through their lists of topics that are intended to amplify the heinousness of a crime.

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[53] Cf. Quintilian on the difference between the proemium and the epilogue: *Neque enim sum in hac opinione qua quidam, ut eo distare prohoemium ab epilogo credam, quod in hoc praeterita, in illo futura dicantur, sed quod in ingressu parcius et modestius praetemptanda sit iudicis misericordia, in epilogo vero liceat totos effundere adfectus, et fictam orationem induere personis et defunctos excitare et pignora reorum producere: quae minus in exordiis sunt usitata* (4.1.28).

In his treatment of *adfectus*, Quintilian first discusses how strong emotional appeals can be used by the prosecution (*Inst.* 6.1.12-20) and then by the defense (*Inst.* 6.1.21-9). In his examination of the use of emotional appeals by the prosecution, Quintilian says that the principal method for inciting emotions is to make the defendant's actions seem as cruel or as pitiable as possible (*summa tamen concitandi adfectus accusatori in hoc est, ut id quod obiecit aut quam atrocissimum aut etiam, si fieri potest, quam maxime miserabile esse videatur*, *Inst.* 6.1.15). Quintilian concentrates mostly on cruelty (*atrocitas*), noting that while there are opportunities for a prosecutor to use pity—for instance, lamenting the misfortune of the person whom he is avenging in court—it is more customary for the prosecutor to turn the judges away from pity and to incite them to reach a strong decision (*Inst.* 6.1.19-20).

In his advice for increasing the perception of the defendant's cruelty (*atrocitas*), Quintilian lists a number of questions to ask about the act: *quid factum sit, a quo, in quem, quo animo, quo tempore, quo loco, quo modo; quae omnia infinitos tractatus habent*, "What was done, by whom, against whom, with what intention, when, where, in what manner—all of which have unlimited ways of being treated" (*Inst.* 6.1.15). In posing general questions rather than designating topics, Quintilian's approach for amplification seems to be less rigid than than those of Cicero and the *auctor*; all the same, when he proceeds to illustrate the process by example, Quintilian's objective also seems to be to make the audience as hostile to the target as possible.

Quintilian takes as his illustrative example an assault (*pulsatum querimur*, *Inst.* 6.1.16), and although many of the questions that he says ought to be considered are indeed general, the answers he provides unquestionably render the action more deplorable, and so suggest that they are valuable for a prosecutor. For example, one should say if the victim of the assault was an old man, a boy, a magistrate, or an upstanding citizen; if the act was committed by someone who is

worthless or contemptible, or who possesses too much power, or who least of all should have done it; if the assault was undertaken on a religious holiday, or in a troublesome time for the state; likewise, if it was carried out in a theater, a temple, or a place of assembly. Ill will (*invidia*) is also increased if the assault seems premeditated or not committed in anger—or, if it was committed in anger, that the anger was unjustified—and if it seems that the assailant wished to inflict more harm than he did. Nevertheless, Quintilian continues, the manner (*modus*) in which the assault was carried out increases the perception of cruelty to the greatest extent, for example, if it was committed in a violent or insulting manner, as Demosthenes sought to arouse *invidia* against Meidias by describing the part of his body that had been struck, and the countenance and general disposition of his assailant as he was inflicting the blow.[54]

Although the process of amplification in Quintilian's hands appears to be less artificial and more flexible, nevertheless, like Cicero and the *auctor*, Quintilian approaches the situation with a singular intention. Quintilian searches and probes for that which will incite the ill will of the judges against the defendant, and each answer that he provides makes the assault appear more vicious and the perpetrator more savage. The questions Quintilian proposes are designed to intensify the crime, so that the audience is not only confronted with a charge of assault, but a particularly cruel, sacrilegious, or hateful assault. The characterization of the action in turn

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[54] Quint. *Inst*. 6.1.16-7: *pulsatum querimur: de re primum ipsa dicendum, tum si senex, si puer, si magistratus, si probus, si bene de re publica meritus, etiam si percussus sit a vili aliquo contemptoque vel ex contrario a potente nimium vel ab eo quo minime oportuit, et si die forte sollemni aut iis temporibus cum iudicia eius rei maxime exercerentur, aut in sollicito civitatis statu, item in theatro, in templo, in contione; crescit invidia et si non errore nec ira, vel etiam, si forte ira, sed iniqua, quod patri adfuisset, quod respondisset, quod honores contra peteret, et si plus etiam videri potest voluisse quam fecit; plurimum tamen adfert atrocitatis modus, si graviter, si contumeliose, ut Demosthenes ex parte percussi corporis, ex vultu ferientis, ex habitu invidiam Midiae quaerit.* Quintilian similarly considers how this process can be approached with a homicide, although his treatment of this example is much briefer: "For amplification, it matters a great deal whether the murder was carried out with iron, fire, or poison; whether there was one wound or many; whether it happened suddenly or after some amount of expectation" (*Occisum queror: ferro an igne an veneno, uno vulnere an pluribus, subito an exspectatione tortus, ad hanc partem maxime pertinet, Inst.* 6.1.18).

reveals the character of the assailant. Even in offering details on *what* happened (e.g. the defendant assaulted an old man), the prosecutor is making a point about the defendant himself: *this* is the kind of person who assaults old men. Here, then, we see how character is made central to a rhetorical attack. In showing that the defendant is the type to commit such a deplorable crime, the speaker expands the significance of his prosecution by means through his implication that the defendant will by nature commit other reprehensible acts.

Nonetheless, the significance of character in the process is most evident in the importance that Quintilian places on *how* (*quo modo*) the assault was committed: if it was carried out in a violent or abusive manner, or if the assailant intended to cause more harm than he did. As I mentioned above, Quintilian claims that envy, hatred, and anger can be roused not only by the assailant's deed and word, but also by facial expressions, bearing, and demeanor.[55] When Quintilian comes to provide more detailed instructions for how to invoke such hostile emotions in the audience, he puts a premium on these latter aspects. Remarkably, facial expression, bearing, and demeanor do not actually constitute criminal behavior, but in Quintilian's analysis these attributes emerge as most valuable for inciting the audience. In suggesting what the person was thinking or feeling in committing the assault, the speaker moves from action to person and allegedly discloses the person's character. In this process one observes *amplificatio* (literally, "a making abundant") at work: the speaker effectively multiplies the crime as the one-time assault becomes just one instance of habitual behavior. Through the care of the speaker's rhetoric, wickedness grows from a single act into a state of being, a much more frightening prospect for the audience.

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[55] *Inst.* 6.1.14: *invidiam gratia, odium turpitudo, iram offensio iudici facit, si contumax adrogans securus sit. quae non ex facto modo dictove aliquo sed vultu habitu aspectu moveri solet.*

The emotions of the judges can also be incited in the peroration through the theatrical use of actions and props. Quintilian describes the practice of the defense bringing defendants as well as their children and parents into the court in dirty and disheveled states; prosecutors, on the other hand, display a bloody sword, bones taken from wounds, and clothes soaked with blood, or they uncover wounds and battered bodies.[56] As Quintilian notes, these visual theatrics have a great effect, as if they were guiding people's minds to observe the event in person (*Quarum rerum ingens plerumque vis est velut in rem praesentem animos hominum ducentium*, *Inst.* 6.1.31). The use of visual props, in other words, leads the audience to see more than is actually before them. Quintilian fleshes out his discussion by analyzing perhaps the most famous example of this practice: Mark Antony's presentation of Caesar's bloody toga in the funeral speech (March 20, 43 BC) that drove the Roman people into a fury (*populum Romanum egit in furorem*, *Inst.* 6.1.31). Quintilian states, "it was known that Caesar had been killed, and moreover his body itself was lying there on the bier; nevertheless, that garment, wet with blood, so conveyed the image of the crime (*imaginem sceleris*) that Caesar did not seem *to have been killed*, but *to be killed* right then at that moment."[57] According to accounts of the event, Antony's speech, which culminated in the passionate exhibition of Caesar's bloody and dagger-pierced toga, was wildly successful, turning the audience, who was overcome with anger at Caesar's assassins, into a violent and riotous mob.[58] From this example, it is evident that the

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[56] *Inst.* 6.1.30: *Non solum autem dicendo, sed etiam faciendo quaedam lacrimas movemus, unde et producere ipsos qui periclitentur squalidos atque deformes et liberos eorum ac parentis institutum, et ab accusatoribus cruentum gladium ostendi et lecta e vulneribus ossa et vestes sanguine perfusas videmus, et vulnera resolvi, verberata corpora nudari.* Later in his discussion of the peroration, Quintilian notes that strong emotions are upset most of all in the midst of dangers (*Inst.* 6.1.36).

[57] Quint. *Inst.* 6.1.31: *Sciebatur interfectum eum, corpus denique ipsum impositum lecto erat, vestis tamen illa sanguine madens ita repraesentavit imaginem sceleris ut non occisus esse Caesar sed tum maxime occidi videretur.*

[58] Cic. *Phil.* 2.90-1, Plut. *Ant.* 14.3-4, Dio Cass. 44.35.4, 49.3-50.

introduction of a prop can have transformative effects on the feelings and behavior of the audience. Nevertheless, the prop is only a stimulus for the audience's imagination: the members of the audience do not necessarily visualize the actual murder, but rather the scene that their minds create. Paradoxically, the physical prop, brought before the eyes of the judges, produces an optical illusion: past actions become present, and the judges see things that are not there. A highly emotive prop, then, is strikingly similar to *enargeia* in the effect it has on the audience: with both props and *enargeia*, the speaker works in complicity with the audience's imagination.[59]

B. Delivery

In the *Rhetorica ad Herennium*, the *auctor* examines how anger can be effected specifically through delivery (*pronuntiatio*), that is, the vocal performance and gestures that an orator uses when delivering a speech. Accordingly, considering delivery, both in general and in the specific aspect of it that is associated with evoking anger, is useful for understanding the workings of invective. The *auctor* prefaces his account on delivery (3.19-27) by claiming that others have not written about the subject carefully because they did not think it was possible to write clearly about a topic that pertains to the senses (*ad sensus nostros pertineret* [3.19]).[60] In mentioning the senses, the *auctor* is drawing attention to an irrational element that is part of oratory. While the *auctor* here suggests that this is a feature of oratory in general, I argued above that invective in particular is painted in broad and colorful strokes that are especially designed to

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[59] As Ruth Webb (2009) 107 has observed, although Quintilian believes that such theatrics can a have a strong emotional effect on the audience, he advises that they should be used with caution, lest they fall flat and the orator look ridiculous; Quintilian is less circumspect, however, when it comes to *enargeia*, since the mind of each member of the audience plays an integral role in creating the spectacle.

[60] Aristotle (*Rhet*. 3.1.3, 1403b) also says that delivery (τὰ περὶ τὴν ὑπόκρισιν) has not yet been treated, although it possesses the utmost power (δύναμις).

appeal to the emotions of the audience. Therefore, from the *auctor's* preliminary remark on delivery, it is evident that the manner in which an orator delivers a speech can be very useful in exciting the passions that are essential to invective.

The *Rhetorica ad Herennium* is generally very schematic and well organized: topics are divided and subdivided, and each topic, division, and subdivision is neatly defined. This is true for the work's treatment of delivery as well. Within this scheme the *auctor* claims that anger is specifically able to be evoked by a type of vocal tone that he labels *cohortatio* (3.24, 25, 27). Before taking up *cohortatio* itself, however, a diagram illustrating its position within the *auctor's* configuration of the divisions of delivery will be useful.[61]

Delivery (*pronuntiatio*)

I. Quality of the Voice (*figura vocis*)		II. Movement of the Body (*corporis motus*) (Movement of the body corresponds to the eight subdivisions of tones.)
A. Volume (*magnitudo*)	B. Stability (*firmitudo*)	C. Suppleness (*mollitudo*)
1. Conversational Tone (*sermo*)	2. Argumentative Tone (*contentio*)	3. Tone for Amplification (*amplificatio*)
a. Dignified (*dignitas*)	a. Continuous (*continuatio*)	a. Hortatory (*cohortatio*)
b. Explanatory (*demonstratio*)	b. Broken (*distributio*)	b. Plaintive (*conquestio*)
c. Narrative (*narratio*)		
d. Joking (*iocatio*)		

The *auctor* divides delivery (*pronuntiatio*) into the quality of the voice (*figura vocis*) and the movements of the body (*corporis motum*). The former, quality of the voice, is subdivided

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[61] Cf. Caplan (1954) liii for a similar diagram on which mine is based.

into volume (*magnitudo*), stability (*firmitudo*), and suppleness (*mollitudo*). *Mollitudo* is again divided into a tripartite scheme: conversational tone (*sermo*), argumentative tone (*contentio*), and tone for amplification (*amplificatio*). Regarding the last, the *auctor* notes, "*Amplificatio* is speech that leads the listener's mind into anger, or draws it towards pity" (*Amplificatio est oratio quae aut in iracundiam inducit, aut ad misericordiam trahit auditoris animum*, *Rhet. Her*. 3.23). One more division for our purposes remains to be made, as *amplificatio* is subdivided into *cohortatio* for anger and *conquestio* for pity. *Cohortatio* is "speech that leads the hearer towards anger by amplifying some wrongdoing," whereas *conquestio* "conducts the mind of the hearer to pity through the amplification of misfortunes."[62] Instructions for the movement of the body (*corporis motus*) are mapped onto the specific types of vocal deliveries, so that, for example, the *auctor* describes certain bodily movements that are suited for *cohortatio* and others that are suited for *conquestio* (3.25-7).

What did the speaker sound like when exhorting his audience to anger? For vocal delivery, the *auctor* declares that *cohortatio* utilizes a very thin voice, moderate shouting, an even tone, numerous changes in pitch, and the utmost speed.[63] As for the relevant movement of the body, the auctor states that it is fitting to use the actions employed in the continuous argumentative tone (a quick arm, an active countenance, and a piercing look [*brachio celeri*, *mobili vultu*, *acri aspectu*, 3.27]), but a somewhat slower and more deliberate movement (*paulo tardiore et consideratiore*, 3.27). Unfortunately, the *auctor* does not say why these particular vocal qualities and movements incite anger in the audience, and it is impossible to extrapolate

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[62] *Rhet. Her*. 3.24: *Amplificatio dividitur in cohortationem et conquestionem. Cohortatio est oratio quae aliquod peccatum amplificans auditorem ad iracundiam adducit. Conquestio est oratio quae incommodorum amplificatione animum auditoris ad misericordiam perducit.*

[63] *Rhet. Her*. 3.25: *In amplificationibus cum cohortatione utemur voce adtenuatissima, clamore leni, sono aequabili, commutationibus crebris, maxima celeritate.*

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this from his only listing of them. His definition of *cohortatio*, however, offers greater scope for analysis. The *auctor* claims that *cohortatio* (along with *conquestio*) has the effect that it does by means of amplification. In particular, inciting the listener to anger through delivery consists of amplifying some fault: "*Cohortatio* is speech that leads the hearer towards anger by amplifying some wrongdoing" (*Cohortatio est oratio quae aliquod peccatum amplificans auditorem ad iracundiam adducit*, 3.24). It is important to note that in this practice the fault itself is not changed, but rather the audience's perception of the fault. Attempting to alter how something appears to the audience is another essential aspect of invective rhetoric. The *auctor* noted at the outset that delivery pertains to the senses, and here the *auctor* advises playing upon these by means of histrionics to make something bad seem worse. In rhetoric, appearance is often privileged over reality.

The neat distinction between anger and pity in the schema of delivery recalls two of the three components in the *auctor's* conception of the *conclusio* (peroration), namely, *amplificatio*, which is intended to incite the hearers (*instigatio auditorum*), and *commiseratio*, which induces pity (*misericordia commovebitur*, *Rhet. Her*. 2.47-50). In both these areas (delivery and *conclusiones*), it is apparent that the *auctor* is operating with a somewhat reductive bipartite scheme, and it is plausible that in practice most rhetorical situations would demand a unique handling of tone and approach. Nevertheless, it is also useful to point out that both *amplificatio*, as a component of delivery, and *amplificatio* and *commiseratio*, as the two parts of the *conclusio*, are defined by emotions. This is evident when Tone for Amplification (i.e. *amplificatio* as a subdivision of *mollitudo* "suppleness") is compared with the other two subdivisions of *mollitudo*, Conversational Tone (*sermo*) and Argumentative Tone (*contentio*). The Conversational Tone (*sermo*) is said to be closest to everyday speech (*finitima cotidianae locutioni*), and so is rather

mundane; the Argumentative Tone (*contentio*), while said to be sharp (*acris*), is suitable for proof and refutation (*ad confirmandum et ad confutandum*), and so seems to be appropriate for parts of a speech requiring logic and subtlety. *Amplificatio*, on the other hand, appears by nature to be suited to arousing uncommon and unsettling emotions in the audience. Amplification, in general, is also where the rhetorical fireworks are. In the concluding section of the speech, *amplificatio* is intended to render whatever has just been demonstrated over the course of the speech more significant and more emotionally charged. The very existence of commonplaces or topoi, which are defining attributes of *amplificatio*, suggest that amplification amounts to verbal conjuring or "sleight of hand" that can be artificially applied to any given situation to make it more emotionally moving. This suggests that rhetoric perhaps has as much in common with psychological and emotional manipulation as it does with demonstrating or revealing truths, as the actual charges and facts would fade away in the midst of a highly emotional atmosphere.

And indeed, such emotional manipulation is undertaken methodically. The *auctor's* scheme makes anger antithetical to pity, and while this seems rigid and artificial, it reveals a remarkable facet of the approach to emotions in Roman rhetorical theory. Although the auctor prefaces his discussion of delivery with a statement about the difficulty in treating a topic that applies to the senses, his own method for it is exceedingly structured and measured and even scientific. He approaches delivery in a very calculated manner, operating on the understanding that there is a rational method for exploiting people's irrational impulses, including the strong emotions anger and pity.

Before concluding his discussion of *pronuntiatio*, the *auctor* reiterates the difficulty of the task that he has taken, but declares that even if it were an impossible task to capture and represent in writing the movements of the body and the tones of the voice, his attempt has not

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been useless. Although he questions the success of his attempt, his final remark offers a take-away that underscores the importance that delivery has for psychological and emotional manipulation: "Nevertheless, it must be known that good delivery has this effect: the matter seems to come from the heart" (*Hoc tamen scire oportet, pronuntiationem bonam id proficere, ut res ex animo agi videatur*, *Rhet. Her*. 3.27). This closing thought on delivery highlights the significance of performance and appearance in oratory: a good speaker should make it *appear* that what he is saying issues from his soul. As the *auctor's* comment suggests, if a speaker seems to feel and believe what he is saying, his apparent (although perhaps feigned) conviction can convince others. The *auctor* does not address, however, if it matters whether the speaker's expression is genuine or not.

C. Style

In the *Rhetorica ad Herennium*, anger also has a significant place in style (*elocutio*), traditionally the fifth part of oratory. Particular rhetorical figures are said to be conducive to inciting anger in the audience and these in turn shed light on how invective works. Before turning to close analysis of the specific rhetorical figures that can produce anger, however, I shall briefly describe the organization and approach of the work in order to provide context for the *auctor's* discussion. In his treatment of style (which occupies all of the fourth and final book of the text, roughly 45% of the whole work), the *auctor* first addresses the three kinds of style (*tria genera*, 4.11-6) before proceeding to examine the qualities (*res*) that oratorical style always ought to have. These qualities are elegance (*elegantia*), proper connection of words (*compositio*), and distinction (*dignitas*).[64] The first two qualities are discussed rather briefly

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[64] The *auctor's* scheme here is ultimately derived from Theophrastus' doctrine of the four virtues of style, which were purity (Ἑλληνισμός), clarity (σαφήνεια), appropriateness (τὸ πρέπον), and ornamentation (κατασκευή). The

(4.17-8), but *dignitas* requires the bulk of the book (*Rhet. Her.* 4.18-69). He organizes his

treatment of this subject by the common distinction between figures of speech (*verborum*

exornationes [4.19-46]) and figures of thought (*sententiarum exornationes* [4.47-69]).[65] The

auctor's general method for discussing the stylistic figures is the following: he defines a figure,

provides several examples of it, and occasionally elaborates briefly on the benefit of deploying it.

Four figures are particularly important potential resources for inciting anger in the audience—

exclamatio and *conduplicatio* (both of which are figures of speech), and *descriptio* and

demonstratio (figures of thought)—and in the remainder of this section I will undertake a close

reading of these figures as the *auctor* presents them.

Exclamatio

Exclamatio (exclamation) is a figure of speech which, according to the definition that the

auctor provides, expresses grief or anger through an address to some person, city, place, or

thing.[66] All three of the the examples that the *auctor* offers for this figure involve apostrophizing

someone as the victim or the perpetrator of injustice. Two of these examples (examples one and

three) seem to be designed to arouse anger, although they achieve this effect by different means:

in the first the speaker addresses a relation of the victims of injustice, while in the third he calls

out the wrongdoers themselves. In the first example, the speaker addresses the long deceased,

legendary Roman war hero Scipio Africanus and laments that the blood of his grandsons, the

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auctor's dignitas corresponds to Theophrastus' κατασκευή. For the details of the *auctor's* modification of the Theophrastean system, see Caplan (1954) *ad* 4.17.

[65] Caplan (1954) ad *Rhet. Her.* 4.18 notes that this is the earliest appearance of this distinction. Quintilian *Inst.* 9.1 is a general treatment of figures (*figurae*, which is Quintilian's translation of the Greek σχήματα), in which he deals with the distinction between figures of thought and figures of speech at 9.1.15-8.

[66] *Rhet. Her.* 4.22: *Exclamatio est quae conficit significationem doloris aut indignationis alicuius per hominis aut urbis aut loci aut rei cuiuspiam conpellationem.*

illustrious Gracchi, has fed the cruelty of their enemies (*Te nunc adloquor, Africane, cuius mortui quoque nomen splendori ac decori est civitati. Tui clarissimi nepotes suo sanguine aluerunt inimicorum crudelitatem* [*Rhet. Her.* 4.22]).[67] As the speaker states, Scipio's name is a source of glory and honor for the state, and in this context it functions as a rallying point for those who are aggrieved by the deaths of the Gracchi. Although the speaker properly addresses Scipio and speaks of "your grandsons," Scipio is dead, and so is not the true addressee. Rather, the speaker effectively addresses all who regard Africanus as an exemplary Roman and who associate Roman values with him. In this way the speaker uses Scipio's name as a battle standard to unite his audience against the enemies (*inimici*). In declaring that the enemies' cruelty is being nourished by blood, the speaker presents their cruelty as a living threat that feeds on the destruction of the most noble Romans. Accordingly, those who identify with Scipio, the Gracchi, and the speaker ought to feel terror and anger.

In the second example, the speaker opposes informants for their attacks against the good and innocent: *Bonorum insidiatores, latrocinia, vitam innocentissimi cuiusque petistis; tantamne ex iniquitate iudiciorum vestris calumniis adsumpsistis facultatem?* "Assailants of good men, band of robbers, you have sought the life of every innocent person! Did you acquire such great capability for your slandering on account of the injustice of the judges?" (*Rhet. Her.* 4.22).[68] The apostrophe in this example functions in an inverse way in comparison to the previous example: the addressees here, presented as wanton criminals, are made repellent to the audience. In pointedly addressing a perpetrator of injustice, the speaker gives the audience a target, someone

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[67] In my analysis of the *auctor's* examples, I employ the term "speaker" to refer to the imaginary speaker who is delivering the example that the *auctor* has included, which he claims are his own invention (*Rhet. Her.* 4.1).

[68] Caplan (1954) *ad loc.* states that the people addressed here are probably *quadruplatores*, informers who brought forth criminal accusations.

who is not them—an other—against whom they can unite with the speaker in animosity. Furthermore, calling out an iniquitous individual is confrontational, and in directing the collective animosity against this person, the speaker is taking a leading role in standing up for and protecting the values of the community.

After the three examples, the *auctor* claims that if *exclamatio* is used sparingly and properly, one can lead the mind (*animus*) of the hearer to as much anger (*indignatio*) as one wishes.[69] Although when the *auctor* introduces the figure he notes that it signifies grief or anger, at the end of the discussion he focuses especially on its ability to incite anger. In the two examples that I have discussed, the speaker appears to be able to incite anger by addressing either the victim or the wrongdoer, and so there appears to have been a significant connection for the ancient Romans between directly addressing or confronting someone and bestirring anger in an audience. A parallel for this can can be seen in the popular justice practice of *flagitatio*, in which outraged citizens would verbally assail individuals in public in order to bring them into infamy.[70] In such a situation, the effect of the verbal harassment is to expose the injustice of the target and consequently to incite public hostility against him or her. The rhetorical figure *exclamatio* can be seen as a concentrated extension of this form of popular justice. Whether the speaker addresses someone whom the audience is to identify with or stand opposed to, the address allows the speaker, who by nature speaks on behalf of the community, to unite the audience with himself in a case of "us vs. them."

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[69] *Rhet. Her.* 4.22: *Hac exclamatione si loco utemur, raro, et cum rei magnitudo postulare videbitur, ad quam volemus indignationem animum auditoris adducemus.*

[70] For *flagitatio* and its relation to other forms of popular justice in Republican Rome, see Lintott (1968) 8-10.

Conduplicatio

     *C*onduplicatio, the next stylistic figure, is the repetition of a word or words (*Rhet. Her.* 4.38):

> Conduplicatio est cum ratione amplificationis aut commiserationis eiusdem unius aut plurium verborum iteratio, hoc modo: "Tumultus, Gai Gracce, tumultus domesticos et intestinos conparas!" Item: "Commotus non es, cum tibi pedes mater amplexaretur, non es commotus?" Item: "Nunc audes etiam venire in horum conspectum, proditor patriae? Proditor, inquam, patriae, venire audes in horum conspectum?"
>
> *Conduplicatio* is the repetition of a single word or a number of words either for the sake of amplification or to excite compassion. For example: "You are creating uproar, Gaius Gracchus, uproar among our homes and within the state." Again: "Were you not moved when his mother embraced your feet, were you not moved?" Again: "Now do you dare even to come into the sight of these men, betrayer of the country? Betrayer of the country, I say, do you dare to come into the sight of these men?"

In his definition of the figure of *conduplicatio*, the *auctor* connects it directly with *amplificatio*, and again *amplificatio* is paired with *commiseratio*, as we have seen in other strongly emotional figures. Although it is not possible to determine the context from which the brief examples that the *auctor* includes were taken, at least two of them (the first and third) have an indignant and accusatory character. All three examples, however, make use of the grammatical second person, and so this figure has some similarity with *exclamatio*, insofar as both figures require a direct confrontation with the adversary.[71] Following these examples the *auctor* concludes his discussion of this figure with an interesting remark that draws on the metaphorical violence that is a meaningful aspect of the Roman oratorical tradition: "The repetition of the same word strongly affects the hearer and creates a greater wound in the opposition, as if it were a weapon

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[71] Cf. Cat. 42 in which Catullus exhorts his hendecasyllables to engage in *flagitatio* by accosting Catullus' adversary and demanding that he return Catullus' writing tablets. The repetitive demand (*moecha putida, redde codicillos,/ redde putida moecha, codicillos*) is repeated in the short poem (11-12, 19-20), which mimics the repetitive effect of an actual act of *flagitatio*, before Catullus ends the poem on a humorous variation: *pudica et proba, redde codicillos* (24).

going repeatedly into the same part of the body" (*Vehementer auditorem commovet eiusdem redintegratio verbi et vulnus maius efficit in contrario causae, quasi aliquod telum saepius perveniat in eandem corporis partem*, *Rhet. Her.* 4.38). The repetition of a word both stirs the audience and wounds the opposing side. The vivid comparison of words and weapons complements the confrontational nature of the examples that the *auctor* adduces for this figure as well as of invective rhetoric in general. Accordingly, *conduplicatio* is especially significant for invective both because it can rouse the emotions of the audience (especially towards indignation, as the examples suggest) and because of its violent character.

Descriptio

To move from the figures of speech to the figures of thought, *descriptio* ("description"), as the *auctor* defines it, consists of a clear, lucid, and impressive narrative of events that are to follow (*Descriptio nominatur quae rerum consequentium continet perspicuam et dilucidam cum gravitate expositionem*, *Rhet. Her.* 4.51). In this definition, the *auctor* gives special emphasis to the clarity that is inherent to *descriptio*, including two nearly synonymous words (*perspicuus* and *dilucidus*) to describe this quality of the narrative. The examples offered to illustrate how the figure works, however, complicate this notion of clarity. The *auctor* provides three examples for *descriptio*, and although it is not explicitly stated, it appears that the first example is for a forensic prosecution speech, the second a forensic defense speech, and the third a deliberative speech. Once again, I will only analyze examples one and three, since the second example is designed primarily to rouse pity. In my own interpretation of the figure based on the examples, the lucidity that is so central to the *auctor's* definition of *descriptio* is not intended to provide a clear and accurate description of the events, but to evoke an emotional reaction from the audience.

In the first example, the forensic prosecution speech, the speaker exhorts the judges (*iudices*) not to acquit the person on trial, declaring that if they do so, he will immediately, like a lion or a beast released from its chains, fly (*volitabit*) and roam about the Forum, sharpening his teeth (*acuens dentes*) on the fortunes of each and every person and rushing against all friends and enemies, people both known to him and unknown.[72] Despite the vividness of the image, this is not a lucid description of events that would follow if the defendant were acquitted, but rather a spectacular and seductive simile that draws copiously on the arsenal of rhetorical devices. He is dehumanized through this transformation into a violent beast and reduced to a bestial threat. Moreover, he is everywhere at once: now blackening a reputation, now attacking someone's life, now shattering homes and families, now upsetting the state from its foundations. The economy of the rhetoric results in the nefarious conduct coming upon the hearer at an alarmingly fast pace. Furthermore, as the speaker presents it, the matter is totally in the judges' hands and intimately connected with their own interest: if they acquit him, they will be releasing a beast upon themselves. The metaphorical language and swift pace of the passage exaggerate and amplify the danger at stake in acquitting this person, and the result is fear-mongering rhetoric. The *auctor*'s definition calls for a perspicuous narrative, but the expressive language he uses vividly colors and transforms the subject that he is speaking about. As such, it seems more appropriate to talk of the lucidity in this figure if one means that it is supposed to present a clear and unambiguous image to the audience. As a result, there seems to be a fundamental difference between a 21st-century interpretation of lucidity and the understanding of it that is used in the

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[72] *Rhet. Her.* 4.51: *Quodsi istum, iudices, vestris sententiis liberaveritis, statim, sicut e cavea leo emissus aut aliqua taeterrima belua soluta ex catenis, volitabit et vagabitur in foro, acuens dentes in unius cuiusque fortunas, in omnes amicos atque inimicos, notos atque ignotos incursitans, aliorum famam depeculans, aliorum caput oppugnans, aliorum domum et omnem familiam perfringens, rem publicam funditus labefactans. Quare, iudices, eicite eum de civitate; liberate omnes formidine; vobis denique ipsis consulite. Nam si istum inpunitum dimiseritis, in vosmet ipsos, mihi credite, feram et truculentam bestiam, iudices, immiseritis.*

Rhetorica ad Herennium. The *auctor's* first example of *descriptio* suggests that for him something will be clear if it possesses unmitigated force, which can be effected by drawing on the full powers of rhetoric.

In the third example of *descriptio*, taken from the deliberative genre of oratory, the speaker gives a vivid description of the horrors that follow the capture of a city.[73] In the description, the speaker uses some of the same rhetorical devices that create the moving effect of the first example, and this passage too is designed for maximum emotional impact. The *auctor* concludes the example, however, with a remark that even further complicates the definition that the *auctor* provided for *descriptio*: *Nemo, iudices, est qui possit satis rem consequi verbis nec efferre oratione magnitudinem calamitatis*, "There is no one, judges, who is able to represent the event adequately with words or to express the magnitude of the disaster in speech" (*Rhet. Her.* 4.51). Thus, for a figure supposedly characterized by lucid description, the *auctor* ends his last example by claiming that words cannot do justice to the event that he is trying to describe. This remark effectively asks the audience to use their imaginations to enhance and amplify further the *auctor's* already sensational description. In claiming that words cannot adequately represent the disaster, the speaker's words encourage the audience to turn to their own fears of worst-case scenarios to heighten their visceral reactions to the event.

At the end of his treatment of *descriptio*, the *auctor* elaborates on the use of the figure: *Hoce genere exornationis vel indignatio vel misericordia potest commoveri, cum res consequentes conprehensae universae perspicua breviter exprimuntur oratione*, "With this kind

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[73] *Rhet. Her.* 4.51: *Nam neminem vestrum fugit, Quirites, urbe capta quae miseriae consequi soleant: arma qui contra tulerunt statim crudelissime trucidantur; ceteri qui possunt per aetatem et vires laborem ferre rapiuntur in servitutem, qui non possunt vita privantur; uno denique atque eodem tempore domus hostili flagrat incendio, et quos natura aut voluntas necessitudine et benivolentia coniunxit distrahuntur; liberi partim e gremiis diripiuntur parentum, partim in sinu iugulantur, partim ante pedes constuprantur. Nemo, iudices, est qui possit satis rem consequi verbis nec efferre oratione magnitudinem calamitatis.*

of figure either anger or pity is able to be roused, when ensuing events taken altogether are expressed concisely with clear speech" (*Rhet. Her*. 4.51). While the *auctor* reiterates the need of clear speech for this rhetorical device, he underscores that with it a speaker is able to incite the pity or anger of the audience, which he accomplishes in part by playing on their imaginations and fears. Far from presenting a clear narrative in the sense of a careful and accurate description of historical phenomena, *descriptio* aims through a wealth of rhetorical devices to amplify the fears and concerns of the audience.

Demonstratio

Demonstratio is the final figure that the *auctor* discusses in the work, and the last that I will discuss in connection with anger. As the *auctor* defines this figure, "the matter is expressed with words in such a way that the affair seems to be conducted before the eyes and the thing itself seems to appear before them" (*ita verbis res exprimitur ut geri negotium et res ante oculos esse videatur*, *Rhet. Her*. 4.68).[74] The *auctor* adds that this effect is able to be produced if we comprehend what happened before, after, and during the event itself, and if we do not hold back from things that resulted from the event or occurred in connection with it (*Rhet. Her*. 4.68). This figure has close affinities with *descriptio*, which also is intended to produce a vivid description of an event.

The sole example provided for *demonstratio* is an extended description of the murder of Tiberius Gracchus, told from an obviously pro-Gracchan perspective.[75] The speaker oscillates between focusing on Gracchus and the unnamed man (*iste*) who lethally assaults him.[76] The

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[74] The Greek term for this figure is ἐνάργεια. Cf. Caplan (1954) *ad loc.* and p. 19 n. 46 above.

[75] On the *auctor's* possible *populares* sympathies, see Caplan (1954) xxiii-iv.

[76] It is possible that this unnamed man is P. Cornelius Scipio Nasica Serapio (cos. 138 BC), the historical leader of the senatorial assault on Gracchus.

calm and lawful actions of Gracchus, who never is said to have anyone acting in concert with him, are foils to the frenzied and violent conduct of the assassin, who leads other men in the attack. The pointed contrast between the two figures helps to make the horror of the scene more vivid. In depicting the unidentified assassin, the speaker relates in some detail his physical features, but the descriptions emphasize his unsettled state and are exaggerated: he is sweating; his eyes are burning; his hair is standing on end; his toga is twisted awry (*sudans, oculis ardentibus, erecto capillo, contorta toga*, *Rhet. Her.* 4.68). All of these details signify that he is "off"—his disordered outside reflecting his inner turmoil. Just before he inflicts the fatal blow to Gracchus' temple, he is said to be foaming wickedness from his mouth and exhaling cruelty from the bottom of his heart (*spumans ex ore scelus, anhelans ex infimo pectore crudelitatem*, *Rhet. Her.* 4.68). The man's body is remarkably productive, but nothing good comes from it.[77] Gracchus, for his part, appears to be caught completely off guard by the assault. This minor detail renders him a more sympathetic figure because it conveys both his vulnerability and his innocence, insofar as it appears that he could not conceive that a mob would attack him in this way. The speaker concludes the passage by illustrating the assailant's satisfaction with his deed: covered in blood, he looks around if he had accomplished the most illustrious deed and stretches out his hand to his rejoicing companions, and then makes his way into the temple of Jupiter (*Iste viri fortissimi miserando sanguine aspersus, quasi facinus praeclarissimum fecisset circum inspectans, et hilare sceleratam gratulantibus manum porrigens, in templum Iovis contulit sese*, *Rhet. Her.* 4.68). The participial phrases in this sentence are very effective, as they show a man whose emotions are wrong for what he has done. The jarring contrast between the assassin being covered in the blood of a brave man after leading a mob against him, and looking around and

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[77] Cf. Bakhtin (1968) 303-436 on the carnivalesque body.

stretching out his hand—the modifier of which (*scelerata* "wicked") clashes semantically with the two words it is placed between (*hilare* "cheerfully," *gratulor* "rejoice)—highlights his disconnection with reality and his warped sense of pride. Such details make no claim to be a veridical or eyewitness account of the actual murder of Gracchus, but rather attempt to show what kind of person committed the murder, demonstrating again the importance of character in invective rhetoric.

Indeed, in this account the violent blow itself, the climactic event in the passage, is described in only a few words, and most of the passage concentrates on elements like appearance and actions of the assailant before and after the blow. A focus on these elements aligns with the *auctor*'s explanation of *demonstratio* ("the matter is expressed with words in such a way that the affair seems to be conducted before the eyes and the thing itself seems to appear before them"), since the details make the event very vivid. Nevertheless, the *auctor's* definition falls short of his example, as in the definition he does not fully explain the significance of the details and the effects they have on the audience. It is in these descriptions that the speaker does the most work. While the abundance of such details certainly makes the event more vivid, they also illustrate and reveal the characters of the participants in it. Or, to be more accurate, the details present the provocative characters that the speaker carefully fashions for the participants. As we saw with the figure of *descriptio* discussed above, in making the scene vivid, the *auctor* does not aim to produce a painstakingly accurate description of the event, but rather a highly colored and stylized account. The primary actors in it, Gracchus and his assassin, are flattened and effectively transformed into symbols: one man stands for order, innocence, and reason, the other for disorder, mob violence, and madness. Somewhat ironically, then, the *auctor's* lively, colorful description in *demonstratio* seems designed to yield a black-and-white interpretation.

3. Humor

While invective could aim to make the audience angry at a target, the emotions that the rhetoricians discussed were not all harsh and violent. Laughter effected through humor, wit, and insult could be an effective means for orators to attain their ends, since by means of invective, an orator could attempt to reduce his opponent to an object of ridicule.[78] Indeed, derision was an essential element of Roman oratorical humor, and in the earliest extant extended Roman theoretical discussion of humor, Cicero's *De Oratore*, humor primarily consists of wittily pointing out the faults of others.[79] Although near the beginning of Cicero's discussion a distinction is made between a continuous, gentler type of humor (*cavillatio*) and a type (*dicacitas*) that is more pointed and appropriate to deploy against enemies (2.218-224; cf. 2.229), most of the jokes thereafter depend upon ridicule. Exposing and ridiculing an adversary's faults could accomplish three things for an orator: make the adversary look bad; entertain the judges and audience; and win their goodwill by presenting the speaker as an entertaining individual with discerning and urbane taste. Humor was thus a weapon that a speaker would wield against his adversaries in the arenas of oratory.

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[78] For the ancient tradition of rhetorical humor, see Arndt (1904) and Grant (1924), who emphasize the importance of the Peripatos in Cicero's (and thus also Quintilian's) works. The second book of Aristotle's *Poetics* probably dealt with comedy, but it is lost and can only be partially reconstructed from various sources (see Janko [1984]); some of Aristotle's ideas on laughter and humor, however, can be found in what has survived of the *Poetics*, as well the *Rhetoric* and *Nicomachean Ethics*. For fragments of Theophrastus' Περὶ γελοίου "On the Ludicrous," see 710-11 Fortenbaugh. For further discussion of Cicero's relationship to the Peripatetic rhetoric tradition, see Solmsen (1941), Fortenbaugh (1989), Calboli Montefusco (1994), Schütrumpf (1994).

[79] See Richlin (1992) for the intersection of invective and humor in Roman culture generally; Corbeill (1996) focuses on its role in a range of Cicero's works, especially the speeches, while Beard (2014) takes up humor in ancient Rome more widely.

Sources for Oratorical Humor

The two most important sources for humor in the extant Roman rhetorical texts are Book Two of Cicero's *De Oratore* and Book Six of Quintilian's *Institutio Oratoria*, and it will be helpful at this point to describe in more detail the scope and general character of these two works.[80] Both authors engage in broad theoretical discussions of humor and organize these discussions around the kinds of terms and classifications that are familiar from ancient works on rhetoric (e.g. laughter occurs either in a word or a thing, Cic. *De Orat*. 2.239, 248, 252, Quint. *Inst*. 6.3.22; cf. the traditional distinction between stylistic figures of speech and figures of thought). They both also include many examples, drawn largely from previous orators, to illustrate the kinds of jokes that can be made. There is considerable overlap between the two accounts, including shared jokes, and it has been shown that Quintilian drew substantially on Cicero, although he reorganized, augmented, and altered some of the material.[81]

In addition to all his other oratorical talents, Cicero himself was renowned for his wit,[82] and the dialogue *De Oratore* is perhaps the first general work on rhetoric to include an expansive

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[80] Apart from Cicero and Quintilian, humor receives some brief attention in the *Rhetorica ad Herennium*. In discussing the *exordium*, the *auctor* states that if the audience seems fatigued, one should begin with something that may bring forth laugher (*Rhet. Her*. 1.10), and he proceeds to list seventeen ways a speaker can do this (e.g. introducing a fable, disappointing expectations, making a comparison). He also advises a speaker to say that he will speak differently than he had prepared, or differently than others are accustomed to speak (1.10). This small section of the text only catalogs these techniques without any explication or development; many of these figures, however, are discussed by Cicero and Quintilian in more detail. Additionally, several of the types of jokes that Caesar and Quintilian discuss correspond to stylistic figures that in *Rhetorica ad Herennium* are treated under the branch of oratory that focuses on style, *elocutio* (cf. Leeman, Pinkster, and Rabbie [1989] 194-5). Accordingly, although the *auctor* of the *Rhetorica ad Herennium* does not deal at length with the orator's use of humor or laughter, some of the stylistic figures that he examines in Book 4 could also provide more insight into the approach to humor of the Roman rhetorical school tradition.

[81] Kühnert (1962).

[82] Cf. Quint. *Inst*. 6.3.1-5, Plut. *Cic*. 5.4. In his discussion of humor, Quintilian quotes more remarks from Cicero as illustrative examples than from any other single source. Nevertheless, Cicero had his detractors in this regard. Quintilian reports that he was considered to strive too much for laughter (*habitus est nimius risus adfectator*, 6.3.3) and Plutarch (*Cic*. 5.4) says that he used his wit immoderately (κατακόρως) and acquired a reputation for malevolence (κακοήθεια).

discussion of humor.[83] In this dialogue, the exposition on humor (2.216-90) is entrusted to C.

Julius Caesar Strabo Vopiscus, who Marcus Antonius, one of the principal interlocutors, says

excels all others in jokes and humor (2.216).[84] Like the rest of the dialogue, Caesar's discussion

aims to be non-technical (and he states multiple times that humor does not depend upon art

[*ars*]), although several schematic divisions, characteristic of school rhetoric, are fundamental for

its structure.[85] Nevertheless, Cicero's commitment throughout the dialogue to maintaining the

fiction that he is presenting a conversation among gentlemen who are free from scholastic

ambitions creates difficulties for interpretation: the same speaker, for example, will use

terminology loosely or say irreconcilable things, and it is unclear if this is deliberate or a result of

the affected carelessness of the conversation form.[86] Cicero's own gift for humor shines through

in Caesar's discussion of humor in *De Oratore*: many of the jokes and anecdotes that Caesar

includes illustrate clearly the type of joke he is explaining but also exhibit bite and punch.[87]

Although humor does not always entail invective, the majority of Caesar's examples in *De*

Oratore (which are taken almost exclusively from Roman orators) can be described as mordant

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[83] Clarke (1996) 59-60. Discussions of Cicero's account of rhetorical humor in *De Oratore* include Monaco (1968), Leeman, Pinkster, and Rabbie (1989) 172-333, Corbeill (1996) 20-30, Krostenko (2001) 202-32, Fantham (2004) 186-208, Rabbie (2007), Beard (2014) 107-27.

[84] Nevertheless, both Caesar (2.220, 227) and Antonius (2.228) go on to claim that L. Licinius Crassus is the most successful orator in his use of humor, and Antonius specifically says that he is jealous that Crassus is both the most pleasant and urbane as well as the most dignified and austere speaker. Crassus, the main interlocutor in *De Oratore* at whose estate the conversations are set, often appears to be the mouthpiece for Cicero's own ideas in the dialogue and can be read as a surrogate figure for Cicero. Accordingly, when Caesar and Antonius assign the palm for humor to Crassus, the reader is being led to think of Cicero himself.

[85] For the structure, see Leeman, Pinkster, and Rabbie (1989) 177-83.

[86] Cf. *De Orat*. 2.219 (*Etenim cum duo genera sint facetiarum, alterum aequabiliter in omni sermone fusum, alterum peracutum et breve, illa a veteribus superior cavillatio, haec altera dicacitas nominata est.*) and 2.239 (*Duo sunt enim genera facetiarum, quorum alterum re tractatur, alterum dicto*.)

[87] Quintilian in several instances uses as examples the same jokes that Cicero does, but Quintilian's versions are often less pointedly delivered.

or derisive.[88] Most of the jokes that Caesar tells depend on a target who, insulted or ridiculed,

becomes the object of laughter. After recounting one particularly harsh put-down,[89] Caesar

proclaims his satisfaction with such cantankerous jokes: "Believe me, such ill-tempered and

almost irritated jokes really excite me" (*Me quidem hercule valde illa movent stomachosa et*

quasi submorosa ridicula, 2.279).[90] If Caesar's discussion of humor is representative of

Republican oratorical practice, a speaker would principally use humor to hurt his adversaries and

defend himself.

Quintilian's discussion of humor (*Inst*. 6.3) in general is broader, more complex, less

organized, and less funny than Cicero's.[91] Indeed, in some ways Quintilian takes humor too

seriously to be funny.[92] Unlike the characters in Cicero's dialogue, Quintilian has no aversions

to a technical discussion, and his willingness to explore thorny issues of the nature of humor can

result in confusion for the reader and author alike. Quintilian complicates humor from the

outset, noting that moving the judges to laughter is a most difficult thing (6.3.1-6). This is the

case in part because people have diverse opinions about it: it is judged not in some methodical

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[88] Three jokes (2.255, 279, 285) come from Novius, the 1st c. BC author of Atellan farce, and these are much less insulting and derisive than the jokes of the orators.

[89] *De Orat*. 2.278: *In eodem genere est, quod Catulus dixit cuidam oratori malo: qui cum in epilogo misericordiam se movisse putaret, postquam adsedit, rogavit hunc videreturne misericordiam movisse, "Ac magnam quidem," inquit, "neminem enim puto esse tam durum, cui non oratio tua misericordia digna visa sit."*

[90] This statement, however, is followed by a caveat: *non cum a moroso dicuntur; tum enim non sal, sed natura ridetur*, "But not when they are said by someone who is irritated, for then it is not the joke but the man himself that is laughed at" (2.279). A speaker can allow his jokes to seem to be uttered in irritation, but beneath the mask he should be cool and calm. Here is an example of a distinction being made between speech and character. Cf. above on delivery and the genuine expression of emotion.

[91] Kühnert (1962) attempts to show the organizational scheme of Quintilian's work, and while his analysis is helpful, it also exposes the real lack of organization in the treatise. A full commentary on Book Six—as with most of the books of the *Institutio Oratoria*—would make a welcome contribution to the field.

[92] Cf. Clarke (1996) 112: "The grave Quintilian, one feels, was not a great humorist." In *De Oratore*, Caesar opens his account by declaring the difficulty of discussing humor in a humorous way: *Ego vero, inquit, omni de re facetius puto posse ab homine non inurbano, quam de ipsis facetiis disputari* (2.217).

way but by a possibly unexplainable motion of the soul (6.3.6-7). Additionally, Quintilian takes

a wider view of the things that can cause laughter. He mentions that it can be elicited even by

bodily contact (6.3.7), and in comparison with Caesar's discussion in *De Oratore*, Quintilian's

understanding of humor seems to be less centered on derision. Quintilian, for example, says that

an attack upon someone's fortune is inhumane (*inhumana videri solet fortunae insectatio*,

6.3.28), whereas Caesar only advises against attacking those who are in great misery (*nec rursus

miseria insignis agitata ridetur*, 2.237). Nevertheless, Quintilian also claims near the beginning

of his discussion that one reason why laughter is difficult to effect is that a joke (*ridiculum

dictum*) is "commonly false, often purposefully distorted, and, in addition, always low and never

complimentary" (*plerumque falsum est [hoc semper humile], saepe ex industria depravatum,

praeterea <semper humile,> numquam honorificum*, 6.3.6), and "laughter is not far from

derision" (*a derisu non procul abest risus*, 6.3.7).[93] And so while Quintilian's understanding of

humor is more complex than the treatment in *De Oratore*, and the examples Quintilian provides

on the whole rely less on mordancy and ridicule than Cicero's do, he also underscores the

derisive nature of Roman humor at the beginning of his account.

Humor and Invective

Indeed, the close relationship between humor and invective is discussed most explicitly

by Quintilian when he comes to examine the methods for arousing laughter (*risus*). He states

that laughter arises from either the body of the one against whom we speak, the mind which is

deduced from the things he has done and said, or the external circumstances (*Risus igitur

oriuntur aut ex corpore eius in quem dicimus, aut ex animo, qui factis ab eo dictisque colligitur,

aut ex iis quae sunt extra posita*, 6.3.37). As was shown above, the body, mind, and external

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[93] For the text see Russell (2001).

circumstance are the subjects of praise and blame in the epideictic genre of oratory. According

to the school textbooks *De Inventione* and *Rhetorica ad Herennium*, in a freestanding invective

(*vituperatio*), these are the headings under which a speaker would arrange his attack. Quintilian

continues, "For all invective is found amongst these things. If it is delivered weightily, it is

harsh, if lightly, funny. These things are shown, narrated, or marked out by a joke" (*intra haec*

enim est omnis vituperatio: *quae si gravius posita sit, severa est, si levius, ridicula. Haec aut*

ostenduntur aut narrantur aut dicto notantur, 6.3.37). For Quintilian, evoking laughter appears

to be a subclass of *vituperatio*. Quintilian distinguishes between the funny and harsh types of

vituperatio, but the comparatives (*gravius*, *levius*) in his formulation suggest that there is plenty

of gray area. It appears that the harsh type of invective and the funny type exist on a continuum

and that they can overlap. In the quote above, after establishing the content appropriate to

humor, Quintilian lists three ways that humor can be expressed—shown, narrated, marked out by

a joke—and these three categories structure the rest of his account. Physical demonstration

(6.3.38) and narration (6.3.39-44) are dealt with rather briefly, but funny remarks (6.3.45-100)

are the subject of much of the remaining discussion. Given the centrality of invective in humor

for Quintilian, his use of *notare* to describe the last, most important category of humor—funny

remarks—perhaps draws on the senses of branding, censorial reprimand, and staining that are

present in the verb.[94]

Quintilian's distinction between *severa vituperatio* and *ridicula vituperatio* has a parallel

in Caesar's discussion in *De Oratore* of the appropriate limits for jokes (*Quatenus autem sint*

ridicula tractanda oratori). Caesar claims that some faults or transgressions are suited to

ridicule, but others deserve to be dealt with more harshly: "For assailing outstanding depravity

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[94] *OLD noto* 1b, 3, 4. Cf. Cicero's use of *notare* when discussing *vituperatio* proper (*De Orat*. 2.349). On the power of satire to stain its target, see Elliott (1960).

that partakes in evil or outstanding wretchedness does not produce laughter. For the people want

criminals to be wounded with some greater violence than ridicule offers" (*Nam nec insignis*

improbitas et scelere iuncta nec rursus miseria insignis agitata ridetur: facinerosos enim maiore

quadam vi quam ridiculi vulnerari volunt, *De Orat.* 2.237). Perhaps the greater violence (*maior*

quaedam vis) that Caesar describes corresponds to Quintilian's category of harsh invective,

which in Caesar's interpretation is suited to attacking criminals. Caesar goes on to assert that

those things that are most easily ridiculed are worthy neither of great hatred nor the utmost

sympathy (*itaque ea facillime luduntur, quae neque odio magno neque misericordia maxima*

digna sunt, 2.238). In addition, he claims that the material for jokes is to be found in those faults

that are in the way of life of persons who are not well esteemed, nor miserable, nor who seem

worthy of being carried off to punishment for a crime (*quam ob rem materies omnis ridiculorum*

est in eis vitiis, quae sunt in vita hominum neque carorum neque calamitosorum neque eorum,

qui ob facinus ad supplicium rapiendi videntur; eaque belle agitata ridentur, 2.238). Again,

humor is a successful means for pointing out faults, but is inappropriate or inadequate to use

against those whom the audience is disposed to hate. Of notable interest here is *in vita* ("in the

way of life"): the jokes are a means of commenting on the way of life of the targets. Again here,

character plays the central role. Derisive jokes, which for Cicero and Quintilian are closely

related to invective, also sought to make a statement about the life and character of the person

being ridiculed.

From Cicero's and Quintilian's explanations, it can be understood that attacks on

individuals were not always intended to rouse anger in the judges but also contempt and scorn.

In the former case, it seems that the orator would be inciting the judges to take action against the

target, which would be commensurate if the community thought that he deserved to be punished;

in the latter, however, the goal seems to be for the target to be dismissed as foolish and insignificant. In both cases though, the success of the attack depends on the speaker uniting the audience with himself against the target, who in effect has been, to a greater or lesser degree, stigmatized by the community.[95]

Cicero's and Quintilian's accounts of humor to shed light on the ways in which humor can be used to hurt the opponent directly, and how derisive humor can be enjoyable for the audience and beneficial for the speaker.

Humor as a Weapon

As was just seen in Caesar's comment on the limits of ridicule, humor can be used as a weapon to wound, even if it is not the most violent one that an orator can wield. This is especially apparent in the jokes in *De Oratore*, which offers a view of the competitive world of Roman Republican politics, although a tempered version can be gleaned from Quintilian's work.[96] The first joke that Caesar recounts in *De Oratore* sets the tone for the rest of his discussion by illustrating the quarrelsome nature of oratorical humor. It comes from an exchange between L. Marcius Philippus and Q. Lutatius Catulus, Caesar's half brother and one of the participants in the dialogue. In response to Philippus' question, "What are you barking

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[95] For the Freudian model of the triangle of people involved in jokes—a protagonist, and antagonist, and a spectator—see Freud (1960), Richlin (1992).

[96] Cicero and Quintilian use *pugnare* "to fight" or *pugna* "fight" to describe occasions that are appropriate for wit and humor: *De Orat.* 2.222: *Sed ut in Scaevola continuit ea Crassus atque in illo altero genere, in quo nulli aculei contumeliarum inerant, causam illam disputationemque elusit, sic in Bruto, quem oderat et quem dignum contumelia iudicabat, utroque genere pugnavit.* Quint. 6.3.28: *In hac quidem pugna forensi malim mihi lenibus uti licere. Nonnumquam et contumeliose et aspere dicere in adversarios permissum est, cum accusare etiam palam et caput alterius iuste petere concessum sit.* Nevertheless, in the same passage Quintilian also cautions against going too far with jokes: "Let us never wish to harm, and let us keep far away from the maxim that it is better to lose a friend than a jest." (*Laedere numquam velimus, longeque absit illud propositum, potius amicum quam dictum perdendi*).

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at?" Catulus said, "I see a thief!" (*De Orat*. 2.220).[97] In this example of thrust and parry, or

attack and counterattack, both statements are meant to make the other party appear ridiculous.

Latro "bark" was used to describe unpleasant-sounding orators, and by asking Catulus what he is

barking at, Philippus implies that Catulus, like a dog, speaks in a noisy and irritating manner.[98]

What gives this particular joke a sharper edge, however, is that it plays upon the name Catulus,

which is also the Latin word for "puppy." Philippus thus belittles Catulus by saying that he acts

like a puppy and cleverly uses Catulus' own name as support for this. In his "comeback,"

however, Catulus, caps the initial provocation and turns the jest back upon Philippus, claiming

that, like a good watchdog, he is barking at a thief.[99] In using Philippus' joke against him,

Catulus deflects the blow and wounds Philippus—and he does so with style. Caesar returns to

Catulus' response to Philippus later in his discussion and there describes it in more violent terms:

"This [i.e. an unexpected response] is most agreeable when in a dispute a word is ripped away

from the adversary and is used, as Catulus did against Philippus, to hurl something against the

one who had goaded him" (*Hoc tum est venustum, cum in altercatione arripitur ab adversario*

verbum et ex eo, ut a Catulo in Philippum, in eum ipsum aliquid, qui lacessivit, infligitur. *De*

Orat. 2.255). Here, Caesar in his analysis uses language appropriate to the battlefield: words

become missiles. Notably, Caesar regards such an exchange as "most agreeable"

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[97] The context for this exchange has unfortunately been lost. Cf. Leeman, Pinkster, and Rabbie (1989) *ad loc*. Caesar uses it, however, to emphasize that the sharp, intermittent type of humor that he labels *dicacitas* has no need of art (*De Orat*. 2.219-20): *Sed cum illo in genere perpetuae festivitatis ars non desideretur (natura enim fingit homines et creat imitatores et narratores facetos adiuvante et vultu et voce et ipso genere sermonis), tum vero in hoc altero dicacitatis quid habet ars loci, cum ante illud facete dictum emissum haerere debeat, quam cogitari potuisse videatur? Quid enim hic meus frater ab arte adiuvari potuit, cum a Philippo interrogatus quid latraret, furem se videre respondit?*

[98] For *latro*, see Cic. *De Orat*. 3.138, *Brut*. 58, Quint. *Inst*. 11.3.31 and Val. Max. 8.3.2 on Gaia Afrania, a 1st c. BC woman who often brought suits and spoke on her own behalf in the Forum. Cf. also Plut. *Cic*. 5.4.

[99] Quintilian includes this joke as an example of not denying something that is obviously false when it offers material for a good response (6.3.81).

(*venustissimum*), which shows that even an altercation such as the one between Catulus and Philippus that resembles a violent conflict can be pleasurable for the audience.

The exchange between Philippus and Catulus in this example resembles verbal dueling, wherein each participant attempts to outmaneuver and "out-insult" the other.[100] Verbal dueling is an important component of the jokes that Cicero and Quintilian relate, as many of them are responses to something someone has said. While such rapid verbal repartee would be especially valuable for *altercationes*, in which senators or legal advocates would dispute with one another in the senate or the court,[101] it underlies the institutionalized practices of forensic and deliberative oratory in which men compete with one another in speech. Nevertheless, as with the example of Philippus and Catulus, and with a wide variety of violent competitive activities both ancient and modern, the exchange gives pleasure to the observer.[102] Both Cicero and Quintilian claim that things said in response are more acceptable or pleasing than those said in provocation.[103] As Cicero explains it, speaking in response demonstrates greater quickness of the mind (*ingeni celeritas maior*) and is a human characteristic (*humanitatis est responsio*). For Cicero, it was admirable and natural for humans to fight back, which explains why he and Quintilian attribute greater pleasure to response.[104]

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[100] For verbal dueling, see Dundes, Leach, and Özök (1970), Glazer (1976), Clover (1979), (1980), (1986), (1993), and Pagliai (2009), with further bibliography. Cohen (1995) 78-9 considers verbal dueling in fourth-century Athenian oratory and Richlin (1992) 74-75, (2017) 151-84 in Roman culture and Plautine comedy in particular, including its connections with *flagitatio*.

[101] For *altercatio*, see Quint. *Inst*. 6.4. In a letter to Atticus, Cicero proudly relates an *altercatio* with Clodius in the senate in which he landed many shots (1.16.10). Cicero's fragmentary speech *In Clodium et In Curionem* may also preserve some of this *altercatio*. See Crawford (1994) 232, 252.

[102] On the importance of pleasing the audience in verbal dueling, see Pagliai (2009) 80.

[103] *De Orat*. 2.230: *Omnino probabiliora sunt, quae lacessiti dicimus quam quae priores, nam et ingeni celeritas maior est, quae apparet in respondendo, et humanitatis est responsio*. Quint. *Inst*. 6.3.13: *sunt enim longe venustiora omnia in respondendo quam in provocando*.

[104] For an example of an inferior provocation followed by a distinguished response, cf. *De Orat*. 2.246.

The emphasis on humor as a weapon in Quintilian and especially in Cicero could be due in part to the fact that they are both specifically discussing *oratorical* humor. Oratory is by nature an adversarial and agonistic field. As I just noted, the oratorical disputes and contentions in the political assemblies and law courts have some fundamental similarities with verbal dueling. Such institutions function as venues for non-violent conflict resolution. To use a hypothetical example, Marcus believes that Gaius has wronged him and is aggrieved; but rather than walking up to Gaius and slugging him, he prosecutes him before the community in a court of law. Nevertheless, the physical violence that is short-circuited by the court system can manifest in verbal violence when a speaker wishes to hurt his adversary by the things he says. Additionally, Cicero's audiences would have been very conscious that the proceedings in the law courts could have harmful consequences for those involved, such as the exile that T. Annius Milo endured or the gruesome capital punishment that Sex. Roscius faced. Accordingly, while the language could be violent in itself, it could also be using this violence to persuade fellow members of the community to inflict real harm upon an individual. And this is especially relevant for Cicero's *De Oratore*, which, set in 91 BC, takes place in the highly competitive atmosphere of late Republican Roman politics.[105] In a time when the law court often functioned as an extension of the political arena, a sharp and ready tongue would be particularly valuable for

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[105] Indeed, the backdrops to the conversation and the work as whole are civil discord at Rome. The characters in the dialogue have retired to Crassus' Tusculan villa during the *Ludi Romani* in September 91 BC in part to recuperate from the conflicts between L. Marcius Philippus and M. Livius Drusus that had caused tumult in Rome during the year (1.24-7). In the preface to Book Three, Cicero laments the deaths of the characters in the dialogue most of whom died at the hands of Marius or Sulla during outbreaks of civil war in the 80's BC (3.9-12). In addition, Cicero composed the work in 55 BC during his own retreat from Roman politics: forced to the political sidelines by the First Triumvirate, he laments the disordered state of the Republic in the prefatory addresses to his brother, Quintus (1.1-4, 3.13-4).

a Roman orator of the late Republic, and so perhaps it should not be surprising that the derisive

nature of humor is more pronounced in Cicero than in Quintilian.[106]

Funny Invective and Social Capital

Quintilian's distinction between harsh and funny types of invective that was discussed

above raises an important question: what makes invective oratory funny and enjoyable?

Invective is associated with comic discourses lower than oratory (e.g. graffiti, verbal dueling,

iambos, soldiers' songs at triumphs),[107] and so it would appear that some of the motivations for

using it arises from the fact that it could be enjoyable for both the audience and the speaker. The

jokes aim to make a person the object of laughter, and they do this by revealing a man's social

ineptitude, unseemly character, or physical ugliness. At the same time, the jokes make the joker

seem like a man of taste and discerning judgment who is able to recognize the faults of others

and expose them in a clever way to the rest of the community. Thus, the orator who can make

witty and derisive jokes appears "cool."

In *De Oratore*, the large role of invective or derision in humor stems in part from

Caesar's understanding of *risus*. Before launching into his full discussion of the different kinds

of jokes complete with supporting examples, Caesar comments on the field of subject matter

appropriate to *risus*, which, he says, is confined to the unseemly and the ugly: "But the location

and, so to speak, province of the laughable—for that is our next topic of investigation—is

delimited by the unseemly and a certain kind of ugliness. For those jokes alone which mark and

point out something unseemly in no unseemly way produce the greatest degree of laughter, if

they are not the only jokes to produce laughter." (*Locus autem et regio quasi ridiculi (nam id*

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[106] But as was noted above, this could also be attributable in part to the personal temperament of each author.

[107] See Richlin (1992) 81-104 for a discussion of this material.

proxime quaeritur) turpitudine et deformitate quadam continetur: haec enim ridentur vel sola vel maxime, quae notant et designant turpitudinem aliquam non turpiter, 2.236). Near the beginning of his discourse, Quintilian quotes this with approval, adding that when ugliness and unseemliness are pointed out in others, it is called urbanity (*urbanitas*), but when they recoil upon the one speaking, stupidity (*stultitia*).[108] Given this interpretation of the subject matter of laughter, it is understandable that most of the jokes in the work entail picking on another's stigmatized attribute or action and thereby bring this third party into derision and ridicule.[109] We should again call attention to Caesar's use of *notare* "to note", which, as was mentioned above, can also mean "to brand," "to stain," and, for a Roman censor, "to express official condemnation of a citizen." Notably here, however, Caesar emphasizes that the speaker is to point out the unseemly in no unseemly way—the speaker himself in no way is to be stained by the ugliness of his target.[110]

Caesar makes a similar point about the material for humor shortly afterwards but with a focus on the body of the butt of the joke: "There is sufficiently pretty material for jokes even in ugliness and the faults of the body." (*Est etiam deformitatis et corporis vitiorum satis bella materies ad iocandum*, 2.239). In his own humorous formulation, Caesar ironically claims that attractive material (*bella materies*) can arise from physical ugliness. A speaker can make ugliness pleasing by ridiculing it at the expense of the target, and so Caesar's observation illuminates both the speaker's cleverness and his tendency to mordancy. Part of the audience's

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[108] Quint. *Inst.* 6.3.8.

[109] Cf. Arist. *Poet*. 5, 1449a-b for comedy consisting of imitation of the low (φορτικός), as laughter is a part of ugliness (τὸ αἰσχρόν).

[110] Caesar in several places in his account (*De Orat*. 2.239, 242, 244-7, 251-2) emphasizes that the humor employed by the orator must differ from that used by the mime (*mimus*) and the buffoon (*scurra*), both of whom are associated with lower, less dignified genres of humor.

enjoyment in the joke could come from momentarily taking pleasure in what is usually

unattractive. This could win the approbation of the audience for the speaker, who would appear

as clever for seeing the pretty in the ugly. But it also enables the speaker to score a hit against

his adversary in drawing the audience's attention to a ridiculous aspect of him, which could

consequently lower their estimation of him. Here we are dealing with a zero-sum game, and, as

was discussed above, the best thing the butt of the joke could do was hit back. In any case, after

all the laughter has subsided, the speaker has shown that the ugly is ridiculous and still ugly, and

so he reinforces cultural norms while using them to elevate his own social standing and lower

that of another.

Moreover, the deft use of humor could be beneficial for the speaker as it was viewed as

evidence of the speaker's natural talent and abilities. Before Caesar's extended treatment of

humor, Antonius, in passing the conversation off to Caesar, says that he is so distinguished in his

use of humor that he will be able to bear witness that no art of wit exists, or, if does exist, that he

will be able to teach it to the others (2.216). By art of wit (*ars salis*), Antonius means *ars* as a

field of activity governed by rules that can be taught and learned.[111] The preliminary portion of

Caesar's discussion of humor (2.217-27) is in part a response to this question, and after citing

numerous examples of humor and wit (which are mostly drawn from the speeches of Crassus),

Caesar concludes that it is not possible to learn such humor and witticisms from art (*eas arte*

nullo modo posse trahi, *De Orat.* 2.227; cf. 2.230). This is reiterated later, when Caesar, noting

that the orator, in contrast to the *scurra* "buffoon," ought to use his judgement (*prudentia*) and

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[111] *OLD s.v.* 9 a, b. Cf. *BNP techne*.

sense of dignity (*dignitas*) to moderate when he makes jokes, states that nature (*natura*) is the mistress (*domina*) in these matters, since we do not have any art for them (2.247).[112]

On the one hand, this interpretation of humor is a reflex of a more general understanding of oratory that is articulated elsewhere in the text. When embarking upon his long discourse on oratory at the beginning of Book Two, Antonius emphasizes that oratory, which is concerned with opinions and not with knowledge, is not an art (*De Orat.* 2.30-3).[113] On the other hand, when introducing the topic of humor, Antonius declares that even if all other aspects of oratory are able to be learned by art, humor certainly is peculiar to nature and does not require any art (*Suavis autem est et vehementer saepe utilis iocus et facetiae; quae, etiam si alia omnia tradi arte possunt, naturae sunt propria certe neque ullam artem desiderant*, *De Orat.* 2.216). It seems clear that humor is viewed as the particular product of natural ability. It follows, then, that consummate skill in using humor offers proof of a specially endowed or gifted individual, and thus can be a means for attaining high social status. Accordingly, well-turned, humorous invective could be a way for a speaker to accrue social capital.

4. Spin and Smear

In the course of discussing how jokes are made through mere suggestion (*per suspicionem*), Quintilian makes an emphatic declaration about the nature of humor: "And believe me, the entire nature of speaking wittily consists in this, namely, to speak of something in a way that is different from how it rightfully and truthfully is" (*Et hercule omnis salse dicendi ratio in eo est, ut aliter quam est rectum verumque dicatur*, *Inst.* 6.3.89). This somewhat puzzling

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[112] Cf. the idea of "comic timing."

[113] Nevertheless, as Antonius proceeds with his discussion, it becomes clear that he is organizing it around the divisions of the subject as they are found in the ancient textbooks, and so his insistence that oratory has no need of art becomes ironic to some extent.

statement is buried towards the end of Quintilian's long treatment of different kinds of jokes and is not applicable to all—or even a large number of—the examples that he provides. Nevertheless, although it may itself seem to be the product of exaggeration, Quintilian's assertion is worth unpacking. In this formulation, humor consists of deviation from the right and true; but although it is false, it should not be considered an attempt to deceive. The humor arises in part from the fact that the audience understands that the joker is not being serious, and this understanding reflects the audience's cooperation with the joker in interpreting what is said as a joke. In the case of exaggeration or a fib in the context of a joke, the audience, rather than being deceived by the misrepresentation, finds enjoyment in the ways that the speaker bends or swerves from the truth.

Deception, however, does play a major—perhaps even fundamental—role in rhetoric in general and rhetorical invective in particular. In his doxography of definitions of rhetoric, Quintilian reports that Athenaeus defined rhetoric as the "art of deceiving" (*fallendi ars*, *Inst.* 2.15.24)[114] and that Cornelius Celsus claimed that "an orator seeks only the resemblance of truth" (*orator simile tantum veri petit*, *Inst.* 2.15.32). Although most authors are not so explicit about the deceptive nature of rhetoric, close analysis demonstrates that it is an underlying element in their conceptions. A representative of the more common way of defining rhetoric is Aristotle: "Let rhetoric be the faculty of observing for each topic the possible means of persuasion" (Ἔστω δὴ ἡ ῥητορικὴ δύναμις περὶ ἕκαστον τοῦ θεωρῆσαι τὸ ἐνδεχόμενον πιθανόν, Arist. *Rhet.* 1.2.1, 1355b).[115] In practice, this amounts to a presentation of information that is

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[114] Russell (2001) *ad loc.* notes that Sextus Empiricus (*M.* 2.62) attributes a different definition of rhetoric to Athenaeus.

[115] Quintilian gives (Latin) renditions of Aristotle's definition at 2.15.13 and 2.15.16. For similar definitions, see Quint. *Inst.* 2.15.2-14.

selected and stylized for the sake of persuading the audience. The objective in rhetoric is not speaking truthfully but speaking persuasively, and the appearance of truth, since it can be tailor-made to fit the context, can often be more potent than truth itself. Moreover, the appearance of speaking truthfully can be a critical factor in speaking persuasively. Indeed, although rhetoric by nature is highly artificial, the handbook authors emphasize that one pitfall a speaker should avoid is allowing the artifice of his speech to be too obvious to the judges. This can occur if the speech seems too carefully composed and prepared, for example if in the *divisio* the *enumeratio* of the points to be discussed is more than three (*Rhet. Her.* 1.17) or if the speaker uses paronomasia to an excessive degree (*Rhet. Her.* 4.32). In such cases, the judges may think that the speech is contrived and regard the speaker himself with suspicion (*Rhet. Her.* 1.17, 2.47, 4.32). The appearance of naturalness and spontaneity—i.e., masking the artistry at work in a speech—on the other hand, makes the speaker seem credible and wins for him the goodwill and the trust of the judges. In defending his use of illustrative examples of his own invention, the *auctor* in the *Rhetorica ad Herennium* argues that such a practice is useful because in his own examples he can make the art of each rhetorical device obvious to the student; in actual speeches, on the contrary, it is customary for the artistry to be concealed by the skill of the speaker so that it is not able to stand out and be seen by all.[116] The concealment of the speaker's art, then, is one part of the speaker's art.

Deception in the *Exordium*

   As a sample to illustrate the importance that deception has in ancient rhetorical theory, let us consider the instructions for the *exordium*, the opening part of a speech, and in particular one

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[116] *Rhet. Her.* 4.10: *in praecipiendo expresse conscripta ponere oportet exempla uti in artis formam convenire possint, et post in dicendo, ne possit ars eminere et ab omnibus videri, facultate oratoris occultatur.*

type of *exordium*, the *insinuatio*. The principal goal in the *exordium* is for the speaker to make the audience favorably inclined to him at the outset of the speech (Quint. *Inst*. 4.1.5; cf. 4.1.73-5). In some cases this is accomplished without great effort, since the speaker may be speaking on behalf of a cause that the judges naturally sympathize with. The type of *exordium* appropriate to such cases is called the *principium*, in which, according to Cicero, the speaker wins the goodwill of the audience "clearly" (*perspicue*) and "directly" (*protinus*) (*Inv*. 1.20).[117] In other cases, however, for example, when one is attacking a highly esteemed member of the community or defending a cause that seems shameless, the speaker must work carefully to gain or win the favor of the judges. Nevertheless, it is critical that the speaker not appear to be attempting to do this (since then the judges would suspect that the speaker is trying to manipulate them—which, in fact, he is doing), and so the result is a calculated attempt to appear uncalculated. In these cases, the type of *exordium* required is called *insinuatio*, which Cicero defines as "speech that by means of some dissimulation and indirection creeps secretly into the mind of the audience" (*insinuatio est oratio quadam dissimulatione et circumitione obscure subiens auditoris animum*, *Inv*. 1.20). The *auctor* formulates his definition of *insinuatio* in similar language: "in *insinuatio* we ought secretly, through dissimulation to accomplish the same things [that we accomplish by means of *principium*, viz. making the judges well disposed, attentive, and docile]" (*insinuatio eiusmodi debet esse ut occulte, per dissimulationem, eadem illa omnia conficiamus*, *Rhet. Her*. 1.11).[118] Notably, neither Cicero nor the *auctor* express any dissatisfaction with misleading the audience in the course of employing *insinuatio*; rather, the element of deception therein is treated

[117] The *auctor* claims that in the *principium* one should use "clear methods straightaway" (*statim apertis rationibus*, *Rhet. Her*. 1.11). The treatments of the *exordium* in *De Inventione* (1.20-26) and the *Rhetorica ad Herennium* (1.5-11) are very similar. Quintilian briefly discusses the *principium*, noting that "in *principia* there is a direct demand for goodwill and attention" (*in principiis recta benivolentiae et attentionis postulatio*, *Inst*. 4.1.42).

[118] Cf. Quint. *Inst*. 4.1.42-50 on *insinuatio*.

as a matter of fact. Moreover, while a neat distinction between *principium* and *insinuatio* creates a dichotomy that perhaps does not accurately reflect the complexities required in real speeches, the very existence of *insinuatio* as one of two species of the *exordium* in theory attests to the importance that deception had in the beginning of a speech.

Both Cicero's and the *auctor's* definitions of *insinuatio* include vocabulary (*dissimulatio* "dissimulation," *obscurus* "obscure," *occultus* "concealed," *circumitio* "indirection") that is good to think with for coming to terms with this aspect of rhetoric, and we can turn to Quintilian for examples of how such indirection and obfuscation can be used. Quintilian notes that a speaker can secure the goodwill of the audience in the exordium partly by declaring that he is weak, unprepared, and unequal to the abilities of the opposing party, and that there is natural partiality (*naturalis favor*) for those who are experiencing hardship (*Inst.* 4.1.9). As a related phenomenon, Quintilian mentions that orators of earlier generations would give off a false appearance for the sake of concealing their own eloquence (*Inde illa veterum circa occultandam eloquentiam simulatio, Inst.* 4.1.9). As Quintilian's language (*simulatio* "false appearance", *occulto* "conceal") shows, the claim of lack of skill in speaking is a carefully designed smokescreen to trick the judges. The inverse of such a claim can also be effective: by pretending to fear the eloquence and influence of an opponent, a speaker can lead a judge to be suspicious of the opponent (*Inst.* 4.1.11).

In these examples, the deception does not consist of telling boldfaced lies; rather, it amounts to subtle attempts to mislead and manipulate the emotions of the audience. Quintilian centers the exordium on the audience—in his definition, he declares that in the exordium the speaker should make the audience more favorably disposed to him (*Inst.* 4.1.5)—and states that the care that went into fashioning the speech ought least of all to be evident in the exordium,

since there all the art of the speaker seems to be directed against the judge (*Inst.* 4.1.56). More

specifically, Quintilian claims that a judge will be more attentive to a case if he is affected by

something concerning his own fortune or that of the state, and that "his feelings ought to be

roused by hope, fear, admonition, prayers, and even falsehood [*vanitas*], if we think it will

help."[119] Such touches of finesse show that the facts and arguments that an orator presents in his

case are only parts of a larger persuasive project, and that the emotional disposition of the

audience when it is presented with these facts and arguments can affect or even determine how

they react to and interpret them. In undertaking to manipulate the audience's emotions at the

very outset of a speech, a speaker is attempting to "spin" how the rest of what he will say will be

received.[120]

Deception and Invective

    While deceptive speech plays a major role in rhetoric in general, it has special importance

for invective. In invective, a speaker may indulge in exaggeration or misrepresentation in order

to discredit his adversary and augment the animosity of the audience. Already in this chapter I

have discussed instances in which the rhetoricians advocate for the use of fabrication and

misdirection, such as the *auctor's* comment that good delivery makes whatever is said seem to

come from the heart (*Rhet. Her.* 3.27). Indeed, each of the three topics that I have already

examined in this section (character, anger, and humor) utilize unfounded claims or deliberate

misrepresentation. With the use of character, I noted how the connection between a person's

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[119] *Inst.* 4.1.33: *cuius animus spe metu admonitione precibus, vanitate denique, si id profuturum credemus, agitandus est.*

[120] The high importance of "spin" in Roman rhetoric is evident in the fact that the *color* that a speaker adopted when declaiming a *controversia*, that is, the manner in which he interpreted the facts at hand in a practice speech in order to make his case more convincing, became a central component of declamation. Cf. *OLD color* 7, Sen. *Controv.* passim.

actions and the assessment of his character could be extremely tenuous and some of the

accusations against an individual's character could be merely slanderous. Anger is closely

related to amplification, which entails deliberate manipulation of the audience's perception of an

event in order to generate a strong emotional response. Humor often involves caricature,

distortion, and exaggeration, and some types of humor, such as irony, are based on a disjunction

between what a person says and what he actually means. In sum, then, a crucial aspect of

invective is deliberate misrepresentation, or—in contemporary media and political

terminology—spin and smear. Spin and smear are vital components of invective, and in

discussing these techniques, which were deployed against opponents with the objective of

discrediting them and making the judges hostile to them, I will in this section be referring back to

and tying together various threads that were introduced throughout this chapter.

One indication that distortion and deception were significant aspects of accusatory

rhetoric is that in the rhetorical handbooks a common strategy is to accuse the opposition of lies

and distortion of the truth, and this strategy is associated particularly with the defense. Cicero,

for example, states in *De Inventione* that in response to the prosecution's attacks on the

defendant's character, the defense ought to complain that it is unjust for the defendant to be

judged on the basis of charges that could be mere fabrication and slander.[121] As was noted

briefly above, to accuse the prosecution of slander was a strategy that was used in two of the

most celebrated speeches from antiquity, Demosthenes' *On the Crown* and Cicero's *Pro Caelio*.

In these defense speeches, Demosthenes and Cicero emphasize the distinction between slander

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[121] *Inv.* 2.36: *iniquum esse et optimo cuique perniciosissimum non vitam honeste actam tali in tempore quam plurimum prodesse, sed subita ex criminatione, quae confingi quamvis false possit, non ex ante acta vita, quae neque ad tempus fingi neque ullo modo mutari possit, facere iudicium*.

and accusation, and claim that their opponents are only engaged in the latter.[122] Such a strategy,

however, was not the exclusive province of the defense. In the *constitutio definitiva*, in which

the issue in dispute is how an act is defined—e.g. Q. Caepio is charged with treason for

disrupting a legislative process initiated by L. Saturninus; Caepio admits to causing the

disruption but denies that it was treason[123]—Cicero advises both the prosecution and the defense

to claim that the other party is attempting to twist the meaning of words.[124] Since accusations of

misrepresentation and dishonesty were recurring lines of defense in theory, it is plausible that

both played a significant role in practice, especially in accusatory rhetoric.[125]

Spin and Smear Techniques in Invective:

Exordium (again)

  To understand better the role that spin and smear play in invective rhetoric, let us return

to Quintilian's discussion of the *exordium*. Quintilian claims that in the *exordium* a speaker can

impugn (*impugnari*) the character of his adversary to win the goodwill of the judges for himself

(*Inst*. 4.1.14). This can be accomplished by inciting envy (*invidia*), contempt (*contemptus*), and

hatred (*odium*) in the judges towards his opponent, as "these three emotions are the most

powerful for alienating the feelings of the judges" (*quae tria sunt ad alienandos iudicum animos*

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[122] Dem. 18.123, Cic. *Cael*. 30.

[123] For this example, see *Rhet. Her.* 1.21.

[124] *Inv*. 2.55: *Locus autem communis in eius malitiam, qui non modo rerum, verum etiam verborum potestatem sibi arrogare conatus et faciat, quod velit, et id, quod fecerit, quo velit nomine appellet. Inv. 2.56: Locus autem communis erit defensoris is, per quem indignabitur accusatorem sui periculi causa non res solum convertere, verum etiam verba commutare conari.*

[125] Cf. contemporary jokes that closely associate dishonesty with lawyers: "How can you tell when a lawyer is lying?" "His lips are moving." "How does a lawyer sleep?" "First he lies on one side, then he lies on the other." Such jokes are successful in part because they reflect cultural beliefs about lawyers.

potentissima, *Inst*. 4.1.14). Quintilian elaborates on the sources of these emotions, noting that

envy attends the powerful (*potentes*), contempt the lowly and outcast (*humiles abiectosque*), and

hatred the ugly and harmful (*turpes ac nocentes*). The usefulness of these emotions for the

exordium was a common point in Roman rhetorical theory: both Cicero in *De Inventione* and the

auctor in *Rhetorica ad Herennium* also state that goodwill can be acquired by bringing the

adversary into *odium*, *invidia*, and *contemptio*, and provide even more detailed instructions for

generating these emotions (*Inv*. 1.22, *Rhet. Her.* 1.8).[126] Cicero, for instance, says that a speaker

can make people hated if he can show that they have acted proudly, cruelly, or maliciously;

envied if their power, wealth, and relations are revealed and they bear themselves arrogantly as a

result of these advantages; and contemptible if their idleness, carelessness, laziness, and

luxuriant pastimes are exposed.[127] Quintilian, however, expands the discussion to make a point

about the nature of the orator's achievement: "And it is not enough to say these things [e.g. that

someone has acted dishonorably]—for it is possible even for the unskilled to do so—but one

must amplify and diminish many things as it will be useful. For this is the work of an orator; the

facts themselves are derived from the case" (*Neque haec dicere sat est, quod datur etiam*

imperitis, <sed> pleraque augenda ac minuenda ut expediet. Hoc enim oratoris est, illa causae,

Inst. 4.1.15). Quintilian makes a distinction here between the actual facts and the way that the

facts are perceived, and for him it is the speaker's task to make the facts appear greater or lesser

as it fits his purpose. In other words, a speaker will take a fact and deliberately spin it in order to

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[126] Cf. above for Quintilian's discussion of these emotions in connection with *vituperatio* and the use of *pathos* in oratory.

[127] Cic. *Inv*. 1.22: *Benioventia quattuor ex locis comparatur….Ab [loco] adversariorum autem, si eos aut in odium aut in invidiam aut in contemptionem adducemus. In odium ducentur, si quod eorum spurce, superbe, crudeliter, malitiose factum proferetur; in invidiam, si vis eorum, potentia, divitiae, cognatio proferentur atque eorum usus arrogans et intolerabilis, ut his rebus magis videantur quam causae suae confidere; in contemptionem adducentur, si eorum inertia, neglegentia, ignavia, desidiosum studium, et luxuriosum otium proferetur.* The instructions in *Rhetorica ad Herennium* are remarkably similar.

alter the audience's perception of it. In undertaking this operation in misrepresentation with the

intention of diminishing his adversary in the eyes of the audience, the speaker is engaging in a

smear campaign against his opponent.

"Let's call a spade a rake"

One method for spinning something in order for it to seem worse to the audience is

simply to call it by a different name. In the course of discussing deliberative oratory, the *auctor*

explains how a speaker can counter an opponent by taking what his opponent has deemed to be a

cardinal virtue and calling it by another, less laudatory name (*Rhet. Her.* 3.6):

> Item, si quo pacto poterimus, quam is qui contra dicet iustitiam vocabit, nos
> demonstrabimus ignaviam esse et inertiam ac pravam liberalitatem; quam
> prudentiam appellant, ineptam et garrulam et odiosam scientiam esse dicemus;
> quam ille modestiam dicet esse, eam nos inertiam et dissolutam neglegentiam esse
> dicemus; quam ille fortitudinem nominarit, eam nos gladiatoriam et
> inconsideratam appellabimus temeritatem.

> Likewise, if it is possible for us to do so, what our opponent calls justice, we shall
> show is laziness, idleness, and perverse liberality; what he terms prudence, we
> shall say is senseless, prattling, and annoying learning; what he says is
> moderation, we shall say is idleness and dissolute negligence; what he names
> courage we shall call thoughtless rashness that befits a gladiator.

In this rhetorical strategy, the speaker attempts to redefine an action and thus change how it is

understood. By controlling language the speaker controls ideas. Other authors make similar

points in regard to how changing the definitions of actions can manipulate the audience's

perception of them.[128] Quintilian, referencing Aristotle and Cornelius Celsus, claims that since

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[128] Cf. Arist. *Rhet.* 1.9.28-9, 1367a-b, Demetr. *Eloc.* 114, Cic. *Inv.* 2.165, *Part.* 81, *Rhet. Her.* 4.35, Quint. *Inst.*
4.2.76-7. Perhaps the *locus classicus* for this phenomenon is Thucydides' discussion of the effects of *stasis* at
Corcyra in 427 BC during the Peloponnesian War (3.82.4-8). Aristotle develops the concept more than the other
authors, claiming that a fallacious argument (παραλογιστικός) can be made on the same principle. For example, in
the case of a rash man who is lauded as brave, a speaker can argue that since the man exposes himself to danger
when there is no need for it, all the more so will he take risks when it is good to do so (*Rhet.* 1.9.29, 1367b).

there is a certain resemblance between virtues and vices, one should effect a change of course by using a closely related word, as, for example, calling a foolhardy man brave, a spendthrift generous, an avaricious man frugal, and vice versa.[129] By a certain resemblance between virtues and vices, these authors mean that an action such as charging into the enemy line could be interpreted as foolhardy or brave depending on the circumstances in which the action takes place. In any case, these authors advocate for a speaker to spin the audience's interpretation of an action by calling it by a different name. Quintilian, nevertheless, exhibits reservations toward this approach, claiming that an orator (who for Quintilian is always a "good man" [*vir bonus*]) will never do this unless perhaps he is led to do so in the interest of the communal welfare.[130] This comment reveals that while this strategy was a common precept in rhetorical instruction, it was also viewed by some as morally questionable. Although Quintilian does not elaborate on why, in his opinion, a good man would refrain from it, the strategy does appear to be an unabashed attempt to manipulate the audience by substituting one word for another.

Emotional Manipulation

Manipulation of the audience's emotional response to someone or something is also an important aspect of spin. In the course of discussing the emotions in general, Quintilian specifies that some emotions can be understood in two senses. With envy, for example, there is the emotion that makes a person envious and the emotion that makes a person invidious; the former applies to people but the latter can also apply to things (*Et metum tamen duplicem intellegi volo,*

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[129] *Inst*. 3.7.25: *Idem [Aristoteles] praecipit illud quoque, quod mox Cornelius Celsus prope supra modum invasit, quia sit quaedam virtutibus ac vitiis vicinitas, utendum proxima derivatione verborum, ut pro temerario fortem, prodigo liberalem, avaro parcum vocemus: quae eadem etiam contra valent.*

[130] *Inst*. 3.7.25: *Quod quidem orator, id est vir bonus, numquam faciet, nisi forte communi utilitate ducetur.* For Quintilian's conception of the orator as a *vir bonus*, see Winterbottom (1964), (1998).

quem patimur et quem facimus, et invidiam: namque altera invidum, altera invidiosum facit. Hoc autem hominis, illud <et> rei est; in quo [et] plus habet operis oratio. Nam quaedam videntur gravia per se, parricidium caedes veneficium, quaedam efficienda sunt, Inst. 6.2.21). (In advancing this distinction, however, Quintilian seems to be splitting hairs, because if a person becomes envious of another, there must be something invidious that incites the envy.) In any case, Quintilian proceeds to claim that oratory is more concerned with making someone or something capable of inspiring specific emotions in the audience, that is, making someone or something a source of an emotion: "For some things seem grievous in themselves—such as parricide, murders, and poisoning—whereas others must be made out to seem so" (*Nam quaedam videntur gravia per se, parricidium caedes veneficium, quaedam efficienda sunt*, *Inst.* 6.2.21). In this statement, we again can perceive that a principal component of an orator's work is to change the audience's perceptions and emotions. Again, the principal object of the speaker's attention and energies is the audience, not the subject matter. In making something out to seem grievous, a speaker must have a good sense of what the audience will find grievous and the ingenuity to know how to make something that is not usually considered grievous seem grievous.

Quintilian offers two generic methods for how this can be accomplished, the first of which is to show that the experience that a person has undergone is worse than what are commonly considered great evils (*magnis alioqui malis gravius esse id quod passi sumus ostenditur*, *Inst.* 6.2.22). For the second method, Quintilian says, "we exaggerate our injury insofar as we say that even things that are much less grievous are intolerable, for example, 'If you had only *hit* me, you would have no defense, but you *wounded* me'" (*ita exaggeramus iniuriam nostram ut etiam quae multo minora sunt intoleranda dicamus: "si pulsasses, defendi*

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non poteras: vulnerasti", *Inst.* 6.2.23). In both of these methods the speaker amplifies a bad

thing through comparison, and the intended effect is ultimately a change in perspective for the

audience: one bad thing seems worse when it is compared with another bad thing. The success

of such comparisons would seem to reside in the audience's agreement that the object of

comparison is bad and that the speaker's comparison of it to the action in question is valid.

Nevertheless, Quintilian's use of "exaggerate" (*exaggero*) shows that in this process a speaker

may deliberately attempt to skew the audience's perception.

As Quintilian continues, he discusses how a speaker can manufacture strong emotions

and feelings in the audience through the manipulation of perspective (*Inst.* 6.2.23-4):

> Interim notasse contentus sum non id solum agere adfectus, ut quae sunt
> ostendantur acerba ac luctuosa, sed etiam ut quae toleranda haberi solent gravia
> videantur, ut cum in maledicto plus iniuriae quam in manu, in infamia plus
> poenae dicimus quam in morte. Namque in hoc eloquentiae vis est, ut iudicem
> non in id tantum compellat in quod ipsa rei natura ducetur, sed aut qui non est aut
> maiorem quam est faciat adfectum. Haec est illa quae dinosis vocatur, rebus
> indignis asperis invidiosis addens vim oratio, qua virtute praeter alias plurimum
> Demosthenes valuit.

> Meanwhile, I am eager to note that not only should we incite emotions so that
> those things are shown to be harsh and painful which *are* harsh and painful, but
> also so that those things *seem* grievous which are usually thought to be tolerable.
> This happens, for example, when we say that there is more injury in an insult than
> in a blow, and that there is a greater penalty in infamy than in death. For indeed,
> therein lies the force of eloquence: it not only compels the judge to go where he
> will be led by the nature of the matter itself, but it also either creates emotion
> where it does not exist or it makes an existing emotion greater. This is what is
> called *deinosis* [exaggeration], that is, speech that adds force to things that are
> unbecoming, harsh, or odious. In this capacity more than in the others,
> Demosthenes was very strong.

According to Quintilian, comparison and perspective can make things seem different from the

way they are usually considered to be, and this ability to change the audience's perception

enables the speaker to create and intensify emotion. This passage culminates in Quintilian's

emphatic pronouncement that at the heart of eloquence lies emotional fabrication. A more

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colloquial expression of this process—an accomplished speaker "knows what buttons to push"—brings out its deliberate and mechanical nature. Nevertheless, despite the strong emotional response that is expected from this type of rhetoric, it once again is apparent that an orator's work entails only making things *seem* bad, not actually revealing them *to be* so. Accurate representation and truth are not always conducive to an orator's purposes, and the mode of comparison that Quintilian espouses here—designed to make one object seem greater than it actually is—is similar to someone placing two objects at different distances before another person and then proceeding to compare them in size. In such a situation, a reliable basis of comparison is withheld from the spectator and the relationship between the two objects is only illusory. Indeed, in such a situation, appearance can take precedence over truth.

Quintilian is most explicit about how misleading the audience can generate an emotional response near the beginning of his account of the emotions (*Inst.* 6.2), where he again offers a pointed assertion on the proper work of the accomplished speaker (*Inst.* 6.2.3-5):

> Qui vero iudicem rapere et in quem vellet habitum animi posset perducere, quo dicente flendum irascendum esset, rarus fuit. Atqui hoc est quod dominatur in iudiciis: hic eloquentia regnat. Namque argumenta plerumque nascuntur ex causa, et pro meliore parte plura sunt semper, ut qui per haec vicit tantum non defuisse sibi advocatum sciat: ubi vero animis iudicum vis adferenda est et ab ipsa veri contemplatione abducenda mens, ibi proprium oratoris opus est.

> But he who is able to seize the judge and lead him into whatever cast of mind he wishes, who when speaking brings about tears and anger, he has always been rare. And yet this is what dominates in the courts. Here eloquence reigns. For arguments for the most part are born out of the case and there are always more of them for the stronger side, with the result that he who has emerged victorious through arguments knows only that his advocate has not failed to serve him. But when force must be exerted on the minds of the judges and their thoughts led away from the very contemplation of the truth, there we find the proper work of the orator.

This passage presents a frightening picture of the full force of eloquence. For one, eloquence here is deceptive, and at the end of this passage Quintilian states in unambiguous terms that the

orator thoroughly exercises his powers when he distracts the audience from grasping or even thinking about the truth. One element at work towards this end is a contrast between rational thought and strong emotion, and the orator attempts to play up the latter in order to undermine the former. For another, eloquence in full flight is violent and domineering. Quintilian here speaks of "seizing the judge" (*iudicem rapere*), "crying" (*flendum*), "becoming angry" (*irascendum*), "dominating" (*dominatur*), and "exerting force on the minds of the judges" (*animis iudicum vis adferenda est*), and the composite image is one of terror and violent tyranny. I have discussed above that metaphorical violence is inherent to the Roman rhetorical tradition in general and invective in particular, and this passage fits into that general framework. More specifically, though, here the violence is a product of strong emotion, which itself in part results from the deliberate obstruction of the truth. For an art that often is said to be characteristic of civil life, what emerges from this passage as the "proper work of the orator" is a chilling scene of ignorance, terror, and violence.

Narratio

The part of the speech that followed the *exordium* is the *narratio* ("narrative") and here again spin and smear can make important contributions to the orator's art. In the *narratio*, the speaker narrates events that pertain to the case. A prosecutor, for example, may narrate in detail how a husband arranged to catch his wife with her lover so that he could kill both of them. It perhaps does not need to be said that a speaker for either the prosecution or the defense could attempt to slant the narrative in the interest of his case. Although Cicero in *De Inventione* and the *auctor* in the *Rhetorica ad Herennium* only deal briefly with *narratio*, both authors touch on this point. Cicero, noting that a speaker should avoid speaking too clearly or ornately in

connection with points that help the opposition, and too obscurely or carelessly about points that help his own cause, states, "everything must be twisted to the advantage of one's own case" (*omnia torquenda sunt ad commodum suae causae*, *Inv*. 1.30).[131] In "twisting" (as Cicero's language (*torquenda*) literally conveys) or spinning the narrative, a speaker is advised to pass over things that are damaging, to touch lightly on things that must be said, and to speak carefully and clearly about matters that help his own cause. The *auctor* goes even further, claiming that a narrative must be plausible (*veri similis*) *even* if the events that a speaker narrates *are* true (*Rhet. Her*. 1.16). When narrating events that he has fabricated, however, a speaker must be all the more diligent in making the narrative plausible, and moreover should exercise caution in fabricating when it comes to events in which documents or someone's unshakeable testimony have a role (*Rhet. Her*. 1.16). It appears that in the *narratio*, as in other parts of a speech, it was customary for a speaker to be "economical with the truth."[132]

For more insight into the roles that spin and smear play in narrative, we can turn to Quintilian, who devotes a lengthy chapter (4.2) in the *Institutio Oratoria* to *narratio*. As Quintilian writes, a speaker should deliver the narrative not as a witness but as an advocate (*neque enim narrandum est tamquam testi, sed tamquam patrono*, *Inst*. 4.2.109). Elsewhere Quintilian claims, "*narratio* was invented not so that the judge would only come to know the facts, but so that he would agree considerably more with us about them" (*Neque enim narratio in hoc reperta est, ut tantum cognoscat iudex, sed aliquanto magis ut consentiat*, *Inst*. 4.2.21). Similar to the *auctor*, Quintilian advises that a speaker should ensure that even true accounts are

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[131] Cf. *Inv*. 2.46: "examinations, testimony, and rumors add to inferences, all of which each side ought to twist to the advantage of his own case, using a similar method but for opposite ends," *Accedunt autem saepe ad coniecturam quaestiones, testimonia, rumores, quae contra omnia uterque simili via praeceptorum torquere ad suae causae commodum debebit.*

[132] For this phrase, cf. the title of a book chapter on Cicero's *Verrines* by Catherine Steel (2004): "Being Economical with the Truth: What Really Happened at Lampsacus?"

nevertheless plausible: "For there are very many things that indeed are true but yet are not very plausible, just as false things frequently resemble the truth. For which reason we must not put any less effort into our attempts to get the judge to believe what we say truly than what we invent" (*sunt enim plurima vera quidem, sed parum credibilia, sicut falsa quoque frequenter veri similia. Quare non minus laborandum est ut iudex quae vere dicimus quam quae fingimus credat*, *Inst*. 4.2.34). Quintilian's comment here reveals that orators invent (*fingo*) elements of the narrative, and elsewhere in his treatment of *narratio* he speaks of *ficta narratio* ("a fictitious narrative," *Inst*. 4.2.19) and *falsae expositiones* ("false narratives," *Inst*. 4.2.88). Regarding *falsae expositiones*, Quintilian offers practical insights for the speaker, such as not contradicting oneself, not making things up that are opposed to what has been established as true, always remembering what one has made up ("a liar ought to have a good memory" [*mendacem memorem esse oportere*]) (*Inst*. 4.2.90-1), and only inventing things that do not have any connection with witnesses (*Inst*. 4.2.93). As for a *ficta narratio*, Quintilian says it can be used to incite the emotions of the judges, to relax them with humor, and sometimes, when it is used as a digression, for the sake of charm (*Inst*. 4.2.19). Two of the reasons that Quintilian gives here— playing on the emotions of the judges and using humor—were discussed above as being important components of invective rhetoric, and the examples drawn from Cicero's speeches that Quintilian introduces to illustrate each of these methods—respectively, a comment about the friends of Chrysogonus in *Pro Roscio Amerino* (*Inst*. 4.2.3, 19) and a story about the failure of Caepasius as an orator in *Pro Cluentio* (*Inst*. 4.2.19)—constitute attack and ridicule. According to Quintilian's formulation, a narrative that sounds plausible, even if it may be an utter fiction, can allow a speaker to smear his opponent and influence the audience.

Quintilian maintains that vividness (*evidentia*/ἐνάργεια) is a great virtue in narrative: what is true must not only be said (*dicendum*) but also in a certain way must be shown (*ostendendum est*), although vividness can be subsumed under the stylistic virtue of lucidity (*perspicuitas*).[133] In addition to its value for describing true events, vividness, according to Quintilian, also can be useful when a speaker is attempting to obscure the truth: "Some people even think that on some occasions this [vividness] is opposed to our purposes, because in certain cases the truth should be obscured. But this is ridiculous, for the speaker who wishes to obscure the truth narrates false events instead of true ones, and in narrating these false things he ought to work to make them seem as vivid as possible," *Quam quidam etiam contrariam interim putaverunt, quia in quibusdam causis obscuranda veritas esset. Quod est ridiculum; nam qui obscurare vult narrat falsa pro veris, et in iis quae narrat debet laborare ut videantur quam evidentissima* (*Inst*. 4.2.64-5). Quintilian claims that great vividness can give the appearance of truth, which in turn can obscure the fact that the speaker is attempting to obscure the truth. To return to a topic mentioned above, this is a good example of art concealing art. The ability of the speaker to conjure a scene for the audience leads the audience to think that what they are visualizing or imagining is true, and so the speaker's skill obscures the fact that the scene is merely a fabrication. Insofar as it persuades the audience, vividness (*evidentia*) functions as evidence.

M. Caeli Oratio in C. Antonium Hybridam

Towards the end of his discussion of narrative, Quintilian quotes a passage from Marcus Caelius' prosecution speech against Gaius Antonius Hybrida that demonstrates the potency of

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[133] Quint. *Inst*. 4.2.64: *evidentia in narratione, quantum ego intellego, est quidem magna virtus, cum quid veri non dicendum sed quodammodo etiam ostendendum est, sed subici perspicuitati potest.*

vivid description (*descriptio*) in invective rhetoric.[134] Cicero and Quintilian celebrated Caelius

for his special talents in accusatory oratory, which exhibited both wit and bite.[135] In introducing

the passage, Quintilian notes the effectiveness of "adding a plausible representation of events to

the truth, a move which seems to lead the audience into the presence of the event itself" (*Multum*

confert adiecta veris credibilis rerum imago, quae velut in rem praesentem perducere audientis

videtur, qualis est illa M. Caeli in Antonium descriptio, Inst. 4.2.123). Of chief importance in

this comment is the notion of a "plausible representation" (*credibilis...imago*), which Quintilian

distinguishes from the truth (*veris*). For Quintilian, Caelius' description is not necessarily true,

but it presents a sequence of events that the audience finds believable. In the passage, Caelius

creates a highly vivid and apparently credible scene through a wealth of details, both visual and

aural (*Inst*. 4.2.123-4):

> namque ipsum offendunt temulento sopore profligatum, totis praecordiis
> stertentem ructuosos spiritus geminare, praeclarasque contubernales ab omnibus
> spondis transversas incubare et reliquas circum iacere passim: quae tamen
> exanimatae terrore, hostium adventu percepto, excitare Antonium conabantur,
> nomen inclamabant, frustra a cervicibus tollebant, blandius alia ad aurem
> invocabat, vehementius etiam nonnulla feriebat: quarum cum omnium vocem
> tactumque noscitaret, proximae cuiusque collum amplexu petebat: neque dormire
> excitatus neque vigilare ebrius poterat, sed semisomno sopore inter manus
> centurionum concubinarumque iactabatur.

> For, in fact, they come upon the man himself overtaken with drunken sleep,
> snoring from the depths of his chest and doubling his burpy breaths. His most

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[134] The speech, of which this is one of two surviving fragments, is from Caelius' prosecution of Antonius in 59 BC on an unknown charge. Cf. *ORF* II[4] no. 162 pp. 482-3, Alexander (1990) 119-20, David (1992) 856-7. In this trial, Cicero spoke unsuccessfully in defense of Antonius, his consular colleague in 63 BC. For Cicero's (unpublished) speech and more information on the case, see Crawford (1984) 124-31.

[135] Cic. *Brut*. 273: †*quam eius actionem multum tamen et splendida et grandis et eadem in primis faceta et perurbana commendabat oratio. graves eius contiones aliquot fuerunt, acres accusationes tres eaeque omnes ex rei publicae contentione susceptae; defensiones, etsi illa erant in eo meliora quae dixi, non contemnendae tamen saneque tolerabiles.* Quint. *Inst*. 6.3.39: *Idem [i.e. Cicero] per allegorian M. Caelium, melius obicientem crimina quam defendentem, bonam dextram, malam sinistram habere dicebat.* 10.1.115: *Multum ingenii in Caelio et praecipue in accusando multa urbanitas, dignusque vir cui et mens melior et vita longior contigisset.* Quintilian also suggests that Caelius' asperity (*asperitas*) can be valuable to imitate (10.2.25): *Quid ergo? non est satis omnia sic dicere quo modo M. Tullius dixit? Mihi quidem satis esset si omnia consequi possem. Quid tamen noceret vim Caesaris, asperitatem Caeli, diligentiam Pollionis, iudicium Calvi quibusdam in locis adsumere?*

honored comrades recline across all the couches, while the other women lie around all over the place. Nevertheless, the women were beside themselves with terror when they became aware of the approach of the enemy, and they kept trying to rouse Antonius. Some were calling out his name, others in vain were lifting him up by his neck. Another was speaking gently into ear, another was even striking him vehemently. Since he recognized the voice and touch of them all, he was trying to throw his arms around the neck of whoever was nearest. Once he was aroused he could not sleep, but being so inebriated he could not stay fully awake, and so in a half-asleep stupor he was being tossed back and forth between the hands of the centurions and concubines.

After quoting this passage Quintilian makes the following assessment: "Nothing can be devised more credibly, upbraided more vehemently, presented more clearly than this," *Nihil his neque credibilius fingi neque vehementius exprobrari neque manifestius ostendi potest* (*Inst.* 4.2.124). As is evident from his use of *fingo* ("devise") here, Quintilian interprets the scene as a fiction, albeit a very credible and effective one. The background of the passage is obscure, and it is unclear how much of the description is based on an actual event and how much is Caelius' own invention. Antonius was proconsul of Macedonia from 62-60 BC and the references to the enemy (*hostes*) and centurions (*centuriones*) make it plausible that this passage pertains to Antonius' activities as proconsul. One can speculate on the kernel of truth in the description and the ensuing rhetorical elaboration: perhaps during his proconsulship Antonius was surprised by enemies while he was at a party, and from these basic facts Caelius created his vivid and comical description. Although there is no reason to think that Caelius was present at this scene, he nevertheless narrates the events as if he were an eyewitness to them, exhibiting an attention to detail that suggests he himself took it all in very carefully.[136]

The description makes Antonius, a former consul, look ridiculous, and Caelius seems to be having fun in conjuring up this scene of drunkenness, debauchery, and disorder. In reading the passage, one can see the bodies strewn about and hear Antonius snoring and burping. His

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[136] For Caelius' life and career and some discussion of his oratory, see Boissier (1912) 167-219, Austin (1960) v-xvi.

most honored comrades (*praeclaras contubernales*) are concubines who are yet more alert and responsible than the consular commander. Even in the face of the approach of the enemy, Antonius cannot be roused from his drunken stupor, but tries, instead, to embrace whoever is nearest him. If Antonius engaged in this behavior as proconsul of Macedonia, the situation is even more problematic, since in that case he would be indulging himself to excess instead of looking after the interests of the Roman people. The scene described by Caelius is spectacular and scandalous, as it shows someone near the top of the social and political hierarchy wallowing in decadence. Caelius in this passage seems less interested in producing an accurate account than in embellishing and misrepresenting Antonius' activities in order to make Antonius into entertainment and tabloid fodder. The covers of contemporary tabloid magazines such as the *National Enquirer* or the *Globe* are often plastered with distorted images of celebrities and bold headlines bruiting about the scandals and personal crises they are facing. Such publications for the most part make little claim to facticity, and their primary purpose is to entertain readers through false stories that document the downfall of the rich, famous, and powerful. So much is consonant with the scene that Caelius describes, and one way to summarize the point of Caelius' narrative is, "Look at the trainwreck that Antonius is!" An important difference between modern tabloids and Caelius' speech, however, is that while tabloids are widely recognized as publications that present inaccurate information primarily for the purpose of entertainment, Caelius' speech uses tabloidesque journalistic practices in a court case. A distinction between entertainment and civic affairs is difficult to identify.

In his analysis of the passage from Caelius' speech, Quintilian emphasizes its plausibility, and a significant aspect of this is perhaps the pleasure that the audience derives from it. In his discussion of narrative, Quintilian notes that audiences are prone to believe those things that they

find pleasurable: "In addition, for some reason a listener even believes more easily those things which are agreeable to him, and by pleasure he is led to trust" (*Praeterea nescio quo modo etiam credit facilius quae audienti iucunda sunt, et voluptate ad fidem ducitur*, *Inst*. 4.2.119). He makes a similar point when talking about stylistic ornamentation: "Those who listen with pleasure are both more attentive and believe more easily; they are commonly captured by amusement itself and sometimes carried off by admiration" (*qui libenter audiunt et magis attendunt et facilius credunt, plerumque ipsa delectatione capiuntur, nonnumquam admiratione auferuntur*, *Inst*. 8.3.5). While the pleasure that an audience feels may lead them to believe more readily what is being said, Quintilian also states, "pleasure deceives" (*fallit voluptas*), making, for example, a long but pleasant road less tiring than a short and difficult one (*Inst.* 4.2.46). Accordingly, a narrative such as Caelius' may mislead not only by presenting fictional information but also by distracting the audience and discouraging serious engagement with judicial or political matters. In introducing a fictional and scandalous narrative into a court case, Caelius turns judicial business into entertainment. Moreover, as was discussed above in connection with rhetorical humor in general, the humor and wit of Caelius' speech can win him social capital, which in turn can lead the audience to be inclined to trust him in spite of what he says.

Occultatio

Some of the stylistic figures of speech and figures of thought also testify to the significance that spin and smear have for invective rhetoric. One of the figures of speech is *occultatio*, also known as *praeteritio*.[137] The primary sense of *occultatio* is "a hiding" or "a

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[137] The Greek term for this figure is παράλειψις. Cf. *Rh. Al.* 30.10, 1438b 4-8, Demetr. *Eloc*. 263.

concealing," and the noun is closely related to the verb *occulto*, "conceal," "cover up." Such

meanings help convey the force of the figure, which denigrates a target in the eyes of the

audience while claiming not to. According to the *auctor*, "*Occultatio* is when we say we are

passing over or do not know or do not wish to say what we are in fact saying at that moment"

(*Occultatio est cum dicimus nos praeterire aut non scire aut nolle dicere id quod nunc maxime*

dicimus, *Rhet. Her.* 4.37). *Occultatio* is best illustrated by example, and the *auctor's* first

example ably illustrates how this figure can be used to smear and disgrace an opponent (*Rhet.*

Her. 4.37):

> Nam de pueritia quidem tua, quam tu omnium intemperantiae addixisti, dicerem,
> si hoc tempus idoneum putarem; nunc consulto relinquo. Et illud praetereo, quod
> te tribuni rei militaris infrequentem tradiderunt. Deinde quod iniuriarum satis
> fecisti L. Labeoni nihil ad hanc rem pertinere puto. Horum nihil dico; revertor ad
> illud de quo iudicium est.

> For I certainly would talk about your youth—which you consecrated to
> immoderation in everything—if I thought that this was an appropriate occasion,
> but now I deliberately leave it aside. And I pass over the fact that the tribunes
> said that you were delinquent in your military service. Next, that you have made
> restitutions to Lucius Labeo for injuries you caused to him, I think does not
> pertain to our present business. I say nothing of these matters but return to what
> we are concerned with in this trial.

In this example, the speaker, while claiming that he is passing over and not speaking about

specific things that would seem to reflect negatively on his opponent, in fact introduces them into

the court. The speaker does not press his three accusations—namely, his opponent's dissolute

youth, substandard military record, and liability in a previous court case—but they still could

induce the audience to regard his opponent with suspicion or disdain. In making these

unsupported and unexamined claims the speaker is insinuating that his opponent is a reprobate,

and it seems that even unsupported and unexamined accusations could be effective in planting

this seed in the minds of the judges. The vagueness of the charges also works in the speaker's

favor: in making unspecific allegations, the speaker protects himself from being easily refuted while prompting the audience to imagine the full and exact nature of his opponent's miscreancy. This is another illustration of a speaker relying on the audience's imagination and co-opting its cooperation in his attack.

The *auctor's* second example for *occultatio* is similar to the first: "I do not say that you have seized funds from our allies; I am not concerned that you have plundered the states, kingdoms, and homes of all; I pass over all your theft and pillaging," *Non dico te ab sociis pecunias cepisse; non sum in eo occupatus quod civitates, regna, domos omnium depeculatus es; furta, rapinas omnes tuas omitto* (*Rhet. Her.* 4.37). Again, the speaker both makes a pretence of declaring that he is not saying what he is actually saying and is deliberately vague.

Following these examples, the *auctor* notes that *occultatio* is useful if it is beneficial to bring up a matter secretly (*occulte*), or if the matter is tedious or unseemly, or cannot be made clear, or can easily be refuted (*Rhet. Her.* 4.37). Consequently, as the *auctor* claims, "it is more useful to have created suspicion surreptitiously than to have drawn out a speech of a sort that may be refuted" (*utilius sit occulte fecisse suspicionem quam eiusmodi intendisse orationem quae redarguatur*, *Rhet. Her.* 4.37). As is fitting given its name, *occultatio* works in a covert, underhanded way. A speaker's insinuation and vagueness enable him both to defame his adversary and avoid accountability for exaggeration or outright slander.

Praecisio

Praecisio, another one of the *auctor's* figures of speech, works in similar manner to *occultatio*. Derived from the verb *praecido* ("cut short," "cut off"), *praecisio*, according to the

auctor, is when a speaker leaves unfinished something he has begun to say.[138] Both of the

examples that the *auctor* provides for *praecisio* involve disparagement of an adversary (*Rhet.*

Her. 4.41):

> Mihi tecum par certatio non est, ideo quod populus Romanus me—nolo dicere, ne
> cui forte adrogans videar; te autem saepe ignominia dignum putavit. Item: Tu
> istuc audes dicere, qui nuper alienae domi—non ausim dicere, ne, cum te digna
> dicerem, me indignum quippiam dixisse videar.

> "A fair contest does not exist between you and me, given that in regard to me the
> Roman people—I do not wish to say, lest by chance I come off as arrogant to
> someone—but the people have often thought you worthy of disgrace." And
> again: "Do you dare to say that, you who recently at another's house—I won't
> venture to say, lest in saying things that are worthy of you, I appear to have said
> something unworthy of myself."

As with *occultatio*, in using *praecisio* a speaker relies on insinuation to make a point, including

one that seems intended to denigrate an opponent. The rhetorical effect of *praecisio*, however, is

perhaps even sneakier than that of *occultatio*. Whereas in *occultatio* a speaker makes a vague

and unsupported claim and then swiftly moves on, in *praecisio* he does not even make a claim,

although he says enough to allow the audience to fill in for themselves what he has left unsaid.

In the *auctor's* second example, for instance, there is no exaggeration or slander because nothing

has actually been asserted. The speaker blows a cloud of smoke and ultimately refrains from

saying anything substantive. But the cloud of smoke is there to distract the audience, and as with

clouds in the sky, each individual can use his imagination to give form and substance to the

speaker's insinuation. Those who follow the speaker's lead work in concert with him to give

substance, detail, and force to what starts as a vague suggestion. After the second example, the

auctor offers the following observation: "Here the tacit suggestion is harsher than a skillfully

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[138] *Rhet. Her.* 4.41: *Praecisio est cum dictis quibus reliquum quod coeptum est dici relinquitur inchoatum.* Other terms for this figure are ἀποσιώπησις, *reticentia*, *obticentia*, and *interruptio*. Cf. Quint. *Inst.* 9.1.31, 9.2.54-7 (on ἀποσιώπησις), Lausberg §887.

expressed explanation" (*Hic atrocior tacita suspicio quam diserta explanatio facta est*, *Rhet. Her.* 4.41). A speaker can malign and smear an opponent by simply leaving a blank space.

Significatio

To turn now to the stylistic figures of thought, another figure the *auctor* discusses that relies on generating suspicion (*suspicio*) is *significatio*.[139] As the *auctor* defines it, *significatio* "leaves more in suspicion than is put into words" (*plus in suspicione relinquit quam positum est in oratione*, *Rhet. Her.* 4.67). This figure, then, is another example of the speaker suggesting something, leaving the onus on the audience members to fill in the rest of the picture and realize the full import of what the speaker is communicating. Similar to *occultatio* and *praecisio*, *significatio* allows a speaker to mean more than he says, and so enables him to disparage and insult an opponent in an indirect and furtive manner. The *auctor* discusses five methods for accomplishing this effect: 1) exaggeration (*exsuperatio*), 2) ambiguousness (*ambiguum*), 3) mentioning the consequences of an action rather than the action itself (*consequentia*), 4) breaking off a thought (*abscisio*), and 5) similitude (*similitudo*).

Regarding exaggeration (*exsuperatio*), the *auctor* states, "for the sake of increasing suspicion, more is said than the truth allows." To illustrate this, he provides an example of someone who has squandered his inheritance and is left only with an earthenware pot (*Rhet. Her.* 4.67). In this example, the detail of the earthenware jug is an example of exaggeration, but it provides the audience with an image that vividly suggests the level of penury that a person has reduced himself to.

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[139] Ἔμφασις in Greek. Cf. Quint. *Inst.* 8.3.83-6, where the transliteration *emphasis* is used.

As for ambiguousness (*ambiguum*), the *auctor* claims that this involves playing on multiple meanings of words although the audience understands the meaning that the speaker wishes (*Rhet. Her.* 4.67). The example provided for this entails a sly swipe at someone who has come into many inheritances: "Be on the lookout, you who take in much," (*Prospice tu, qui plurimum cernis*, *Rhet. Her.* 4.67). The wit in this remark turns on *cerno*, which both means "discern" and "enter upon an inheritance."[140] Here the speaker essentially implies that his addressee possesses a knack for worming his way into people's wills, but in his own defense he could claim that he was only saying that his addressee has remarkable powers of discernment. The speaker exploits the ambiguity arising from the multiple meanings of a word to cloak his insinuation.

In the third subheading of *significatio*, *consequentia*, a speaker mentions the consequence of an action rather than the action itself, although the audience will recognize the action which the speaker avoids explicitly stating. The *auctor's* example is a remark to the son of a salted-fish seller: "You keep quiet, you whose father used to wipe his nose with his elbow" (*Quiesce tu, cuius pater cubito se emungere solebat*, *Rhet. Her.* 4.67). In this somewhat cryptic quip, the speaker implies that his addressee's fish-selling father avoided wiping his nose with his hands because they were unclean or badly smelled of fish. The insult reeks of class arrogance: the speaker both insults the son and the father through reference to the father's humble occupation, and at the same time presents a reason why the occupation of fish seller is unenviable. The speaker thus showcases artful economy of speech, insofar as he does not just mean that the father wiped his nose with his elbow. Moreover, in requiring members of the audience to do some

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[140] *OLD cerno* 4: "to make formal acceptance of an inheritance"; 6: "discern."

work in order to understand the joke, the speaker stimulates them, and the self-satisfaction that the audience feels in getting the joke could lead them to regard the speaker favorably.

The fourth method of *significatio*, breaking off a thought (*abscisio*), is essentially the same as *praecisio*: a speaker begins to say something and then stops, although what he has already said is sufficient to plant a seed of suspicion in the minds of the audience members. The example provided for *abscisio* is very similar to the second example used for *praecisio*: "He who with his well known youthful beauty, recently in another's house—I would rather not say any more" (*Qui ista forma et aetate nuper alienae domi—nolo plura dicere*, *Rhet. Her.* 4.67).[141] In this example, the speaker insinuates that the person whom he is speaking of has engaged in lewd behavior, and that he himself is reluctant or prohibited by his modesty even to describe what the other man actually did. By situating the action inside "another's house," the speaker creates the impression that he is showing what the target does when he is out of the public eye, and in this case, the reference to "youthful beauty" suggests deviant sexual behavior. The effect of this rhetoric is that the speaker appears to expose the target's private life in public, which is especially significant because one's private actions could be construed as revealing one's true character. Again, rhetorical economy is evident in this figure: although the speaker breaks off his thought mid-sentence, he manages to cast suspicion on what his adversary gets up to behind closed doors, and in the process makes a show of his own good manners and sense of shame.

In the fifth and final subheading of *significatio* that the *auctor* offers, similitude (*similitudo*), a speaker adduces a parallel or analogy through which he intimates what he does not actually say. The example provided by the *auctor* draws upon Roman history: "Do not, Saturninus, put too much trust in the masses: the Gracchi lie unavenged" (*Noli, Saturnine,*

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[141] Cf. the second example for *praecisio* (*Rhet. Her.* 4.41; discussed above): *Tu istuc audes dicere, qui nuper alienae domi—non ausim dicere, ne, cum te digna dicerem, me indignum quippiam dixisse videar*.

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nimium populi frequentia fretus esse; inulti iacent Gracci, *Rhet. Her.* 4.67). Lucius Appuleius

Saturninus was a populist politician who, as tribune of the plebs (103, 100 BC), relied on popular

support to oppose the Senate. In referring to the Tiberius and Gaius Gracchus, earlier populist

tribunes who were killed in incidents of civil violence at Rome that were spearheaded by

Senatorial factions (133, 121 BC respectively), the speaker is warning Saturninus that he may

meet a similarly violent end in his struggle against the Senate.[142] Here we have another example

of a speaker using suggestion to conceal and sharpen his blow. Through *similitudo* the speaker

both tones down the aggressiveness of his challenge (that is, he does not directly say, "Keep it up

and you'll get murdered") but also adds a chilling resonance, since he offers a historical

precedent to support his warning.

In the conclusion of his discussion the *auctor* offers a general reflection on *significatio*,

claiming that it "sometimes contains much pleasantry and dignity, for it permits the listener

himself to surmise something even though the orator leaves it unmentioned" (*Haec exornatio*

plurimum festivitatis habet interdum et dignitatis; sinit enim quiddam tacito oratore ipsum

auditorem suspicari, *Rhet. Her.* 4.67). According to the *auctor*, then, one of the chief strengths

of *significatio* is that it requires the audience to work in cooperation with the speaker. This is a

quality of invective of which we now have encountered multiple examples, and it is a substantial

aspect of the speaker's attempt to win the audience to his side. In purposefully leaving gaps for

the listener to fill in, the speaker avoids being openly offensive and induces the listener's

complicity. As I have discussed above, invective focuses on the audience, as the speaker's

principal objective is to make his audience hostile toward his target. The *auctor's* treatment of

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[142] Which in fact Saturninus did: in 100 BC, the Senate proclaimed a state of emergency and declared Saturninus an enemy of the state, whereupon he was killed along with some of his supporters.

significatio shows that by speaking indirectly and meaning more than he says, an orator can strengthen his attacks and transform his listeners into allies.

Frequentatio

The *auctor* defines *frequentatio* ("accumulation," "recapitulation") as the combination of several points that were made throughout the speech in one passage with the effect of adding weight to the speech or making it more piercing or accusatory.[143] Although it seems that revisiting the points that have been made throughout the speech in one closely packed, recapitulatory passage could be used advantageously in a number of different rhetorical situations, the *auctor* makes a special connection between this device and prosecutorial oratory. As we shall see, *frequentatio* can be particularly helpful for the prosecutor in manipulating the audience's perception of his accusations. Even though all the prosecutor's accusations may be speculative, gathered together they acquire strength from numbers and the accumulated mass of the whole camouflages the speculative nature of the several.

As is his custom, the *auctor* provides examples of his own devising to illustrate this rhetorical figure, and both of the examples for *frequentatio* appear to be derived from hypothetical prosecution speeches since in them the speaker is encouraging the judges not to acquit someone. The first example comes from a climactic passage in which the speaker brings together succinctly the odious qualities of the defendant (*Rhet. Her.* 4.52):

> A quo tandem abest iste vitio? Quid est cur iudicio velitis eum liberare? Suae pudicitiae proditor est, insidiator alienae; cupidus, intemperans, petulans, superbus; impius in parentes, ingratus in amicos, infestus cognatis; in superiores contumax, in aequos et pares fastidiosus, in inferiores crudelis; denique in omnes intolerabilis.

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[143] *Rhet. Her.* 4.52: *Frequentatio est cum res tota causa dispersae coguntur in unum locum, quo gravior aut acrior aut criminosior oratio sit.* Cf. Quint. *Inst.* 9.2.103 on *consummatio* (διαλλαγή).

> From what fault did he abstain? What is the reason that you would wish to acquit him by your judgment? He is the betrayer of his own chastity, the ambusher of another's. He is lustful, unrestrained, impudent, arrogant. He is undutiful to his parents, ungrateful to his friends, hostile to his relations. He is insolent to his superiors, disdainful to his peers, cruel to those of lower rank. Finally, he is unbearable to all.

In this passage, the negative attributes follow one upon the other in quick succession. Conjunctions are for the most part dispensed with, hastening the onslaught of the denunciation. Sounds (most notably "*in*" and "*im*") and grammatical constructions are repeated, and this gives the passage a rhythmical quality, like an incantation.[144] The speed and musicality of the speaker's words sweep the listener along in their flow, and when these qualities are used in the articulation of tenuous claims, they could induce the audience to overlook the unsupported nature of the accusations. In such a case, the speaker's rhetoric would be designed to lead the audience to enjoy the sound of his words rather than to think about their meaning. Moreover, as was noted above, Quintilian maintains that people tend to believe what they find pleasing (*Inst*. 4.2.119), and so the pleasure that an audience derives from the euphony of the speaker's language could itself have a probative effect.

In the longer second example, the speaker pronounces a lengthy string of conditional clauses about the defendant ("if he did this...and if he did that…and if..."), with the conclusion being that if he did all these things, he is manifestly guilty. Again, this example shows that a speaker can substitute a mass of accusations or suspicions for proof. In introducing this second example, the author notes that *frequentatio* can be particularly effective because the accumulated body of points has greater force and is more convincing than their isolated enunciation: "Suspicions, which were insignificant and weak when they were said separately, once they are brought together in one place <u>seem</u> to make the matter <u>clear</u>, not suspected" (*suspiciones, quae*

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[144] Cf. above on *flagitatio* and *conduplicatio*.

separatim dictae minutae et infirmae erant, unum in locum coactae rem <u>videntur perspicuam</u>

facere, non suspiciosam, *Rhet. Her.* 4.53). According to the *auctor*, a close-packed presentation

of numerous seemingly insignificant points alters the way in which they appear to the audience.

The accumulation of speculative remarks makes them no longer seem speculative, and so the

manner in which the facts are presented changes how the facts are perceived. Additionally, the

auctor interestingly and somewhat ironically juxtaposes *videri* ("to seem") and *perspicuus*

("clear"). *Frequentatio* seems to produce clarity, although it does not necessarily actually do so.

As was noted above, the prosecutor aimed to tell a clear and persuasive story in which the

wickedness of the defendant was manifest. The rhetorical device *frequentatio* is conducive to

this end: in gathering a large number of negative qualities into one forceful passage, a speaker

obscures uncertainties and doubts with respect to his individual claims, and thus seems to render

a clear picture for the audience. The *auctor's* own analysis of *frequentatio*, however, reveals that

such clarity is only an illusion, the product of the speaker's rhetoric.

III. Progymnasmata: commonplaces

In order to demonstrate further the benefits of widening the scope for study, I will turn to

the progymnasmata (προγυμνάσματα/*praeexercitamina*), the elementary or preliminary exercises

that schoolchildren, beginning about the age of 12, would practice with their grammar and

rhetoric teachers.[145] Progymnasmata are important to consider because their elementary position

in the curriculum grants them a fundamental status: in these exercises one can ascertain what

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[145] The progymnasmata exercises were originally the province of the rhetorician, but at some point the grammar instructors, encroaching on the territory of the rhetoricians, began to incorporate the progymnasmata into their own curriculum. Quintilian, who discusses this curricular development, divides the responsibilities of the progymnasmata between the grammarian and the rhetorician, with the former handling the earlier exercises in the course, and the latter the more advanced (*Inst.* 1.9, 2.1.4-13, 2.4). See also Clark (1957) 59-66 on ancient schools and 177-212 on the progymnasmata.

ancient rhetoricians believed students should be learning and practicing at a foundational period in their rhetorical training. After giving an overview of the progymnasmata course and briefly discussing the exercise associated most closely with invective (*vituperatio*/ψόγος, the counterpart to the *laus*/ἐγκώμιον ["praise"] exercise), I will focus on an exercise in the course that usually immediately precedes the *laus* and *vituperatio* exercises, the commonplace (*communis locus/*κοινὸς τόπος). The commonplace exercise differed from *vituperatio* by 1) consisting of an attack on a *type* of lawbreaker, for example a temple robber, rather than a specific individual, and 2) aiming to persuade the audience to punish rather than simply hate the targeted type of offender. Nevertheless, commonplaces were a substantial outlet for aggressive oratorical rhetoric, and in the course of examining this exercise I will discuss concepts that I have argued are critical to the success of invective, such as amplification and the calculated manipulation of emotions. Indeed, the type of language and rhetoric that the ancients conceived of as commonplaces would probably be considered invective in 21ˢᵗ-century English. Accordingly, this approach reveals to some extent how fundamental a part invective played in ancient rhetorical education, and it provides a backdrop, for example, for the *auctor's* claim that invective comprised a significant component of judicial and deliberative oratory despite being put into a separate genre by rhetoricians.[146]

The Progymnasmata Course

The progymnasmata were composition exercises arranged in a sequence of stages (about 12-14) through which the student progressed. Each stage in the sequence focused on one form of writing (e.g. fable, narrative, refutation, confirmation). The teacher provided instructions and

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[146] *Rhet. Her.* 3.15.

examples for the forms, and based on these the student practiced writing in these forms. The individual forms functioned as building blocks that led to the eventual composition of complete speeches. For example, in a forensic speech, one would usually include a narrative of the event in question as well as confirmation and refutation of points made by others.

Despite the fundamental position that progymnasmata had for the study of rhetoric in antiquity, the evidence for them in Latin is unfortunately scarce. The evidence suggests that they had become an established part of the school curriculum by the first century AD, but they may have originated centuries earlier.[147] Quintilian deals with the progymnasmata in his *Institutio Oratoria* (1.9, 2.1, and especially 2.4) and fuller treatments of the complete course or specific exercises in it can be found in the works of the 6th c. AD rhetoricians Priscianus and Emporius.[148] The best evidence for progymnasmata rather comes from the Greek tradition, which includes four progymnasmata textbooks and numerous fully elaborated examples of the individual exercises.[149] Nevertheless, there is significant overlap between the Greek progymnasmata and Quintilian's treatment and it seems that they are part of, or at least draw on the same tradition. Accordingly, in my analysis I will incorporate the Greek texts to fill out the picture.

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[147] The earliest reference to the progymnasmata (*Rhet. Alex.* 1436a 26) is dated to the fourth century BC. Kennedy (2003) x-xii posits that the course began to take the shape that is familiar to us in the Hellenistic period and discusses some traces of the course in the Latin handbooks *De Inventione* and *Rhetorica ad Herennium* that are largely shaped by Hellenistic rhetoric tradition. Writing in the 90s AD, Quintilian speaks of the course as having existed for some time and as having undergone changes from its original form. For the progymnasmata, cf. also Clark (1957) 177-212, Bonner (1977) 250-76.

[148] Priscianus (beginning of 6th c. CE) covered all the *praeexercitamina* in a work (*RLM* 17, pp. 551-60) that is based on the progymnasmata attributed to Hermogenes of Tarsus. Emporius (c. 6th c. CE) covers only ethopoeia, commonplace, and praise and invective (*RLM* 18, pp. 561-74).

[149] Kennedy (2003) includes translations of the progymnasmata textbooks of Aelius Theon (1st c. CE), Aphthonius (later 4th c. CE), and Nicolaus the Rhetor (5th c. CE), as well the work attributed to Hermogenes of Tarsus (2nd-3rd c. CE). Priscianus' Latin treatment of the progymnasmata is based on this last text. Libanius (4th. c. CE), Aphthonius' teacher, composed numerous examples of the exercises (e.g. Invectives against Achilles, against Aeschines, and against wealth), although these are without the instructions for the students that one encounters in the textbooks.

The *laus* and *vituperatio* exercises

In addition to their status as genres of oratory, *laus* and *vituperatio* are the complementary parts of a stage in the progymnasmata sequence.[150] Quintilian says that in the *laus* and *vituperatio* exercises the student will *laudare claros uiros et vituperare improbos* ("praise illustrious men and reproach wicked ones"), and that these exercises are useful for training the student's skill (*ingenium*) and forming his character through the contemplation of right and wrong (*animus contemplatione recti pravique formatur*, *Inst.* 2.4.20). These particular exercises then are intended not only to increase students' rhetorical abilities but also to contribute to their moral development. The exercise in the progymnasmata course that follows *laus et vituperatio* is the comparison (*comparatio*/σύγκρισις), in which the student would compare a good person to a wicked one, or perhaps compare two wicked men, and so would have to deal with degrees of virtue and vice (*Inst.* 2.4.21).[151] In comparing two wicked individuals, or perhaps even attacking two individuals who may not be conventionally thought of as particularly wicked, one would have to deploy abusive and aggressive language.

Commonplace progymnasmata in the Latin tradition

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[150] Quint. *Inst. Orat.* 2.1.8-12, 2.4.20-1. In addition to Quintilian's very brief discussion of the *laus* and *vituperatio* exercises, Suetonius mentions both in passing in a swift overview of the progymnasmata sequence (*De Grammaticis et Rhetoribus* 25.4), Priscianus provides some guidelines for *laus* (*RLM* 556-7), while Emporius offers a more balanced, although still brief treatment of both *laus* and *vituperatio* in his *Praeceptum demonstrativae materiae* (*RLM* 567-70). All of the Greek authors of progymnasmata textbooks discuss praise. As for blame, Aphthonius (27-31 Rabe) gives the fullest account of it, although Theon (112 Spengel) and Nicolaus (53-4 Felten) touch on it as well. [Hermogenes] (14-8 Rabe) discusses only praise. Libanius (*Vit.*) includes eight fully elaborated examples of invective, and these in order are against Achilles, Hector, Philip, Aeschines, wealth, poverty, anger, and the grapevine.

[151] The most famous examples of συγκρίσεις from antiquity are Plutarch's *Parallel Lives* (ca. 96-124 AD).

Due to the limited Latin evidence for progymnasmata in general, the Latin sources on commonplaces do not provide us with much information. In giving an overview of the progymnasmata course as a whole, Quintilian suggests that *communes loci* are situated at the heart of lawsuits, and reports that Cicero composed *communes loci* against vices (*in vitia*) and Quintus Hortensius (114-50 BC) published them on more general questions, such as, "Whether small arguments should be believed," "On behalf of witnesses," and "Against witnesses" (*Inst.* 2.1.11). By mentioning that the two leading orators of the late Republic wrote out commonplaces for study or publication, Quintilian suggests that these exercises were a frequent and important part of the Latin rhetorical tradition.[152]

When he turns to discuss the commonplace exercise itself, Quintilian offers a definition that highlights its denunciatory character: in a commonplace "it is the practice to declaim against vices themselves without regard to individuals, for example against an adulterer, a gambler, or an impudent man" (*citra personas in ipsa vitia moris est perorare, ut in adulterum, aleatorem, petulantem*, *Inst.* 2.4.22). In this exercise a speaker makes a general attack against a vice rather than against an individual. Nevertheless, both *vituperatio* and commonplaces require the speaker to inveigh against faults (*vitia*), and both exercises are clearly important for understanding the use of aggressive, incendiary language. Quintilian goes on to reiterate that these arguments are integral to judicial proceedings (*ex mediis sunt iudiciis*), and remarks, "if you add a defendant, they are prosecutions" (*si reum adicias, accusationes*, 2.4.22). Similar to Cicero and Hortensius, Quintilian views the commonplace progymnasmata as having special import for forensic oratory; in contrast to the earlier orator Hortensius, however, who published

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[152] The pervasive influence and impact that rhetorical education and the commonplaces in particular had on Latin literature is especially evident in the verse satires of Juvenal (fl. ca. 110-130 CE). De Decker (1913) 19-70 discusses several commonplaces (*Locus de Saeculo*, *Locus de Fortuna*, *Locus de Divitiis*, *Locus de Crudelitate*, *Loci philosophumeni*) that occur in Juvenal and compares them with examples found in declamations.

commonplaces on very general topics such as witnesses, Quintilian unequivocally conceives of them as attacks. This is in line with how most ancient authors thought of commonplaces, including the Greek writers of progymnasmata textbooks.

Commonplace progymnasmata in the Greek tradition

The Greek writers of the progymnasmata textbooks (Theon, [Hermogenes], Aphthonius, and Nicolaus) offer a much fuller picture of the commonplace exercise.[153] The four authors obviously differ in some respects in their discussions of the exercise, but more often than not there is agreement between them. In order to present as comprehensive a picture as possible, I shall give a synthesis of their accounts arranged by topic.

Commonplaces and Invective

As I just discussed, the standard or default type of commonplace was prosecutorial, and so commonplace seems to have been an important way for the ancients to understand language that we would refer to with the modern term "invective." Theon states that a commonplace can amplify something that is acknowledged to be a fault or a brave deed, but in his definition he places "fault" before "brave deed," thus suggesting the primacy of the former.[154] Aphthonius in

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[153] The Greeks authors provide two explanations for the name of the exercise. Theon states that the form is called a commonplace because setting out from it as a place (τόπος [locus]) we can find arguments against those who do not admit that they are in the wrong (106 Spengel), and Nicolaus reports a similar interpretation (Felten 37). Hermogenes, Aphthonius, and Nicolaus also provide a different explanation, of which Nicolaus gives the fullest version (Felten 36): it is called common (κοινός [communis]) because it is not directed against a specific individual but rather against any adulterer or any prostitute; it is called a τόπος ("topic") because a τόπος is another word for a rhetorical argument (τὰ ῥητορικὰ ἐπιχειρήματα). Accordingly, a common-place is a common argument (κοινὸν ἐπιχείρημα).

[154] 106 Spengel: Τόπος ἐστὶ λόγος αὐξητικὸς ὁμολογουμένου πράγματος ἤτοι ἁμαρτήματος ἢ ἀνδραγαθήματος "A topos is speech amplifying an acknowledged act, either a fault or a brave deed." Theon is unique in referring to the exercise simply as τόπος.

his definition does not allow that the exercise can apply to good actions or people.[155] Nicolaus also offers a definition in which the target of the exercise is "an acknowledged wrong."[156] Furthermore, he reports that some define the exercise as amplification of an acknowledged evil or human goodness, but refutes this and concludes that a commonplace "must entirely be an assault against someone who all agree has done wrong and has been convicted, so that we shall be speaking as in a second speech" πάντως τὴν καταδρομὴν χρὴ γίνεσθαι <ἐν αὐτῷ> κατὰ ἀνθρώπου ὁμολογουμένως ἠδικηκότος καὶ ἐξεληλεγμένου, ὥστε καὶ ὡς ἐν δευτερολογίᾳ τοὺς λόγους ποιησόμεθα (37-8 Felten). [Hermogenes] does not specify whether the action that the commonplace exercise amplifies must be good or bad.[157]

Additionally, the examples chosen by all the authors to illustrate points in the exercise almost all involve attacking someone for a crime. Theon and Nicolaus illustrate the headings through brief examples against adultery, temple robbery, grave robbery, treachery, murder, and child abuse. [Hermogenes] and Aphthonius each include one elaborated example and their subjects respectively are against a ἱερόσυλος "temple robber" and a τύραννος "tyrant." In Libanius' collection of progymnasmata examples, four are prosecutorial (Κατὰ ἀνδροφόνου "Against a Murderer," Κατὰ προδότου "Against a Traitor," Κατὰ ἰατροῦ φαρμακέως "Against a Physician-Poisoner," Κατὰ τυράννου "Against a Tyrant") while only one is defensive (Ὑπὲρ τυραννοκτόνου "For a Tyrannicide"). It seems clear then that in ancient rhetorical theory commonplaces were a significant way to conceptualize and categorize abusive language.

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[155] 16 Rabe: Κοινός ἐστι τόπος λόγος αὐξητικὸς τῶν προσόντων κακῶν "A commonplace is speech amplifying inherent evils."

[156] 36 Felten: Κοινὸς δὲ τόπος ἐστὶν αὔξησις καὶ καταδρομὴ ὁμολογουμένου ἀδικήματος "A commonplace is an amplification of and an attack upon an acknowledged wrong."

[157] 11 Rabe: Ὁ τόπος ὁ κοινὸς προσαγορευόμενος αὔξησιν ἔχει τοῦ ὁμολογουμένου πράγματος ὡς τῶν ἀποδείξεων ἤδη γεγενημένων "The exercise called a commonplace consists of amplification of an acknowledged action, insofar as the proofs have already been made."

That denunciation was at the heart of commonplaces is also evident from the fact that several of the authors parse out the differences between the commonplace exercise and the invective exercise (ψόγος). This suggests that the two exercises were similar enough to generate confusion for ancient students. The authors of the progymnasmata textbooks maintain that one important difference is that invective focuses on a specific individual (e.g. Phalaris, the 6 c. BC tyrant of Akragas), while a commonplace is used against a type of offender (e.g. a tyrant).[158] Moreover, commonplaces aim for the target of the attack to be punished. Nicolaus, who discusses the distinction between invective and commonplace in the most detail, claims that in a commonplace the judge is being urged to punish the wrongdoer, while in invective the audience is being incited to hate the person who is targeted by the attack.[159] He also further specifies that invective is to be used for things for which no punishment is defined by the laws, for example, when one speaks against a drunkard (οἰνόφλυξ); a commonplace, on the other hand, would be deployed in the case of an adulterer or a temple robber.[160] Aphthonius makes a similar claim when he comes to discuss the invective exercise (ψόγος): invective "differs from a commonplace in that a commonplace invites punishment, whereas invective contains only bare attack" (Τόπου δὲ κοινοῦ διενήνοχε τῷ τὸν μὲν τόπον ἐπάγεσθαι κόλασιν, τὸν δὲ ψόγον ψιλὴν μόνην ἔχειν διαβολήν, 27 Rabe). Nicolaus' and Aphthonius' distinctions appear intended to emphasize that

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[158] This point is also discussed in John of Sardis' commentary on Aphthonius (90 Rabe).

[159] 38 Felten: διαφέρει γὰρ ὁ κοινὸς τόπος τοῦ ψόγου τούτῳ μάλιστα, <καθ'> ὃ ἐν μὲν τῷ κοινῷ τόπῳ δικασταί εἰσιν οἱ ἐπὶ τιμωρίᾳ τοῦ ἡμαρτηκότος παρακαλούμενοι, ἐν δὲ τῷ ψόγῳ ἀκροαταὶ πρὸς μῖσος κινοῦνται αὐτοῦ, καθ' οὗ ἡ διαβολὴ γίνεται.

[160] 38 Felten: οὗτοι δὲ ὑπὸ τὸν κοινὸν τόπον ἄγουσι πάντα τὰ διαβολῆς ἄξια, ἀγνοοῦντες ὅτι ἐστὶ τινὰ πράγματα, ἃ οὐχ ὑπὸ κοινὸν τόπον ἀλλ' ὑπὸ ψόγον ἀχθείη γε δικαιότερον. ταῦτα δέ ἐστιν, ἐφ' οἷς γινομένοις οὐ μία τιμωρία παρὰ τῶν νόμων ὥρισται· οἷον κατὰ οἰνόφλυγος ἢ κατὰ τοῦ ὅλως πράττοντός τι πρᾶγμα φαῦλον καὶ μέμψεως ἄξιον οὐ μέντοι γε παρὰ νόμον τινὰ τὸν καὶ τιμωρίαν ἐπιβάλλοντα τῷ πράττοντι ἀπηγορευμένως οὐκ ἄν τις κοινῷ τόπῳ χρῷτο μᾶλλον ἢ ψόγῳ, ἀλλὰ τυχὸν κατὰ μοιχοῦ καὶ κατὰ ἱεροσύλου καὶ κατὰ ἄλλων, καθ' ὧν καὶ τὰ ἐπιτίμια παρὰ τῶν νόμων τέτακται.

commonplaces are a component of judicial speeches, whereas invective is restricted to the epideictic genre of oratory. Nicolaus underscores this interpretation of the commonplace exercise at the end of his account, when he comments directly on the relation of the exercise to the three genres of oratory (judicial, deliberative, and epideictic). He states that it is clear to all those who have excluded from commonplaces those speeches in favor of eminent men or tyrannicides or people doing things that are entirely good, that the commonplace exercise was preparation for judicial oratory. The contrary position that includes such laudatory speeches would contend that the commonplace provided training for the panegyric genre of oratory.[161]

Nevertheless, such distinctions between the two exercises can appear artificial and pedantic. As the authors suggest, commonplaces found actual use in forensic speeches, in which the generic attacks would be tailored to fit a real, specific individual. Indeed, Quintilian claims that if you simply add a defendant, a commonplace becomes an accusation, which illustrates how close a commonplace is conceptually to a personal attack in a forensic speech. The *auctor* in the *Rhetorica ad Herennium* states that large parts of forensic (and deliberative) speeches are given over to praise or invective,[162] and the commonplace progymnasmata appears to be a foundational form for practicing and acquiring experience in such attacks. Moreover, every major work on rhetoric acknowledges that emotion is a fundamental aspect of oratory, as seen above. As I will discuss in the following section, a commonplace is similarly designed to elicit anger, fear, and hatred from the jurors and audience towards the defendant—and to raise these emotions to a

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[161] 46-7 Felten: Ὅτι δὲ τριῶν ὡς ἐν κεφαλαίῳ τῆς ῥητορικῆς ὄντων μερῶν τὴν περὶ τὸ δικανικὸν ὁ κοινὸς τόπος ἐπαγγέλλεται μελέτην, δῆλον ἅπασι τοῖς <μὴ> προσδεχομένοις ἐν κοινῷ τόπῳ τοὺς ὑπὲρ ἀριστέων ἢ τυραννοκτόνων ἢ τῶν ὅλως ἀγαθόν τι πεποιηκότων λόγους· ἐπεὶ κατά γε ἐκείνους γένοιτο ἄν τις <ἐν> τῷ κοινῷ τόπῳ καὶ περὶ τὸ πανηγυρικὸν γυμνασία. Cf. Quintilian *Inst*. 2.4.22, discussed above.

[162] *Rhet. Her.* 3.15: *in iudicialibus et in deliberativis causis saepe magnae partes versantur laudis aut vituperationis*.

peak in the peroration of the speech—all of which seems to be critical for effective prosecutorial oratory.

Amplification

It emerges from the discussions of the four Greek authors that, as with invective in a narrowly conceived sense, commonplaces aim to magnify systematically the heinousness of a person and his action, presumably in order to intensify the audience's emotional response to and investment in the case. A universal component in the definitions of commonplace that the four Greek writers provide is amplification (αὔξησις): in this exercise one amplifies an acknowledged fault or brave deed.[163] Nevertheless, of the four authors, only Theon and Nicolaus note that a commonplace can be deployed in connection with good deeds in addition to evil ones. A significant presupposition of the exercise is that the fault that is to be amplified has been acknowledged or proven previously in the trial or longer speech in which the progymnasmata exercise is imagined as being a part. In an actual judicial speech, for example, one would deploy this kind of rhetoric after one had argued and demonstrated that the defendant had actually done something, or that the defendant's action, which he admits to having done, was not justified.

In order to illustrate that commonplaces expand upon things that have already been said, Theon offers brief examples taken from canonical speeches of Aeschines and Demosthenes, the greatest of the fourth-century BC Greek orators. From Aeschines' speech *Against Timarchus*

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[163] Theon: Τόπος ἐστὶ λόγος αὐξητικὸς ὁμολογουμένου πράγματος ἤτοι ἁμαρτήματος ἢ ἀνδραγαθήματος "A *topos* is speech amplifying an acknowledged act, either a fault or a brave deed" (106 Spengel); [Hermogenes]: Ὁ τόπος ὁ κοινὸς προσαγορευόμενος αὔξησιν ἔχει τοῦ ὁμολογουμένου πράγματος ὡς τῶν ἀποδείξεων ἤδη γεγενημένων "The exercise called a commonplace consists of amplification of an acknowledged action, insofar as the proofs have already been made" (11 Rabe); Aphthonius: Κοινός ἐστι τόπος λόγος αὐξητικὸς τῶν προσόντων κακῶν "A commonplace is speech amplifying inherent evils" (16 Rabe); Nicolaus: Κοινὸς δὲ τόπος ἐστὶν αὔξησις καὶ καταδρομὴ ὁμολογουμένου ἀδικήματος "A commonplace is an amplification of and an attack upon an acknowledged wrong" (36 Felten).

(346/345 BC), Theon includes one sentence that occurs near the end of the speech: "Do not think, men of Athens, that the beginnings of evils come from the gods but not from the licentiousness of men" (Μὴ γὰρ οἴεσθε, ὦ Ἀθηναῖοι, τὰς τῶν ἀδικημάτων ἀρχὰς ἀπὸ θεῶν, ἀλλ᾽ οὐκ ἀπ᾽ ἀνθρώπων ἀσελγείας γίγνεσθαι, 1.190). In this speech Aeschines prosecutes Timarchus under the action of "scrutiny of public speakers" (δοκιμασία τῶν ῥητόρων), whereby men who were found to have committed certain acts were disfranchised of citizen rights.[164] Aeschines contends that Timarchus, a political opponent, had prostituted himself as a youth and squandered his inheritance, both of which charges were encompassed under the δοκιμασία τῶν ῥητόρων. Throughout the speech Aeschines argues (without any actual evidence) that Timarchus led a licentious and disreputable life, claiming, for example, that as soon as Timarchus came of age, he settled in a doctor's house in the Piraeus, under the pretext of learning the profession but in truth having decided to sell himself.[165]

Theon's quotation comes from the end of this speech, at which point Aeschines, by amplifying the danger that men like Timarchus pose to the entire city, exhorts the jurors to punish Timarchus. Following the sentence that Theon quotes, Aeschines goes on to elaborate the claim that hedonistic indulgence is the root of evils (1.191):

> ἀλλ᾽ αἱ προπετεῖς τοῦ σώματος ἡδοναὶ καὶ τὸ μηδὲν ἱκανὸν ἡγεῖσθαι, ταῦτα πληροῖ τὰ λῃστήρια, ταῦτ᾽ εἰς τὸν ἐπακτροκέλητα ἐμβιβάζει, ταῦτά ἐστιν ἑκάστῳ Ποινή, ταῦτα παρακελεύεται σφάττειν τοὺς πολίτας, ὑπηρετεῖν τοῖς τυράννοις, συγκαταλύειν τὸν δῆμον. Οὐ γὰρ τὴν αἰσχύνην οὐδ᾽ ἃ πείσονται λογίζονται, ἀλλ᾽ ἐφ᾽ οἷς κατορθώσαντες εὐφρανθήσονται, τούτοις κεκήληνται. Ἐξαιρεῖτ᾽ οὖν, ὦ Ἀθηναῖοι, τὰς τοιαύτας φύσεις, καὶ τὰ τῶν νέων ζηλώματα ἐπ᾽ ἀρετὴν προτρέψεσθε.

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[164] See Fisher (2001) 5-6, 25-67 for a discussion of the charge and the cultural beliefs and laws underpinning it.

[165] Aeschin. 1.40: Οὗτος γὰρ πάντων μὲν πρῶτον, ἐπειδὴ ἀπηλλάγη ἐκ παίδων, ἐκάθητο ἐν Πειραιεῖ ἐπὶ τοῦ Εὐθυδίκου ἰατρείου, προφάσει μὲν τῆς τέχνης μαθητής, τῇ δ᾽ ἀληθείᾳ πωλεῖν αὐτὸν προῃρημένος, ὡς αὐτὸ τοὖργον ἔδειξεν.

But reckless pleasures of the body and thinking that nothing is enough, *these things* cause the ranks of robber gangs to be full, *these* lead people to board pirate ships, these are each man's Furies. *These things* exhort men to murder fellow citizens, to serve tyrants, to assist in the undoing of the populace. For such men do not take shame into account or what they will suffer, but they are bewitched by the joy they will receive if they are successful. And so, men of Athens, do away with such natures as these and steer the efforts of the young toward virtue.

In this passage Aeschines offers an alarming but simple picture: the desire for unrestrained pleasure is responsible for robbery on land and sea, murder, and tyranny. The menace expands from affecting an individual's possessions in the case of robbery to threatening to overthrow the entire state. This is a fine example of amplification, as Aeschines creates a chain from intemperance in the body (σῶμα) to the destruction of the citizen body (ὁ δῆμος). Timarchus is not on trial for robbery, murder, or aspiring to tyranny, but it is through these that Aeschines intensifies the danger that he claims Timarchus presents. Nevertheless, Aeschines' rhetoric is also designed to offer the jurors some comfort: the root of crime, violence, and political disorder is readily apparent, and it is in the jurors' power to rip it out and stop the growth of the threat that pleasure presents. Moreover, the time to act is now—the punishment of Timarchus ought to be the first step in reinforcing orderly behavior (εὐκοσμία) in the city. Aeschines' censorious rhetoric aims for punitive measures to be taken against its target, and to this end relies on amplification, scare tactics, and a sense of collective identity that pits the united speaker and jurors against the dangerous individual.

The importance that amplification has for rousing emotions even in progymnasmata is evident from Theon's preface to his textbook. Theon declares that the duties of an orator are proof and amplification (65 Spengel):

ὡμολόγηται γὰρ παρὰ πᾶσιν, ὅτι τοῦ ῥήτορος ἔργον ἐστὶ τό τε ἀποδεῖξαι τὰ ἀμφισβητούμενα καὶ τὸ αὐξῆσαι τὰ ἀποδεδειγμένα· προτερεῖ μὲν οὖν τῇ φύσει καὶ τῇ χρήσει ὁ ἀποδεικτικὸς λόγος, ἔπεται δὲ ὁ αὐξητικός· πρότερον γὰρ δεῖ τινα

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ὡς προδότην ἐλέγξαι, εἶτα ὡς ἐπὶ μεγάλῳ ἀδικήματι τῇ προδοσίᾳ τοὺς ἀκούοντας παροξῦναι.

It has been agreed by all that the job of an orator is to prove the issue in dispute and to amplify the thing that has been proved. And so by nature and in practice the part of the speech offering proof comes first, and the amplificatory part follows. For it is necessary first to prove that someone is a traitor, then to stimulate the audience in regard to how great an evil treason is.

Theon's verb that I have translated as "incite" (παροξῦναι) can also mean "provoke" and "irritate," and it seems that through amplification Theon advises a speaker to affect the audience in a manner that is not entirely logic- or reason-based. One could say that in using amplification a speaker would be attempting to "get under the skin" of the audience. It is significant that in Theon's formulation the proof component is centered on the defendant and the issue in question (τινα ὡς προδότην ἐλέγξαι, "to prove that someone is a traitor"), while the amplification element is focused directly on the audience (τοὺς ἀκούοντας παροξῦναι, "to stimulate the audience"). Far from seeking a dispassionate judgment from the audience based only on the facts, Theon indicates that the goal of the second part of the orator's job, amplification, is to manipulate the audience emotionally, which in the present example is to spur them to anger. Nicolaus makes a similar point in similar language when discussing the order of headings that one should follow in a commonplace. He claims in a commonplace it is not necessary to teach but to <u>provoke</u> (οὐ γὰρ νῦν τοῦ διδάσκειν, ἀλλὰ τοῦ <u>παροξύνειν</u> χρεία, 42 Felten). Indeed, in a reductive interpretation, the major difference between the two tasks that Theon and Nicolaus establish for orators is that one is rational and the other emotional (and, as is evident from Theon's discussion, the two tasks complement each other). While this may be true to a degree, it is also important to recognize that stirring the emotions of the audience was regarded in antiquity as an essential feature of

oratory, with Aristotle even designating it as one of his three types of artistic proofs (πίστεις ἔντεχνοι).[166]

All the authors present a scheme of "headings" (κεφάλαια) with which one can amplify the deed or person at issue. These include, for example, "consideration of the opposite" (e.g. when speaking against an adulterer, to praise self-control) and περιοχή ("the network": e.g. "Not only are the laws being harmed, but so are law courts, all good institutions, and the city itself"). There is some overlap in the list of headings that the four authors provide and so it seems evident that these methods for amplification, which were intended to appeal to the emotions of the audience, were selected and executed in a very deliberate way. In other words, as I argued above, the emotional excitement that this type of rhetoric aimed at was the product of a calculated approach.

διατύπωσις: Vivid Description

The last of these headings that Theon includes is διατύπωσις "vivid description," in which one describes the crime as it was being undertaken and the suffering of the person who was being wronged (ἐνεργούμενον τὸ ἀδίκημα ἀπαγγέλλωμεν καὶ τὸ πάθος τοῦ ἠδικημένου, 108-9 Spengel). This heading is very similar to ἐνάργεια and *evidentia*, discussed above in connection with anger and spin and smear. In addition to this overlap, I shall examine the four authors' treatment of this particular heading in detail because 1) it comes last or near the end in the sequences of headings of the several authors and therefore has a crowning or climactic

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[166] Arist. *Rhet.* 1.2.3-6, 1356a. The other two types of proof available to the orator are from his character (that is, when his speech makes him trustworthy) and from the speech itself (when the orator demonstrates what is true or seemingly true).

function; and 2) of all the headings, it offers the orator greatest rein for using his imagination and drawing on the resources of rhetoric.

Following his definition, Theon offers some suggestions for how a speaker can use διατύπωσις against a murderer (κατὰ ἀνδροφόνου, 109 Spengel):

> διαγράψομεν γὰρ οἷος μὲν ἦν ὁ ἐργαζόμενος τὸν φόνον, ὡς ὠμῶς καὶ ἀνηλεῶς αὐτόχειρ γενόμενος ἀνθρώπου ἄνθρωπος ὤν, καὶ τὸ ξίφος σπώμενος, καὶ τὴν πληγὴν καταφέρων, καὶ μὴ καιρίας εἰ τύχοι τῆς πληγῆς γενομένης, ἄλλας ἐπ’ ἄλλαις ποιούμενος, καὶ μιαινόμενος αἵματι τοῦ φονευομένου, οἵας δὲ κἀκεῖνος φωνὰς ἠφίει, τοῦτο μὲν τοῦ φονέως δεόμενος, τοῦτο δὲ βοηθοὺς ἐπικαλούμενος, νῦν μὲν ἀνθρώπους, νῦν δὲ τοὺς θεούς, καὶ ὅσα ἄλλα τοιαῦτα.

> For we shall describe how he was when committing the murder, how, although he himself is a human, he savagely and pitilessly became the murderer of a fellow human. He drew his sword and brought down a stroke, and if by chance the first blow was not mortal, he dealt out stroke upon stroke, and was stained with the blood of his victim. And we shall describe the cries that the victim let out, at one time begging this man for mercy, at another time calling out for help, now to men, now to the gods—and other things of this sort.

The rhetoric that Theon calls for in this heading is not insulting, but surely it is intended to render the audience hostile to his adversary by attacking him as a cruel and pitiless monster. In this passage, Theon portrays the attacker as completely ruthless and the victim as completely pathetic. Such an approach suggests that the speaker intends to leave for the audience no gray area for indecision or confusion. As is the case with all ancient rhetorical devices that aim for "vividness," Theon's figure aims less for accuracy than for sensationalism. Indeed, it should be stressed that in most instances the speaker would not have been present at the scene of the crime, and so any vivid description is to a significant degree the product of the imagination. Whereas earlier in the speech of which this passage is imagined as being a part, subtle (or specious) arguments may have been used to show that a murder had been committed by the defendant, in a

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commonplace cool reasoning is swept aside by the strong emotions that this passage attempts to incite: anger and fear.[167]

[Hermogenes] gives a brief illustration of vivid description in his example of a commonplace against a temple robber. He labels the heading ὑπογραφὴ τοῦ ἀδικήματος ("description of the wrong"), a name that conveys that it is especially suited for accusation: μή μοι τὸν νῦν δακρύοντα θεωρεῖτε, ἀλλ᾽ ἐκεῖνον τὸν καταφρονοῦντα τῶν θεῶν, τὸν προσιόντα τοῖς ἀνακτόροις, τὸν ἀνασπῶντα τὰς θύρας, τὸν τῶν ἀναθημάτων ἁπτόμενον, "Do not, please, gaze on him now as he is crying, but as he was when he was holding the gods in contempt, approaching the temple, breaking down the doors, laying his hands upon the votive offerings" (14 Rabe). [Hermogenes]' example demonstrates that the single act of temple robbing actually is comprised of a number of reprehensible actions. In unpacking the process that led to the action [Hermogenes] amplifies the wrongs that were committed in a step-by-step chronology. Interestingly, in the description [Hermogenes] omits the final act which is central to the proposed topic ("Against a Temple Robber"): the defendant removed the dedications from the temple. The jurors would obviously be aware that he had stolen the objects, but the speaker wants to be sure that the jurors clearly visualize all that led up to that last action. Moreover, the description also suggests that at every point along the path to this crime the defendant could have stopped—his disregard for the gods, the temple consecrated to them, and any physical obstruction that he met with is proof of his nefarious character and the lengths to which he will go to enact his wicked designs. Of notable significance in the example is [Hermogenes]' handling of the verb θεωρέω "to gaze." The speaker asks the jurors to ignore what they are seeing with their own eyes in the courtroom—namely, that the defendant is pitifully crying—and to rely on the

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[167] Cf. Quint. *Inst.* 6.2.25-36.

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speaker's words and the image he is planting in their mind's eye. This particularly shows how important the imagination is for moving the audience, and how important a role it plays in a vivid description.[168] Moreover, θεωρέω carries a general meaning of "look at" or "contemplate," but it also has a more specialized meaning of "be a spectator" at, for example, a theater (θέατρον). There indeed is something theatrical about the spectacles that the speaker discusses here, both the defendant's conventional attempt for sympathy through tears and the series of actions that the speaker sketches. The figure of vivid description is not the last in [Hermogenes]' list of the headings of the common-place as it is in Theon's, but it is followed only by παράκλησις ("exhortation"), in which the speaker asks the jurors why they are delaying and deliberating what has already been decided (τί μέλλετε; τί βουλεύεσθε περὶ οὗ πάλαι κέκριται; 14 Rabe). In [Hermogenes]'s order of the headings, then, the vivid description of the crime is the speaker's last effort before he hands the matter off to the jurors.

Nicolaus includes a similar figure at the end of his list of headings as well and calls it ὑποτύπωσις (45 Felten): ἔστι δὲ ἡ ὑποτύπωσις κεφάλαιον ὑπ' ὄψιν ἄγον τὰ γεγενημένα καὶ δι' ἐκφράσεως θεατὰς τῶν ἀτόπων ἐργαζόμενον ἡμᾶς "The heading 'vivid description' brings before the eyes that which has been done and through ekphrasis makes us spectators of the monstrous." Nicolaus himself does not include a demonstration of the heading as Theon and [Hermogenes] do, but his definition underscores my analysis of their examples. In Nicolaus' definition, θεατής, which like θεωρέω is related to θέατρον, conveys that the figure both stages a spectacle before the audience and that the audience derives pleasure or excitement from the description. τὰ ἄτοπα "monstrous things" captures that the things described, the spectacle, will

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[168] It is not an uncommon feature in oratory for the speaker at the end of a speech to ask the jurors to turn to images in their minds. It is as if the court system is a means for realizing and bringing to life each person's ideal conception of the world.

be extraordinary and shocking. Following this definition, Nicolaus adds that a speaker should not thoughtlessly describe shameful acts in vivid detail, as may happen when speaking, for instance, against an adulterer or child corruptor (παιδοφθόρος), lest the description pollute the speaker himself. For in describing such things, Nicolaus claims, we bring more discredit upon ourselves than upon the defendant. But if it is necessary to offer a ὑποτύπωσις of these things, we shall succor our indiscretion by describing a reckless man who was contemptuous of the laws and by saying that he did not hesitate to do such monstrous deeds (45 Felten). Nicolaus here presents an important point that appears elsewhere in the rhetorical tradition: a speaker ought to maintain an appearance of dignity and so should avoid impolite and shameful words and topics. In other words, a sense of decorum limits what a speaker will say in invective. With this point one can compare the figures of speech *occultatio* (or, *praeteritio*) and *praecisio* discussed above. Of course, as Nicolaus' explanation suggests, such studied dignity and avoidance of "low" topics can become another weapon in the speaker's arsenal. In this way, then, ὑποτύπωσις is not only able to deliver a vivid description of the events in question, but also of the speaker's and the defendant's contrasting characters. Moreover, if a speaker is "too ashamed" to describe the defendant's behavior (or if he is only very vague in his description), not only does he not need to provide any actual evidence for his claim, but he also sets the audience up to let their imagination run wild as to what the defendant did that was so egregious. As a result, the imagination can be more damning than the real act.

Aphthonius' list of headings does not include a figure whose name emphasizes description, but it does contain a comparable figure, ἔκθεσις "exposition" (33 Rabe). Although ἔκθεσις appears near the beginning of Aphthonius' list, the definition that he provides overlaps with Theon's general discussion of amplification that I discussed above. Aphthonius specifies

that the purpose of the exposition is not to teach the audience about the act (for it is already

known to them) but to provoke them (οὐχ ὡς διδάσκων, ἔγνωσται γάρ, ἀλλ᾽ ὡς παροξύνων τὸν

ἀκροώμενον, 33 Rabe). Παροξύνω is an important element of Theon's treatment of

amplification in his preface, where I noted that through this a speaker attempts to anger the

audience. In his demonstration of this heading in his example of a commonplace against a

tyrant, Aphthonius stages a vivid scene that seems designed to appear to reveal the defendant's

character. After declaring that the defendant decided to change the constitution of the

democratic state (i.e. he decided to establish a tyranny), the speaker presents the thoughts of this

would-be tyrant as he deliberates upon his course of action with himself. In a passage of direct

speech, the defendant, whom fortune has blessed with wealth, asks why if he is superior to the

multitude should they be equal to him; he is concerned that the poor could come together and

enact laws against him; accordingly, he resolves to seize the acropolis, do away with the laws,

and establish himself as a law to the many (18-9 Rabe). The use of direct speech is an artful

technique that provides the audience with a fresh and seemingly intimate perspective on the

actions of the defendant. Indeed, it is perhaps most effective in that it seems to get inside the

psyche of the defendant and disclose his motives. The thought process in this vignette is simple

and reprehensible. A man of outstanding status is contemptuous and fearful of his fellow

citizens, and so resolves, without complications, to make himself superior to the laws. The

actions of the tyrant stem from self-interest, a basic human instinct, and so through the simple

narrative the audience can feel that they understand the feelings and thoughts of the tyrant that

the speaker has ostensibly revealed to them. The intimacy of the scene, however, is obviously an

illusion, since the tyrant's words are not his own but the speaker's, pronounced in an act of

ventriloquism.[169] Similar to the vivid description examples that I have just analyzed,

Aphthonius' demonstration of ἔκθεσις here provokes the audience more through dramatic

narrative techniques and imaginative description than an attempt to recount the event in question

accurately.

Epilogue

While commonplaces could be used throughout a speech (for instance, after each point

has been proven) they played a crucial role in the epilogue (peroration). In addition to noting

that the commonplaces should be conceived of as following upon demonstrations and proofs,

Theon, Aphthonius, and Nicolaus state that the exercise is similar to or has affinities with an

epilogue.[170] As was discussed above, in the epilogue a speaker often uses highly emotional

rhetoric in order to sway the jurors. As we saw above, Theon uses an example from the epilogue

of *Against Timarchus* where Aeschines essentially employs scare tactics to persuade the jurors to

convict Timarchus. In that passage, Aeschines' speech is not restricted to Timarchus and his

actions, but expands its scope to focus on the general threat that unrestrained pleasure poses for

society. Shortly after that passage, Aeschines argues that the acquittal of Timarchus will inspire

others to do wrong; the alternative is for the jurors to discharge their anger onto one person now

rather than onto crowds of people later (192-3). Aeschines' attention to the jurors' anger shows

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[169] Cf. Quintilian on *fictiones personarum* (προσωποποιία) (*Inst.* 9.2.30): *His et adversariorum cogitationes velut secum loquentium protrahimus (qui tamen ita demum a fide non abhorrent si ea locutos finxerimus quae cogitasse eos non sit absurdum).*

[170] Theon (106 Spengel): ἐπὶ δὲ τοῦ τόπου ἐπίνοια τοιαύτη τις εἶναι βούλεται, ὥστε ἀποκοπὴν εἶναι δοκεῖν καὶ μέρος λόγου ἑτέρου προειρημένου, καὶ οἷον ἐπίλογόν τινα μετ' ὄγκου τῶν ἤδη προαποδεδειγμένων· "In a *topos* the thought seems to be cut off and a part of another argument that has already been said, and like an epilogue with the bulk of matters that have already been demonstrated"; Aphthonius (17 Rabe): Δευτερολογία δὲ ἔοικε καὶ ἐπιλόγῳ "A commonplace is similar to a second speech or an epilogue. Nicolaus (36 Felten): δεῖ τὸ γυμνάζον ἡμᾶς πρὸς τοὺς ἐπιλόγους προγύμνασμα παραλαμβάνειν, ὅπερ ἐστὶν ὁ κοινὸς τόπος. "It is necessary for us to take up the exercise that trains us for epilogues, which is the commonplace."

that he expects his amplification of Timarchus' actions through commonplaces to have a strong emotional effect. Additionally, in an epilogue a speaker would use a mode of expression and delivery that was suitably impassioned. Among the progymnasmata authors, Nicolaus is unique insofar as he specifically discusses the styles of delivery that are appropriate for some of the progymnasmata exercises. For commonplaces he says one should use the delivery that one would use for epilogues, which includes forcefulness, indignant complaints, a pathetic tone, and passionate performance.[171] The indignant emotion that the speaker displays is meant to be contagious and incite the audience in turn.

Second Speech (δευτερολογία)

A similar appeal to the emotions by means of invective can be found in a "second speech" (δευτερολογία), with which Aphthonius and Nicolaus claim a commonplace has affinities.[172] In a trial in which the prosecution would deliver more than one speech, the first speech, generally speaking, would focus on providing evidence and making proofs based on this evidence, while the second speech would concentrate on amplifying what had already been demonstrated. A second speech was marked in particular by attacks against the defendant and the commonplace exercise seems to have provided good training for this. Nicolaus, in discussing

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[171] 46 Felten: Ἴδιον δὲ ἐπιλόγων τὸ δεινώσεις παραλαμβάνειν καὶ σχετλιασμοὺς καὶ παθητικὴν ὅλως ἐργάζεσθαι τὴν φράσιν καὶ αὐτῇ δὲ τῇ ὑποκρίσει κεχρῆσθαι περιπαθεστέρᾳ, ἅπερ δεῖ πάντα ἐν τῷ κοινῷ τόπῳ φυλάττειν.

[172] Aphthonius (17 Rabe): Δευτερολογίᾳ δὲ ἔοικε καὶ ἐπιλόγῳ "A commonplace is similar to a second speech or an epilogue." Nicolaus: πάντως τὴν καταδρομὴν χρὴ γίνεσθαι <ἐν αὐτῷ> [i.e. τῷ κοινῷ τόπῳ] κατὰ ἀνθρώπου ὁμολογουμένως ἠδικηκότος καὶ ἐξεληλεγμένου, ὥστε καὶ ὡς ἐν δευτερολογίᾳ τοὺς λόγους ποιησόμεθα. "In a commonplace there must entirely be an assault against someone who all agree has done wrong and has been convicted, so that we shall be speaking as in a second speech" (37-8 Felten); Ἐπειδὴ δὲ εἴρηται, ὅτι ἐπιλόγου πληροῖ χρείαν <ὁ κοινὸς τόπος> καὶ ὅτι ὡς ἐν δευτερολογίᾳ τοῦτον ἐργαστέον, ζητητέον, εἰ ἐν τῷ κοινῷ τόπῳ καὶ προοιμιασόμεθα ἢ εὐθὺς ἥξομεν [καὶ] ἐπὶ τὴν ἄλλην διαίρεσιν. "And since it has been said that commonplace fulfills the need of an epilogue and that it is to be executed as in a second speech, we must determine if in a commonplace we should include a proemion or proceed straight to the the division of the subject" (39 Felten).

commonplaces, gives the clearest explanation of a second speech: he states that an entire speech can be a commonplace, "as we find in second speeches, in which, after the previous speakers have stated their accusations and made use of proofs, the second speakers turn to commonplaces, making an assault against those who have done wrong and exhorting the jurors to take up the voting tablets" (ὡς εὑρίσκομεν ἐν ταῖς δευτερολογίαις, ἐν αἷς ἀκριβῶς τῶν προτέρων κατηγορησάντων καὶ ταῖς ἀποδείξεσι χρησαμένων οἱ δεύτεροι κοινοῖς τόποις κέχρηνται, καταδρομὴν τῶν ἡμαρτηκότων ποιούμενοι καὶ παρακαλοῦντες ἐπὶ τὴν ψῆφον τοὺς δικάζοντας, 46 Felten). Here again we encounter a distinction between proof and attack. Theon in his preface (65 Spengel) considered these two modes of speaking as the two basic duties of the orator, but in Nicolaus' explanation they are actually divided between two different speakers at a trial. In Nicolaus' formulation, it seems that proofs are used to persuade, whereas amplification rouses people to action, as is evident from his exhortation for the jurors to cast their votes. In amplifying what has already been demonstrated, the speaker of the second speech focuses on playing on the feelings of the jurors and audience, and in this respect, the a second speech is similar to an epilogue. Moreover, in the larger structure of the trial, the second speech is analogous to the epilogue in that they both bring the event to an end and are the speaker's final words on the issue. The commonplace exercise, then, was notably useful as preparation for epilogues and second speeches, both of which appear to be more concerned with emotions than logic.

A brief consideration of some examples of second speeches demonstrates that such speeches were notably characterized by invective. As examples of second speeches Nicolaus cites Demosthenes' *Against Androtion* (*Orat*. 22, 355/4 BC), *Against Timocrates* (*Orat*. 24,

353/2 BC), and *Against Aristogeiton* (*Orat.* 25, 325/324 [?]).[173] Of Demosthenes' speech

Against Aristogeiton, which Demosthenes delivered after Lycurgus, son of Lycophron, gave the

first speech for the prosecution, Nicolaus states, "it is by all means an epilogue, for nowhere in it

are there strong counter-arguments or agonistic proofs, but it is altogether an attack" (ἄντικρυς

ὢν ἐπίλογος· οὐδαμοῦ γὰρ ἰσχυραὶ ἀντιθέσεις οὐδὲ ἀγῶνος μεσταὶ ἀποδείξεις, ἀλλὰ καταδρομὴ

πανταχοῦ, 46 Felten).[174] Similarly, Libanius, in his introduction (ὑπόθεσις) to *Against*

Aristogeiton, reports that Lycurgus dealt with the main questions of the speech, but Demosthenes

only treated these briefly, as "his entire speech constituted an accusation of Aristogeiton's life" ὁ

δὲ ὅλος αὐτῷ λόγος τοῦ Ἀριστογείτονος βίου κατηγορίαν περιέχει (*Arg. D.* 10). Both of these

descriptions of the speech show that ancient readers were responsive to Demosthenes' rhetorical

strategy in the speech, which subordinated the actual issues in the case to bald attack.[175]

As for *Against Androtion* and *Against Timocrates*, (both of which Demosthenes wrote on

behalf of a Diodorus), *Against Androtion* is certainly a second speech in the sense that Nicolaus

proposes, and it was written for Diodorus to deliver after Euctemon spoke first in the prosecution

of Androtion. Although in this speech Demosthenes does attempt to anticipate the defense that

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[173] John of Sardis, an 8th c. AD commentator on Aphthonius' progymnasmata textbook, cites Demosthenes' *Against Androtion*, *Against Aristogeiton*, *Against Leptines*, and *Against Aristocrates* as examples of second speeches (94-5 Rabe).

[174] The Demosthenic corpus includes two speeches against Aristogeiton (25 and 26). Libanius, in his ὑπόθεσις for the speeches (*Arg. D.* 24), provides the circumstances of the trial (of uncertain date), in which Aristogeiton was prosecuted by Lycurgus and Demosthenes, with the latter speaking second. Dionysius of Halicarnassus believed that neither of these speeches was by Demosthenes (D. H. *Dem.* 57, Lib. *Arg. D.* 24.11), while others rejected only the second speech (Lib. *Arg. D.* 24.11). Modern commentators have generally followed Dionysius in thinking that both are spurious, but MacDowell (2009) 298, 310-3 has recently argued that the first speech (25) is by Demosthenes and the second (26) is probably from an additional supporting speaker at the trial.

[175] Modern readers are evidently still finding themselves impressed by Demosthenes' abuse in this speech, with one even suggesting that its high quality should be an aid in answering the question of authorship: MacDowell (2009) 310: "These colorful comparisons bring to a climax a text which is a masterpiece of vituperation. In view of the skill with which Aristogeiton's character is demolished, it is surprising that some critics have denied that Demosthenes is the author."

Androtion will make to the prosecutors' charge that Androtion had proposed an illegal decree (γραφὴ παρανόμων), the latter half of the speech has little relevance to the actual issue in question and consists of attacks on Androtion's character through discussion of his past actions, such as his penchant for insulting people (22.58, 61-4, 68). *Against Timocrates*, on the other hand, is actually the first speech in a trial against Timocrates for proposing an unsuitable law (γραφὴ νόμον μὴ ἐπιτήδειον θεῖναι). In this trial, Diodorus was supported by Euctemon, which seems to suggest that Nicolaus was mistaken in his statement that *Against Timocrates* is a second speech. This lengthy speech, however, can roughly be divided into halves of differing character: in the first half (24.1-107), Demosthenes goes through his charges carefully, citing numerous laws and decrees to support his arguments, and he concludes this part by recapitulating what he has just argued (24.108-9); in the second half (24.110-218), he cites only a single oath (to demonstrate that a court has the power to send people to prison [24.144-51]) and engages in personal attacks against Timocrates and those whom Demosthenes alleges Timocrates' proposed law is intended to protect. This second half of the speech could be a textbook example of amplification, and I believe that it is this part of the speech that Nicolaus cites as an example of a second speech. All three of these speeches, then, which are marked by ad hominem attacks and discussion of issues that are irrelevant to the immediate proceedings, aim at discrediting the defendant (and those associated with him) by broadly assailing his character.

Conclusion

In this chapter, I have argued that the rhetorical handbooks have much to offer on invective if one looks beyond the narrow rhetorical genre of *vituperatio*. It is incontestable that there are aggressive and insulting aspects of the corpora of Roman (and Greek) rhetoric and oratory that are not encompassed by the theoretical concept of *vituperatio* offered in the

handbooks. Accordingly, I have analyzed several broader topics that more accurately reflect the biting, humorous, and sometimes shocking use of rhetorical invective in practice.

The four topics that I considered (character, anger, humor, and spin and smear) are not the exclusive province of invective rhetoric, but they permit one to attain a good understanding of the techniques and effects of actual invective discourse. Through these four topics I have attempted to demonstrate the mechanics of invective in Roman rhetoric and oratory. The handbooks often offer formulaic advice for inciting in the audience emotions such as anger, hatred, and envy, as well as for causing laughter, and it certainly seems that rhetoricians conceived of a mechanical relationship between the words that a speaker said and the feelings that these words create in the audience. The audience, moreover, is the primary focus of a speaker's energies in rhetorical invective, the principal objective of which is to diminish the worth of the target in its eyes. To this end, a speaker attempts to alter how something appears to the audience and relies on the audience's imagination in order to create suspicions and strong emotional reactions against the target. Furthermore, the commonplace exercise of the progymnasmata course relies on many of these same topics in its attacks, although it was distinguished by ancient rhetorical writers from the exercise of *vituperatio*. The commonplace exercise was practiced by boys in the early stages of rhetorical training, and so shows that they were expected to start mastering the art of vituperation at a very young age. This should not be surprising, given that judicial and deliberative oratory are in many ways inherently adversarial.

My objective throughout has been to extract a theory from the theoretical works that is more representative of invective as it was conceived of and deployed by Roman rhetoricians and orators: Rhetorical invective is an (often carefully calculated) attempt to discredit, disgrace, or

ridicule a target in the eyes of the audience, and it often aims to accomplish this by means of exaggeration, misrepresentation, humor, and appeals to the audience's emotions and imagination.

My focus in this chapter on the mechanics of invective—or how invective works—complements the work of previous scholars who have examined the topoi that recur in invective speeches, both Greek and Latin.[176] In his study of Roman Republican invective, Norman Merrill identified an invective topos that Wilhelm Süss, working primarily in the Greek rhetorical tradition, did not include: the criticism of faulty speech (*oratio inepta*).[177] Writers from Plato to the end of antiquity and beyond noted a correspondence between speech and character, with Seneca the Younger providing the most in-depth study in *Ep.* 114. The connection between speech and character, however, is suggested as early as the *Iliad*: in the comments of the narrator, Odysseus, and other anonymous Greek soldiers, Thersites' penchant for abusive and disruptive speech emerges as a defining aspect of his character and is also reflected in his remarkably ugly physical appearance (*Il.* 2.211-77).[178] Moreover, the confrontation between Thersites, Agamemnon, and Odysseus takes place in an assembly of the Greek army at Troy, and so it significantly resembles the more formal *contentiones verborum* that occurred in the Roman courts and political assemblies. In the next chapter, I turn to theoretical discussions of the criticism of style, focusing specifically on the ethical implications of bad style. Like this chapter, it provides a foundation for the analysis of the intersections of invective and the critique of faulty style that I examine in the case studies in Chapters 3-6.

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[176] Cf. the discussion in the Introduction above.

[177] Merrill (1975) 29, 94-95, 183-94.

[178] Cf. the body of the iambographer.

In Book 1 of the *Noctes Atticae*, Gellius inveighs vigorously against the fault of *loquacitas* ("talkativeness," "loquacity"; *NA* 1.15.1-2):

> *Quam inportunum vitium plenumque odii sit futilis inanisque loquacitas, et quam multis in locis a principibus utriusque linguae viris detestatione iusta culpata sit.*

> Qui sunt leves et futiles et importuni locutores quique nullo rerum pondere innixi verbis uvidis et lapsantibus diffluunt, eorum orationem bene existimatum est in ore nasci, non in pectore, linguam autem debere aiunt non esse liberam nec vagam, sed vinclis de pectore imo ac de corde aptis moveri et quasi gubernari. Sed enim videas quosdam scatere verbis sine ullo iudicii negotio cum securitate multa et profunda, ut loquentes plerumque videantur loqui sese nescire.

> *How annoying a fault and how full of odiousness is vain and inane talkativeness, and in how many passages it has been denounced by the chief writers of both tongues with rightful condemnation.*

> It has been correctly judged of those people who are trivial and vain and rude speakers, and who have nothing of substance to say but drift off in streams of flowing words, that their speech is born in the mouth, not in the heart. But it is said that the tongue ought not to be free or wandering, but ought to be moved and, so to speak, governed by chains that are fitted to the depths of the breast and the heart. But indeed you may see certain people gush forth in their words, with no concern for judgment but with the most unfathomable self-assurance, so that they seem for the most part not even aware that they are speaking!

Gellius' rhetoric here reflects on the common idea among Greek and Roman authors that speech corresponds to a person's character, and that one's speech could be used as an index to assess his or her morals and life. At first glance, it may seem that Gellius, in claiming that someone who exhibits *loquacitas* in speaking from his mouth rather than his heart, is writing against this idea, since in such a case the speaker's words are disconnected from his thoughts. Such mindless prattle, however, does indicate something about the speaker, namely that he is careless and

frivolous and lacks a sense of decorum with regard to what he ought to say and what he ought to keep to himself.

In support of his attitude toward *loquacitas*, Gellius draws on a range of authorities (*principes utriusque linguae viri*), including Homer, Cicero, and Cato the Elder. Noting that the last was a particularly vehement critic of the fault (*M. Cato atrocissimus huiusce vitii insectator est*), Gellius cites a speech against M. Caelius, a tribune of the plebs, from Cato's censorship in 184 BC (*NA* 1.15.9-10=Cugusi Sblendorio 81-82=*ORF* 8.111-12):[1]

> Namque in oratione, quae inscripta est Si se Caelius tribunus plebis appellasset, "Numquam," inquit, "tacet, quem morbus tenet loquendi tamquam veternosum bibendi atque dormiendi. Quod si non conveniatis, cum convocari iubet, ita cupidus orationis conducat, qui auscultet. Itaque auditis, non auscultatis, tamquam pharmacopolam. Nam eius verba audiuntur, verum se ei nemo committit, si aeger est." Idem Cato in eadem oratione eidem M. Caelio tribuno plebi vilitatem obprobrans non loquendi tantum, verum etiam tacendi: "Frusto," inquit, "panis conduci potest, vel uti taceat vel uti loquatur."

> For in the speech which is entitled *If Caelius as Tribune of the Plebs Summoned Himself*, he said, "He is never silent, whom a sickness of speaking holds, just as a sickness of drinking and sleeping holds one who is lethargic. But if you should not come together when he orders you to be assembled, he is so desirous of making a speech that he hires those who would listen to him! And so you hear him, but you do not listen to him, just as is the case with a drug vendor. For his words are heard, but no one who is sick entrusts their person to him." Cato in the same speech against Caelius as tribune, in castigating the cheap price at which he would not only speak but even keep silent, said, "He is able to be induced by a piece of bread either to be silent or to speak."

Gellius noted that the tongue ought to be governed (*gubernari*), and it was a common analogy in ancient political theory that the good statesman ought to govern the state just as a skilled and

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[1] The context and scope of this speech is shadowy, but some of the other fragments may reveal Cato further attacking Caelius as a bad speaker. In fragments preserved in Macrobius' *Saturnalia* (3.14.9=Cugusi Sblendorio 84-85=*ORF* 8.114-15), Cato is perhaps criticizing Caelius' undignified delivery, which seems to be closer to that of an actor than a Roman magistrate. Cf. Cugusi (1982) 265. The section of the *Saturnalia* from which these fragments are drawn, however, is a discussion of decadent living in general and dancing in particular, and so Macrobius' text alone does not provide definitive evidence that Cato's attacks are focused on Caelius' oratory.

concerned pilot (*gubernator*) steers a ship.[2] In Cato's invective, however, Caelius is ruled and

directed by his own morbid desire to speak, which induces him to behave in a ludicrous way and

abuse his powers as tribune. Ultimately, Cato reduces Caelius to a quack (*pharmacopola*), and

through this borrowing from Greek casts Caelius as the "Other" (a Greek, more specifically) at

the same time that he assails his effectiveness as a speaker and his credibility as a magistrate.

These fragments from Cato's speech against Caelius are examples of the topos of *oratio*

inepta in invective oratory. Cato is one of the earliest sources for Roman oratory, and from this

fragment it is evident that at least from the Middle Republic attacking an opponent specifically in

his capacity as a (bad) speaker could be an effective means of discrediting him. Whereas Cato

criticizes a general speaking habit of Caelius', in this chapter I narrow the range of *oratio inepta*

to explore in detail how the disparagement of faulty speaking and writing style was treated in

ancient rhetorical treatises and works of literary criticism, and address why it could be an

effective way to hurt an adversary in invective and polemical contexts.

Perhaps the most famous instance from antiquity of the criticism of faulty style comes not

from a speech but a letter. In *Ep.* 114, Seneca the Younger excoriates Gaius Maecenas (ca. 70-8

BC), the friend of Augustus and literary patron, for his bizarre writing style, which Seneca

claims reflects Maecenas' generally dissolute way of life. The principal theme of this letter can

be summed up as *talis oratio, qualis vita*, "As is one's style, so is one's life,"[3] and this letter is

the preeminent ancient treatment of the idea that style is a mirror of or window onto character.[4]

After claiming that Maecenas' flamboyant and ostentatious lifestyle is too well known to merit

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[2] Cf. e.g. Cic. *Rep.* 2.29, 5.5; *Pro Rab. Per.* 26.

[3] Seneca's own formulation of this concept in the letter is *talis hominibus fuit oratio qualis vita* (*Ep.* 114.1).

[4] For a discussion of this concept in modern (primarily English) literature, see Abrams (1953) 226-62.

description, Seneca asks, "Was his style not just as lax as he himself was unbelted?" (*non oratio eius aeque soluta est quam ipse discinctus? Ep*. 114.4). Apparently moved to a state of indignant disbelief, Seneca quotes in succession a number of lines from Maecenas' works, inquiring, for example, "What is more shameful than 'A bank with a stream and hairy woods'?" (*Quid turpius "amne silvisque ripa comantibus"?, Ep*. 114.5). The quotations from Maecenas' works are all notoriously strange and difficult,[5] and after the last (*Focum mater aut uxor investiunt*, "The mother or the wife enclothe the hearth," *Ep*. 114.5) Seneca reflects more fully on the relation between Maecenas' style and his life (*Ep*. 114.6-7):

> Non statim cum haec legeris hoc tibi occurret, hunc esse qui solutis tunicis in urbe semper incesserit (nam etiam cum absentis Caesaris partibus fungeretur, signum a discincto petebatur); hunc esse qui <in> tribunali, in rostris, in omni publico coetu sic apparuerit ut pallio velaretur caput exclusis utrimque auribus, non aliter quam in mimo fugitivi divitis solent; hunc esse cui tunc maxime civilibus bellis strepentibus et sollicita urbe et armata comitatus hic fuerit in publico, spadones duo, magis tamen viri quam ipse; hunc esse qui uxorem milliens duxit, cum unam habuerit? Haec verba tam inprobe structa, tam neglegenter abiecta, tam contra consuetudinem omnium posita ostendunt mores quoque non minus novos et pravos et singulares fuisse.

> When you read these things, does it not immediately occur to you that this is the man who always came into the city with his tunic ungirt (for even when he was handling Caesar's affairs in his absence, the seal of approval was being sought from a voluptuary); who appeared on the magistrates' platform, on the Rostra, at every public gathering with his head covered by a Greek cloak but with both ears exposed, not any differently than the rich man's fugitive slaves always look in a mime; whose public escort, especially at the time when civil war was raging and the apprehensive city was in arms, was two eunuchs, nevertheless more men than he himself; who took a wife a thousand times when he already had one? These words, put together so shamefully, thrown out so carelessly, ordered so contrary to the customary practice of everyone, show that this man's character also was no less strange, perverse, and singular.

Here Seneca moves directly from quoting Maecenas' works to a sketch of who he is as a person, focusing on his unusual dress and social relations. In both cases (speech and other behavior),

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[5] For Maecenas' notorious style, see also Quint. *Inst*. 9.4.28, Suet. *Aug*. 86.2, Macrob. *Sat*. 2.4.12.

Seneca suggests that Maecenas' character (*mores*) is articulated through external signs. In the previous chapter, I argued that while the rhetorical treatises advocate criticizing, for example, an opponent's appearance or birth, such criticisms attain their greatest effect when they are tied to an opponent's character (when a speaker alleges, for instance, that an opponent uses his good looks to achieve nefarious purposes). Therefore, when interpreted as an index for assessing an individual's way of life and character, style emerges as a dynamic target for invective. It should be noted, however, that Seneca is very selective in both the specimens of Maecenas' style that he cites (all of which are quoted apart from any context) and the behaviors that he outlines. The image that of Maecenas that emerges from these sketches—in an ungirt tunic, ears protruding out of his cloak, flanked by eunuchs—is less a characterization than a caricature: Seneca seems intent on portraying him as "strange, perverse, and singular." Similarly, Maecenas' writing style can be said to be disfigured through the process of excerption, as Seneca's selective presentation suits the rhetorical objectives of his letter. Like many invective topics, then, the criticism of faulty style draws its ammunition from amplification, emotional appeal (especially indignation), appeal to prejudices (Seneca suggests that Maecenas' stylistic peculiarities do not exist in isolation but are connected to other non-conformative behaviors), and humor; but most importantly, all this firepower is intended to reveal and make a statement about the writer's or speaker's character, the most potent target of invective attack.

The remainder of this chapter is divided into four parts. In Part I, I address the all-important concept "style is the man," that is, that speech and writing reveal and thus can be a means for assessing an individual's character and, in a wider application, the character of an age. In Part II, I turn specifically to stylistic faults and approach this topic in three sections. In the first, I discuss how the critical vocabulary deployed to describe stylistic faults often facilitates a

connection to be made between an individual's words and the individual; in the second, I consider the common doctrine that stylistic faults resemble stylistic virtues, examining the ethical foundation of this idea and how discussions of it too suggest a link between style and the individual; in the third section, I investigate the interesting but difficult critical term *cacozelia*/κακοζηλία ("bad taste," "affectation"). *Cacozelia*, which could be used as an umbrella term to cover a number of stylistic faults, is especially significant for my analysis because it indicates faults in speech or writing that do not occur haphazardly but are the result of bad or perverse judgment. The use of this critical vocabulary seems implicitly to require an assessment of a writer's character. As my discussion of Seneca's letter above showed, in literary critics' and rhetoricians' analyses of models of particularly aberrant stylistic tendencies, the images of writers and speakers that emerge are not so much character portraits as caricatures.

Accordingly, in Part III, I discuss the caricaturing of style and its relation to invective: in stylistic criticism, faults and distinctive traits are often exaggerated, with the result that the style and the character of the person that are allegedly revealed become objects of ridicule. Finally, in Part IV, I conclude by examining texts that personifying eloquence as a female and deal with the conflict between Asianism and Atticism that was an important issue in literary and rhetorical discussions, particularly in the first century BC. These passages, which occur in works by Quintilian, Dionysius of Halicarnassus, and Cicero, bring together various components from this chapter and show how style was closely connected with broader topics, such as the sociological and political norms of the community. The analysis of these case studies also functions as a bridge to the following chapter, in which I examine the political significance of Cicero's criticisms of his opponents, the Neo-Atticists, in the *Orator*, a major rhetorical treatise that he

wrote in 46 BC in the midst of Civil War, Julius Caesar's extraordinary dictatorship, and the Asianist-Atticist controversy over oratorical style.

I. "Style is the man": *Talis oratio qualis vita*

The connection that ancient authors made between ethics and character and speech is most clearly evident in the concept that speech, both spoken and written language, is an index of character (*talis oratio, qualis vita*, "As is one's speech, so is one's life").[6] The theory is perhaps most well known from Seneca's famous *Epistle* 114, which is found in Book 19 of the *Epistulae Morales* (ca. 62-66 AD), a collection of literary letters in which Seneca gives philosophical advice to his friend and philosophical mentee, Lucilius. In *Epistle* 114, Seneca begins by reporting that Lucilius asked him why some ages of history are given over to a corrupt type of eloquence that can manifest itself in a variety of ways (*Ep*. 114.1):

> Quare quibusdam temporibus provenerit corrupti generis oratio quaeris et quomodo in quaedam vitia inclinatio ingeniorum facta sit, ut aliquando inflata explicatio vigeret, aliquando infracta et in morem cantici ducta; quare alias sensus audaces et fidem egressi placuerint, alias abruptae sententiae et suspiciosae, in quibus plus intellegendum esset quam audiendum; quare aliqua aetas fuerit quae translationis iure uteretur inverecunde.

> You ask why at certain times a style of a corrupt type has appeared, and how there have been tendencies among writers for certain faults, so that at one time a swollen exposition thrived, at another time one that was broken and strung out in the manner of a song; why at some other time bold expressions that went beyond the bounds of belief were well received, and at another time clipped and obscure aphorisms in which more had to be understood than was heard; why there was some age that took advantage of the law of metaphor in an immodest manner.

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[6] Richlin (1992) 3-4 discusses *talis oratio, qualis vita* in the context of authors' conventional apologies for obscene writing. Dominik (1997) approaches the topic of *talis oratio, qualis vita* mainly in light of Quintilian's and Tacitus' discussions of changes in literary taste in the first century AD, and is more interested in how the phenomenon plays out in eras than in individuals. This focus on eras is consistent with the questions that Seneca constructs Lucilius as asking in *Ep.* 114. Möller (2004) is a published dissertation that discusses *talis oratio, qualis vita* in poetry and prose from Solon of Athens (7th-6th c. BC) to Cassiodorus (5th-6th c. AD) and includes an extended commentary on Seneca *Epp.* 114 and 115 (168-246). Her broad survey of the development of the theory is useful for my analysis of how authors in various historical and cultural periods deployed this theme for rhetorical purposes in invective contexts.

Lucilius' question specifically addresses types or kinds (*genera*) of corrupt speech that rise to prominence at certain times—historically. The phrase *inclinatio ingeniorum* suggests that movements of taste which come and go lead writers into various excesses. Lucilius is thus concerned with a wider-reaching social phenomenon that is responsible for the character of speech in certain ages.[7] Seneca, perhaps echoing Lucilius, goes on to catalog several faulty styles that could roughly be described, in order, as bombastic, effeminate, harsh, obscure, and, most interestingly, shamelessly metaphorical, and these *corrupta genera* of speech recall the use of χαρακτῆρες to mean "types of style." *Corruptus*, a crucial word in Lucilius' question, frequently occurs in stylistic criticism as a broad term that can encompass numerous varieties of faulty speech or style. *Corrumpo* in a literal sense is often used to express the spoiling of food or water (*OLD* s.v. 1-2); figuratively it can denote the corruption of moral qualities (*OLD* s.v. 4-5). Both of these senses are significant for Seneca's use of *corruptus* at the beginning of this letter: the passing stylistic trends are akin to contagions that spread among writers and affect their taste. The faulty types of style, then, are symptoms of underlying deficiencies in aesthetic and moral judgments.

In response to Lucilius' query, Seneca interprets this broader phenomenon—or epidemic—as an outgrowth of the widely known and more fundamental idea that an individual's writing or speaking style reflects his or her character: *Hoc quod audire vulgo soles, quod apud Graecos in proverbium cessit: talis hominibus fuit oratio qualis vita,* "The answer is what you are accustomed to hear all over, what among Greek writers has become a proverb: one's style is just like one's life" (114.1). In the chapters that follow, I give special attention to the criticism of

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[7] Cf. Dominik 1997.

style in specific invective and polemical contexts, and so the principle *talis oratio, qualis vita* is an essential concept for my analysis because it entails an ethical underpinning to the criticism of style. Before addressing this concept at greater length, however, I will briefly discuss the use of χαρακτήρ to mean "style." Here the etymological record provides evidence for how deeply ingrained the notion of *talis oratio, qualis vita* was in the Greco-Roman tradition of literary criticism.

By the first century BC, χαρακτήρ had acquired currency among Greek rhetoricians and literary critics as a term for writing style.[8] This sense seems to have been a later development in the semantic history of the word but one which ought to be closely connected with the more basic meanings of which it is an extension. Χαρακτήρ is derived from the verb χαράσσω, "engrave, inscribe," and all the senses of the noun are marked by the notion of inscribing that is at the heart of the verb.[9] Authors of the fifth and fourth centuries BC use χαρακτήρ as a term for the stamp used in the production of coinage (*IG* II² 1408.11, 1424a.120, 1469.107, *SEG* 19.129.24, Arist. *GA* 781a.28), the impression itself on a coin (Eur. *El.* 559, Pl. *Plt.* 289B, Arist. *Pol.* 1257a 40-1), or a coin type (Arist. *Ath. Pol.* 10.2). Accordingly, on a fundamental level, χαρακτήρ is used to denote something that indicates the value or worth of an object, and this is an important component of the semantic properties of the word in its wider applications. From the narrow meaning of impression or engraving, the sense is extended to encompass any distinguishing mark (e.g. of language, facial features, a class of things),[10] and then more

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[8] The earliest attestations of χαρακτήρ as a specific term for writing or speaking style occur in Demetrius, Philodemus, Cicero, and Dionysius of Halicarnassus. While Grube (1965) 110, 120-1 suggests a date as early 270 BC for Demetrius' Περὶ Ἑρμενείας, most scholars place the work in the second or first century BC. In both cases, however, it is, along with Philodemus' *On Rhetoric*, one of the only Hellenistic works on rhetoric to survive. Cf. Innes (1995) 311. For a general study of χαρακτήρ, see Körte (1928).

[9] Cf. Beekes (2010) s.v. χαράσσω.

[10] Hdt. 1.57, 116, 142, Eur. *Med.* 519, *Hec.* 379, *HF* 659, Ar. *Pax.* 220, Pl. *Phdr.* 263b, D.H. *Pomp.* 3.

specifically the distinguishing mark of an individual or of a larger group of persons.[11] In both of

these cases one could reasonably translate χαρακτήρ as "character." From its sense as the

distinguishing mark of an individual or a group we arrive at the meaning of χαρακτήρ as style, as

an individual's writing or speaking style can be said to be stamped with his or her personality

and so is characteristic of him or her. It is implicit from the use of χαρακτήρ in this sense, then,

that for literary critics there was an inherent connection between writing style and the concept of

a distinguishing identity.[12]

Two senses evident in this survey of the general meanings of χαρακτήρ inform the

particular meaning, "style": it can signify (1) a general types of style and (2) an individual

author's characteristic style.[13] An instance of the former use—χαρακτήρ as a type of style—

occurs in a fragment of Philodemus' *On Rhetoric* in which he mentions ὁ δικανικὸς χαρακτήρ

("the forensic style," 2.137S), apparently referring to the genre of forensic oratory as opposed to

the deliberative and epideictic genres. More common is the use of χαρακτήρ to articulate the

important doctrine of the (three or four) types of styles. This sense is fundamental to the

structure of Demetrius' Περὶ Ἑρμηνείας, which is organized around four simple writing styles

(οἱ ἁπλοῖ χαρακτῆρες), the grand, the elegant, the plain, and the forceful, all of which (with the

exception of the grand and the plain, which were opposites) could combine with another of the

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[11] Men. 72, Plb. 18.34.7, Cic. *Top*. 83, Arr. *Epict*. 3.22.80, 4.5.17.

[12] The adjectives χαρακτηριστικός and χαρακτηρικός ("characteristic") could also denote an author's individual stylistic characteristics or the characteristics of a type of style. Cf. D.H. *Lys*. 11, *Dem*. 34, 39, 51.

[13] Dionysius virtually addresses these two different senses of χαρακτήρ in a single chapter (21) of Περὶ Συνθέσεως Ὀνομάτων in which he concedes that, on the one hand, there are a great many specific forms of literary composition, and that each possesses an individual character (χαρακτήρ) just as each of our appearances does; on the other hand, there are three general types of composition which have their own characteristics (χαρακτῆρες).

simple styles to form a composite style.[14] Demetrius thus links χαρακτήρ to the important theory

of the types of style, and it is notable that he uses χαρακτήρ solely in this manner. This sense is

also present in Dionysius of Halicarnassus' various works of literary criticism. In Περὶ τῆς

Δημοσθένους Λέξεως, for instance, Dionysius introduces his version of the theory of the three

types of style (the grand, the plain, and the mixed) and uses χαρακτήρ to refer to these general

types.[15] When Aulus Gellius takes up the three types of style in his *Noctes Atticae* he shows that

in the middle of the second century AD χαρακτήρ still functioned in the manner in which

Dionysius had used it nearly 200 years earlier: *Et in carmine et in soluta oratione genera dicendi*

probabilia sunt tria, quae Graeci χαρακτῆρας *vocant nominaque eis fecerunt* ἁδρόν, ἰσχνόν,

μέσον. *Nos quoque quem primum posuimus "uberem" vocamus, secundum "gracilem," tertium*

"mediocrem" ("Both in poetry and in prose there are three types of acceptable styles of

speaking, which the Greeks call χαρακτῆρες and to which they applied the names ἁδρός, ἰσχνός,

μέσος. We likewise call the first of these the 'rich' style, the second the 'slender,' and the third

the 'middle,'" *N.A.* 6.14.1-2).

   Alternatively, χαρακτήρ could signify an individual writer's specific style and taste.

Dionysius frequently deployed the term in this fashion, referring, for example, to the unique

character of Lysias' oratory.[16] Perhaps the earliest attested use of χαρακτήρ in this sense,

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[14] Scholars have suggested that in this sense χαρακτήρ is best translated as "quality." Cf. Grube (1965) 112.

[15] E.g. *Dem*. 3, 5, 8. In the course of the second half of the work, Dionysius discusses the three generic types of good composition (τρεῖς γὰρ δὴ συνθέσεως σπουδαίας χαρακτῆρες οὗτοι οἱ γενικώτατοι, 37), another use of χαρακτήρ to describe types of literary style. The three styles of composition do not correspond to the three types of style.

[16] *Lys*. 10: μίαν δὲ ἀρετὴν ἔτι τοῦ ῥήτορος ἀποδείξομαι, κρίνας καλλίστην τε καὶ κυριωτάτην καὶ μόνην αὐτὴν μάλιστα τῶν ἄλλων τὸν Λυσίου χαρακτῆρα δυναμένην βεβαιῶσαι, "I will discuss one further virtue of his, having judged it to be the finest and most dominant and alone of the others most capable of establishing the character of Lysias"; *Lys*. 20: τοιοῦτος μὲν δὴ ἔστιν ὁ Λυσίου χαρακτήρ, ὡς ἐγὼ δόξης ἔχω περὶ αὐτοῦ, "Such is the character of Lysias, as my opinion about him has it." Cf. *Lys*. 11, 31, *Isoc*. 18, *Is*. 2.

however, remarkably occurs in a predominantly Latin text. In a letter written in 54 BC to his brother Quintus, Cicero inquires about Caesar's criticism of his poetry, asking if the style (χαρακτήρ) or the content (*res*) does not please him.[17] Here Cicero makes recourse to the Greek word when referring to the specific stylistic quality of the poem in question.[18] The appearance of χαρακτήρ in this letter suggests that it had become an accepted part of the critical vocabulary before Dionysius was writing at Rome in the last three decades of the first century BC.[19]

Both these senses of χαρακτήρ as a term for style are important for my analysis of the criticism of style in invective contexts: one could disparage a group with certain stylistic tendencies, associate an individual with a group, or one could attack a specific individual for unique stylistic mannerisms. When it signifies the impression on a coin, χαρακτήρ denotes a fixed and readable indication of value. Similarly, ancient discussions of χαρακτήρ as a term for style are concerned with assessing the merits and worth of general types or individual instances of style, and it is a commonly held position that the analysis of style can reveal information about—and, by extension, the worth of—the character of an individual author or of an age, if a type of style is widespread.

This brings us back to the idea that speech and writing were indicative of a person's life and character, *talis oratio, qualis vita*. In his immediate response to Lucilius' question quoted

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[17] *Q. Fr.* 2.16.5 (SB 20): *Dic mihi verum: num aut res eum aut χαρακτὴρ non delectat? nihil est, quod vereare; ego enim ne pilo quidem minus me amabo.*

[18] Does Cicero's use of χαρακτήρ here subtly reveal his suspicion that Caesar's criticism of the poem had to do with the fact that it was too "Greek" in style or, rather, not Latin and manly enough?

[19] It should be noted that Cicero uses, and even translates, χαρακτήρ in different senses in his *rhetorica*. In the *Orator* (46 BC), Cicero introduces χαρακτήρ as a gloss for *forma* "type" (14, 31). (Elsewhere Cicero defines *forma* as a subdivision of *genus*, that is, several *formae* ["species"] can fall under a single *genus* ["class"] [*Top.* 14, 36; cf. Quint. *Inst.* 5.10.62-63].) In the *Topica* (44 BC), Cicero glosses *descriptio* with χαρακτήρ (*descriptio, quam χαρακτῆρα Graeci vocant*) and proceeds to state that the former addresses *qualis sit avarus, qualis assentator ceteraque eiusdem generis, in quibus et natura et vita describitur* ("What kind of person a miser or a flatterer is, and other matters of this sort, in which both the nature and the life are described," 83).

above, Seneca notes that the concept of *talis oratio, qualis vita* had become a proverb among Greek authors, and a range of both Greek and Roman authors addressed the fundamental notion that speech in general is an indicator of character. Accordingly, before engaging with Seneca's letter at length, I will survey several texts that address *talis oratio*, *qualis vita* more generally in order to show how the idea was broadly understood, and that it was a notion flexible enough to be adaptable to different purposes in different contexts.

In Book 3 of Plato's *Republic*, Socrates is discussing the effects of literature on society, and in particular the content and style of the poetry that will be allowed in the ideal πόλις. For Socrates, the rhythm and harmony of poetry will agree with the words, so that pleasing rhythm and harmony follow fine language and vice versa.[20] The language, in turn, follows the character of the soul (*R.* 400d-e):

> Τί δ' ὁ τρόπος τῆς λέξεως, ἦν δ' ἐγώ, καὶ ὁ λόγος; οὐ τῷ τῆς ψυχῆς ἤθει ἕπεται;
> Πῶς γὰρ οὔ; Τῇ δὲ λέξει τὰ ἄλλα; Ναί. Εὐλογία ἄρα καὶ εὐαρμοστία καὶ
> εὐσχημοσύνη καὶ εὐρυθμία εὐηθείᾳ ἀκολουθεῖ, οὐχ ἣν ἄνοιαν οὖσαν
> ὑποκοριζόμενοι καλοῦμεν [ὡς εὐήθειαν], ἀλλὰ τὴν ὡς ἀληθῶς εὖ τε καὶ καλῶς τὸ
> ἦθος κατεσκευασμένην διάνοιαν. Παντάπασι μὲν οὖν, ἔφη.

> "And what about the manner of style and speech?" I said. "Does this not follow
> the disposition of the soul?" "Certainly." "And the other aspects follow the
> language?" "Yes." "And so, fine language, pleasing harmony, gracefulness, and
> pleasing rhythm follow upon good character—not that want of understanding that
> we gloss over as good character, but the intelligence that truly renders a character
> fine and good." "In all respects," he said.

Here Socrates appears to be speaking immediately about lyric poetry, but his statement seems to apply to all language, and he proceeds to extend the idea to painting, weaving, and even the construction of furniture, claiming that in all these things there is gracefulness and ungracefulness (*R.* 401a). Bad style is closely connected—congenital (ἀδελφός), to use

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[20] Plato *R.* 400d: Ἀλλὰ μὴν τὸ εὔρυθμόν γε καὶ τὸ ἄρρυθμον τὸ μὲν τῇ καλῇ λέξει ἕπεται ὁμοιούμενον, τὸ δὲ τῇ ἐναντίᾳ, καὶ τὸ εὐάρμοστον καὶ ἀνάρμοστον ὡσαύτως, εἴπερ ῥυθμός γε καὶ ἁρμονία λόγῳ, ὥσπερ ἄρτι ἐλέγετο, ἀλλὰ μὴ λόγος τούτοις. Ἀλλὰ μήν, ἦ δ' ὅς, ταῦτά γε λόγῳ ἀκολουθητέον.

Socrates' own language—to other defects and ungraceful things: "'Ungracefulness, lack of rhythm, and discord are related to bad style and bad character, and the opposite of these are related to and imitations of the opposite, namely a self-controlled and good character.' 'It is entirely so,' he said," (καὶ ἡ μὲν ἀσχημοσύνη καὶ ἀρρυθμία καὶ ἀναρμοστία κακολογίας καὶ κακοηθείας ἀδελφά, τὰ δ' ἐναντία τοῦ ἐναντίου, σώφρονός τε καὶ ἀγαθοῦ ἤθους, ἀδελφά τε καὶ μιμήματα. Παντελῶς μὲν οὖν, ἔφη). In his ideal city, Socrates is determined to regulate the kind of art that his rulers and citizens encounter because art is believed to have a beneficial or pernicious influence on an individual's moral disposition. As these outward signs are the result of an individual's inner disposition, they in turn can be a window through which an observer can inspect the character and soul of both an individual and a larger community.

While this notion as it appears in the *Republic* is well integrated into Socrates' account of his ideal city, the concept that speech is a reflection of character also existed as an apophthegm associated with Socrates but detached from any specific philosophical context. In his 13th c. commentary on Hermogenes' *On Types of Style*, John of Sicily attributes a similar idea to Socrates, claiming that it was something Socrates was *accustomed* to say, in which case the idea becomes a piece of aphoristic wisdom: ὁ Σωκράτης εἰώθει λέγειν, οἷος ὁ βίος, τοιοῦτος καὶ ὁ λόγος, οἷος ὁ λόγος, τοιαῦται καὶ αἱ πράξεις, "Socrates was accustomed to say, 'As is a man's life, so also is his speech; as is his speech, so also are his deeds'" (Walz *Rh. Gr.* 6.395). In place of Plato's abstract nouns, the simple vocabulary, the tidy correlative structure, and the repetition (it is an example of the rhetorical figure κλῖμαξ) all help to make the concept accessible and readily digestible. John of Sicily transmits a more straightforward rendering of the idea, but it nevertheless likewise connects an individual's life (or character) with language, and language with actions.

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Additionally, as an aphorism the concept was not universally associated with Socrates. Among the fragments of Menander, different sources assign a single line to two different plays, Ἀρρηφόρος ἤ Α-ὐλητρίς (Men. Fr. 72 K) and Ἑαυτὸν τιμωρούμενος (Fr. 143 K): ἀνδρὸς χαρακτὴρ ἐκ λόγου γνωρίζεται, "The character of a man is made known by his speech." Just as John of Sicily presented an approachable rendering of the idea, Menander packages the thought into a single iambic trimeter verse, an easy "take-away" for the audience or reader. For my purposes, two aspect of Menander's formulation are particularly notable. First, Menander uses χαρακτήρ to express the idea of character, whereas the passages connected with Socrates had ἦθος or βίος. This is the earliest occurring use of χαρακτήρ in the sense of the "(distinctive) character of a person," and so perhaps reflects a development in the understanding of character, insofar as there are types of character and the nature of an individual can be understood by assessing his or her character type. Secondly, Menander specifies that character can be inferred from language, whereas the Socratic versions only maintained that language follows from and agrees with character. In Menander's version, then, the idea is potentially more productive, as, in light of the semantic resonances of χαρακτήρ discussed above, character becomes fixed and typified, which in turn makes it easier to read. Finally, although not all editors accept that this fragment actually occurred in both plays, Theodor Kock commenting on the verses made the sensible point that "*versus proverbialis facile poterat saepius repeti*."[21] Accordingly, Menander's recycling of this line would buttress Seneca's claim that the idea had become

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[21] Kock (1888) 42 ad 143.

proverbial among Greek authors, although it was pliable enough to be adapted to different uses in different contexts.[22]

The concept of *talis oratio, qualis vita* appears in the works of other Latin writers as well, who often look back to the Greek sources and also treat the notion aphoristically and anecdotally. Terence, in *Heauton Timorumenos*, his rendition of Menander's play of the same name, includes a trochaic septenarius line that is similar to Menander's trimeter. Upon their initial arrival on stage, Bacchis, a courtesan, delivers a speech in commendation of Antiphila, who is thought to be a poor Corinthian woman living at Athens and who has been waiting for her lover Clinia to return (381-94). Bacchis praises Antiphila for the fact that she is chaste and that her character is similar in all respects to her external beauty, telling her that she is in no way surprised that each man seeks her for himself, "for your speech was an indication for me of what sort of character you have," *nam mihi quale ingenium haberes fuit indicio oratio* (Ter. *Haut*. 384). Bacchis goes on to say that women of Antiphila's type decide to spend their lives with a man whose character is most agreeable with their own (*vobis cum uno semel...aetatem agere decretumst viro,/ quoius mos maxume consimilis vostrum*, 392-3) and then live happily afterwards in a state of mutual committed love. In commenting on Antiphila's character, Bacchis associates her with women of a similar type, that is, women who give themselves to one man alone. In Terence's play, *ingenium* would seem to be a translation of Menander's χαρακτήρ, and although *ingenium* is etymologically informed with notions of a natural or innate character, in this context it similarly connotes a sense of character type that is a fundamental aspect of χαρακτήρ.[23] Although she is in

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[22] The two quotations from Menander were preserved respectively by Orion in his *Anthologion* in the fifth century AD and the scholiast of the *Codex Bembinus* (fourth or fifth century AD) *ad* Ter. *Heautont*. 384, which suggests that the notion was still a widely known commonplace in late antiquity.

[23] It is also noteworthy that both *ingenium* and χαρακτήρ can be associated with writing, as *ingenium* can refer to a writer's talent or ability (*OLD* s.v. 5).

dealing in character types in this passage, Bacchis is also giving voice to the conventions of the genre of comedy, in which the character type is an all-important component of the drama. In the denouement of the play, Antiphila's true identity is revealed (she is a freeborn Athenian, the daughter of Chremes, the neighbor of Clinia's father, Menedemus) and, amidst the happiness of all, Antiphila and Clinia unite in marriage. Her final status in the play, then, can be read as an appropriate and satisfying result in relation to her character type.

In any case, for my purposes the more significant point is that in Terence's play we see the Greek idea that speech reveals character being transferred into a Roman context. Earlier in the play, the slave Syrus comforts an anxious Clinia by informing him that when he and another slave engineered an unexpected encounter with Antiphila in her house—for this would allow them to dicover the habit of her everyday life which most of all reveals the character of each person as it really is (*nam ea res dedit tum existumandi copiam/ cotidianae vitae consuetudinem,/ quae quoiusque ingenium ut sit declarat maxume*, 282-84)—they found her weaving, dressed modestly in mourning clothes without jewelry or cosmetics. From this observation, both Syrus and Clinia conclude that she has been faithful to Clinia in his absence. According to Syrus, Antiphila's customary everyday actions present a sure sign of her character (*ingenium*), and so here is another instance in which an individual's perceivable actions disclose character. Unstated and yet present in both quotations is the underlying belief that human nature is predictable: people who do certain kinds of things possess a certain kind of character, and based on this character, will do other similar types of things. In invective such an understanding of character—and of the ability to detect character—can be a powerful weapon for categorizing opponents and persuading audiences of their motives and their future actions.

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Other instances of this idea in Roman works emphasize its Greek origin. In the *Tusculanae Disputationes*, Cicero also attributes the concept to Socrates: "For the prince of philosophy argued as follows: as is the disposition of the soul of each man, so is the man; and as is the man himself, so is his speech. But deeds are similar to speech, and life to deeds," (*Sic enim princeps ille philosophiae* [*Socrates*] *disserebat: qualis cuiusque animi adfectus esset, talem esse hominem; qualis autem homo ipse esset, talem eius esse orationem; orationi autem facta similia, factis vitam*, *Tusc*. 5.47). Cicero's remarks here combine elements that are present in both Plato's *Republic* and the gloss in John of Sicily's commentary on Hermogenes' work. Cicero deploys the correlative language and κλῖμαξ figure that are present in John's formulation—and which anticipates later authors, such as Seneca's *talis oratio, qualis vita*—but his interpretation of the relation of speech, character, and life is more developed and complicated than John's. Whereas John of Sicily stipulated that one's speech is like one's life, and one's deeds are like one's speech (οἷος ὁ βίος, τοιοῦτος καὶ ὁ λόγος, οἷος ὁ λόγος, τοιαῦται καὶ αἱ πράξεις), Cicero looks deeper, and at the core of his analysis is *adfectus animi* ("disposition of the soul"), which appears to be a translation of Plato's τῷ τῆς ψυχῆς ἤθει (*Rep*. 400d). The *adfectus animi* then determines the person and, further, his speech. In turn, a person's actions are similar to their speech, and their life is a result of their deeds. In other words, all else emanates from the soul of a person, and perhaps here one can detect a more individualized approach to this problem than I observed in Menander and Terence, who seem to have voiced the idea in terms of character types.

Quintilian, in the course of discussing the stylistic virtue of *decorum* (*Inst*. 11.1), likewise draws attention to the soul, but his interests appear to be narrower than Cicero's in the *Tusculanae Disputationes*. Quintilian, as is fitting in a work that is concerned specifically with

the education of an orator, is focused primarily on speech and its effects: "Speech generally presents character and uncovers the secrets of the soul; not without reason did the Greeks hand down the idea that as each man lives, so also does he speak" (*Profert enim mores plerumque oratio et animi secreta detegit: nec sine causa Graeci prodiderunt ut vivat quemque etiam dicere*, Quint. *Inst*. 11.1.30). Rather than parsing out the complicated relationship of speech, character, actions, and soul, Quintilian merely claims that speech can lay bare one's character and soul. In a way, Quintilian acts very appropriately in addressing this idea in the section of his work that deals with *decorum*. *Decorum* is concerned with judgment and self-control, and the other attributes of style, such as ornamentation, are ruled by or should be ruled by it. An orator then ought to exercise propriety when speaking in order to give the audience a favorable impression of his character. Finally, Quintilian explicitly takes us back to the Greeks: this is a well-worn path, he seems to say.

No author, however, expressed the idea so elegantly or memorably, nor explored it in as much detail as Seneca.[24] But in contrast to the examples I have just surveyed, which largely address the connection between character and speech or writing of a general character, in *Epistle* 114 Seneca is chiefly concerned with literary style, that is, with elite forms of expression. Indeed, his hypothesis to explain the various types of corrupt style is applicable only to the privileges of an elite class: prosperity leads to luxury which in turn leads to immoderate indulgence in many areas of life, including speech and writing. Be that as it may, many of the

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[24] Seneca addresses the idea elsewhere in the *Epistulae Morales*, but more as admonitions to Lucilius to make his speech agree with his life and thoughts than as a description of a general property of speech. In *Ep*. 75, the beginning of which is devoted to style, Seneca designates the agreement between style and life as his principal point on style: *Haec sit propositi nostri summa: quod sentimus loquamur, quod loquimur sentiamus; concordet sermo cum vita* (*Ep*. 75.4). In *Ep*. 115, the letter that immediately follows *Ep*. 114, Seneca largely writes against the pursuit and acquisition of wealth, but begins with style, advising Lucilius to focus on what, not how he writes, and not to write so much as to reveal his feelings: *Nimis anxium esse te circa verba et compositionem, mi Lucili, nolo: habeo maiora quae cures. Quaere quid scribas, non quemadmodum; et hoc ipsum non ut scribas sed ut sentias, ut illa quae senseris magis adplices tibi et velut signes* (*Ep*. 115.1).

notions that are present in the short passages also inform Seneca's lengthier and more developed

discussion. Additionally, I am primarily interested in examining how *talis oratio, qualis vita* is

expressed and employed in invective discourse, and in *Epistle* 114, Seneca, in attacking what he

considers immoderate style and indulgence generally, resorts to invective language and motifs.

Accordingly, I here turn yet again to this letter in order to uncover further implications of *talis*

oratio, qualis vita, as well as to examine some of the particular associations between bad style

and ethics.

 After the introductory passages quoted just above, Seneca claims that licentiousness in

style is proof of public luxury, provided that such a style is widely approved and accepted

(114.2).[25] When it is restricted to an individual, however, it seems to be an indication of the

nature of their soul. For Seneca, style and the soul are inseparable: a person's *ingenium*

("nature," "disposition") is the source of style, and one's *ingenium* cannot be of one type and his

soul (*animus*) of another, since the former is entirely mixed together with the latter (114.3).[26] In

Seneca's formulation of the maxim, *vita* ("life") could be replaced by *animus*, as in the letter

Seneca emphasizes that the soul is the guiding force of a person's life: "Therefore take care of

the soul: our feelings and our words issue from it, our disposition, expression, and gait come

from it. When the soul is healthy and vigorous, style too is robust, strong, and manly; but if it

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[25] *Ep.* 114.2: *Quemadmodum autem uniuscuiusque actio [dicendi] similis est, sic genus dicendi aliquando imitatur publicos mores, si disciplina civitatis laboravit et se in delicias dedit. Argumentum est luxuriae publicae orationis lascivia, si modo non in uno aut in altero fuit, sed adprobata est et recepta.*

[26] *Ep.* 114.3: *Non potest alius esse ingenio, alius animo color. Si ille sanus est, si compositus, gravis, temperans, ingenium quoque siccum ac sobrium est: illo vitiato hoc quoque adflatur. Non vides, si animus elanguit, trahi membra et pigre moveri pedes? si ille effeminatus est, in ipso incessu apparere mollitiam? si ille acer est et ferox, concitari gradum? si furit aut, quod furori simile est, irascitur, turbatum esse corporis motum nec ire sed ferri? Quanto hoc magis accidere ingenio putas, quod totum animo permixtum est, ab illo fingitur, illi paret, inde legem petit?*

sinks down, the other parts follow it in ruins" (114.22).[27] In both of the passages just quoted,

Seneca notes the connection between the *animus* and the body, and in the first he uses this

connection as a model to elucidate his theory of style. Fundamentally, the *talis oratio, qualis*

vita approach to style should be interpreted against the backdrop of the more general practice of

ancient physiognomics, in which external signs, such as appearance, gait, and eye movements,

can be read to reveal the internal state or character of an individual.[28] In a similar fashion, an

individual's words can be interpreted as external attributes or actions that can enable one through

analysis to gain insight into the individual and understand his or her character. What is more, the

structure of the letter artfully reflects Seneca's interpretation of style. In Seneca's thought,

(outward) expression through written or spoken language is an indicator of an individual's

(inner) character and soul. That is, one can proceed from the analysis of external phenomena to

the judgment of an internal state. In the course of the letter, Seneca begins by restating Lucilius'

questions on style, but by the end he has moved away from the narrower topic of style and

addresses the care of the soul in general (through moderation). Thus in both his theory of style

and in the subjects tackled in the letter, Seneca moves from speech to soul.

In the bulk of the letter, Seneca undertakes a critique of a variety of stylistic faults,

whether by discussing a specific topic, such as *compositio* (the art of word arrangement), or by

focusing on a particularly flagrant individual. His principal target is Maecenas and, as noted

above, Seneca brings in several notoriously bizarre excerpts from Maecenas' writings for a

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[27] *Ep.* 114.22: *Ideo ille curetur: ab illo sensus, ab illo verba exeunt, ab illo nobis est habitus, vultus, incessus. Illo sano ac valente oratio quoque robusta, fortis, virilis est: si ille procubuit, et cetera ruinam sequuntur.*

[28] For ancient physiognomics, see Barton (1994) 95-131 ("Physiognomics is the discipline that seeks to detect from individuals' exterior features their character, disposition, or destiny," 95), Gleason (1995). Again, one should note the connection here to the use of character in invective rhetoric discussed in the previous chapter: in *vituperatio*, the objective is to move from external attributes (*corpus, res externae*) to internal character (*animus*), because attacking a person's character is more potent than attacking his or her appearance or actions.

stylistic freak show (114.5). I have already discussed how Seneca claims that Maecenas' style resembles his other modes of expression, such as his manner of dress, and criticizes both. Seneca even goes a step further, using his analysis of Maecenas' style to decode his behavior and reveal his actual character. In response to Maecenas' celebrated reputation for clemency (*mansuetudo*), Seneca claims that his style shows that he was not gentle (*mitis*) but soft (*mollis*): *Maxima laus illi tribuitur mansuetudinis: pepercit gladio, sanguine abstinuit, nec ulla alia re quid posset quam licentia ostendit. Hanc ipsam laudem suam corrupit istis orationis portentosissimae delicis; apparet enim mollem fuisse, non mitem* (*Ep*. 114.7). For Seneca, the particular eccentricities of Maecenas' style offer proof that he was corrupted by too much good fortune: *Hoc istae ambages compositionis, hoc verba transversa, hoc sensus miri, magni quidem saepe sed enervati dum exeunt, cuivis manifestum facient: motum illi felicitate nimia caput,* "those mazes of word order, the use of words in ways that defy expectation, the astonishing word usage—often great, indeed, but unnerved as they are expressed—will make this manifest to anyone: his person (*caput*) was disturbed by too much good fortune" (114.8). As Seneca claims, the implications of Maecenas' style are clear (*manifestum*) to anyone: namely, that the chief part of him, his *caput* ("head"), is unsettled (*motum*), and this disturbance was the result of an excess of good luck (*felicitate nimia*). Seneca here is making a specific point about Maecenas, but from his reasoning it is also apparent that a valid method of stylistic interpretation entails making inferences about the character of an individual based on his speaking and writing style. The other named target of abuse that Seneca includes in his letter is Arruntius, and just as Maecenas' bizarre style is a result of an excess of good fortune, Arruntius falls into error by the excessive imitation of certain stylistic peculiarities of Sallust.[29]

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[29] For the part played by faulty imitation in the decline of eloquence, see Quint. *Inst. Orat.* 10.1.126-27 for imitators of Seneca, 10.2 on imitation in general, Sussman (1972), Fantham (1978).

In the stylistic faults that Seneca picks out, Maecenas' style lacks, in broad terms, direction, clarity, and force. Beyond this, however, several of the attributes Seneca uses to describe Maecenas and his style (*solutus*, *discintus*, *mollis*) tie his criticisms to a tradition of Roman rhetorical invective against effeminacy in males.[30] In the previous passage discussed, Seneca maintains that Maecenas' overly lax style was enervated, or lacking *nervi*. While *nervus'* primary meaning is "sinew" or "tendon", it can also mean "penis."[31] The overlap between style and gender evident in Seneca's letter and in Roman rhetorical treatises more generally is a reflection of the importance of gender in ancient Roman education. The training young men underwent in learning to speak helped to teach them how to be men, and certain faulty speaking styles, vocal inflections, and bodily gestures deployed in delivery were criticized for their unmanly nature.[32]

Nevertheless, although Seneca focuses in particular on the softness and effeminate qualities of Maecenas' style, it emerges over the course of the letter that Seneca's principal concern is with immoderate indulgence. Indeed, for both Maecenas and Arruntius, at the core of their faulty styles is an excessive indulgence in some stylistic quality or mannerism that results in violation of decorum. Once he has left style behind to talk more broadly about the soul, Seneca

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[30] Cf. Richlin (1992) 87-93, Edwards (1993).

[31] *OLD* s.v. 1b, Adams (1982) 38.

[32] Seneca returns to this topic near the beginning of *Ep.* 115: *Nosti comptulos iuvenes, barba et coma nitidos, de capsula totos: nihil ab illis speraveris forte, nihil solidum. Oratio cultus animi est: si circumtonsa est et fucata et manu facta, ostendit illum quoque non esse sincerum et habere aliquid fracti. Non est ornamentum virile concinnitas.* "You know those luxuriously dressed youths, sleek in their beards and hair, all of them fresh out of the box. You ought not to expect anything sturdy or substantive from them. Style is the attire of the mind: If it is spruced up and colored with cosmetics and artificial, it shows that the mind too is not clean and contains something broken. Excessive elegance is not a manly form of adornment" (2). These topics have attracted a considerable amount of scholarly attention. Cf. e.g. Gleason (1995), Richlin (1996), (1997), (2011), Gunderson (2000), Dugan (2001), Connolly (2007).

states, "the soul is our king" (*rex noster est animus*), but "when it has yielded to pleasure (*voluptas*), its practices and actions droop and every undertaking arises from a feeble and languid source" (*Ep.* 114.23).[33] In Seneca's thought, indulgence corrupts character which eventually manifests in style, and he provides a narrative for how this unfolds: When prosperity in society has led people to engage in more luxurious living habits, men begin to be more careful in caring for their appearance, then devote unnecessary attention to their furniture, houses, and dinner tables, and finally become corrupt in their speech, seeking out archaisms, monstrous neologisms, bold metaphors, and obscure brevity. In the end, there emerge those who love the fault itself (*Ep.* 114.9-11).[34] This catalog of types of faults brings us back to Lucilius' questions that Seneca reiterated at the beginning of the letter, and so at this point Seneca appears to have provided Lucilius with the answer he was seeking. More can be said, however.

In Seneca's description of the domino progression of indulgence that luxurious living effects in society, the area of life that Seneca discusses immediately before style is dining, and this is not without significance. The final indulgence that Seneca discusses at end of the letter is the consumption of food, and in a resounding rhetorical flourish he three times asks if a single belly can be found (*unum videri putas ventrem*) which can account for the elaborate preparations of food that are now common (114.26). Overindulgence of the *venter* is in effect the inverse of proper care for the *animus*, insofar as one is tending to the lower, appetitive part and neglecting the higher, rational part. In ending on this note, Seneca presents a clear antithesis to support the letter's principal thesis. Throughout the letter, Seneca maintains that taking care of the soul will ensure that what emerges from the mouth is healthy and good. At the end, however, the reader is

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[33] *Cum vero cessit voluptati, artes quoque eius actusque marcent et omnis ex languido fluidoque conatus est.*

[34] Cf. *Ep.* 114.12: *Hoc magis mirari potes, quod non tantum vitiosa sed vitia laudentur.* Perhaps the most famous example of this from antiquity is Ovid, as related by Seneca the Elder in his *Controversiae* (2.2.12).

presented with an image of not exercising proper restraint over what enters the mouth, which in turn corrupts and weakens the soul. Although Seneca himself in the letter does not stress an explicit connection between speech and consumption, the structure of the letter suggests one: Seneca begins with speech, notes that it is a product of the soul, and then ends with the consumption of food, which affects the soul. Corrupt consumption eventually manifests as corrupt speech, and so the letter appears to propose a chain that links the belly to the speech that emerges from the mouth. In this manner, the letter draws on the common ancient discourse that linked transgressive consumption with transgressive speech.[35] Moreover, Seneca's transition from expression to consumption over the course of the letter can be read as a spin on the physiognomic practice of interpreting outward signs to determine inner character: what goes into the mouth affects what comes out of it.[36]

As widespread as *talis oratio, qualis vita* was in Greco-Roman culture, it nevertheless was also directly challenged by some Latin authors, especially poets. The most famous example of such a challenge is also the earliest extant one, Poem 16 of Catullus. In this poem, Catullus declares that a poet's poems can be soft and insufficiently chaste, but that does not mean that the poet himself is unchaste or unmanly:

> Pedicabo ego vos et irrumabo,
> Aureli pathice et cinaede Furi,
> qui me ex versiculis meis putastis,
> quod sunt molliculi, parum pudicum.

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[35] In a study that explores this topic chiefly in Pindar's *Olympian* 1, Deborah Steiner notes that several genres of archaic Greek poetry show that "unregulated, excessive, or cannibalistic eating, and the greed of over consumption of which this act is so frequently symptomatic, also accompanies other faults in the verbal domain. From Hesiod to Aeschylus and beyond, Greek poets and orators combine reference to outsized and/or transgressive appetites with forms of speech that violate the rules of linguistic decorum, whether on account of being too abusive, too long, too vulgar, too incomprehensible, too fawning, or quite simply mendacious" ([2002] 312).

[36] Related to this is the topic of the *os impurum*; that is, the idea that indulging in unclean acts (especially of a sexual nature) with one's mouth in effect casts a lasting stain on it. Cf. Richlin (1992) 26-31. For Seneca, the stain that results from immoderate consumption would be on the *animus* and it would make itself apparent in speech as well as other personal expressions, such as gait and style of dress.

nam castum esse decet pium poetam   5
ipsum, versiculos nihil necesse est;
qui tum denique habent salem ac leporem,
si sunt molliculi ac parum pudici,
et quod pruriat incitare possunt,
non dico pueris, sed his pilosis   10
qui duros nequeunt movere lumbos.
vos, quod milia multa basiorum
legistis, male me marem putatis?
pedicabo ego vos et irrumabo.

I will assfuck you and fuck your mouths,
Bottom Aurelius and fairy Furius,
You who think as a result of my little poems,
Because they are tender, that I am less than chaste!
For it is fitting for a dutiful poet himself to be chaste,   5
But not at all is it necessary for his poems to be so,
Which, after all, possess wit and charm
If they are tender and less than chaste,
And are able to incite the itch of prurience
Not, I say, in youths, but in these hairy men   10
Who are unable to move their hardened loins.
But you, because you have read "Many thousands
Of kisses," you think that I am less than a man?
I will assfuck you and fuck your mouths!

Catullus' poem is an emphatic, if playful, assertion of his masculinity, in which he adopts a highly aggressive and threatening stance towards his friends Aurelius and Furius.[37] Nevertheless, Catullus' threats that he will orally and anally rape his friends as a mark of his manliness are confined to the poem, both by the formal restrictions of the hendecasyllabic line and by their status as poetic utterances.[38] Indeed, this shocking and humorous poem engages in a game which is in large part about poetry itself.[39] Beside the gendered polemic, the poem offers a

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[37] Cf. Wray (2001) 59-60, Manwell (2007) 120-22.

[38] Richlin (1992), on the other hand, suggests that the poem "achieves a kind of public verbal rape" and obliterates the "separation of life and work" (13).

[39] On poem 16 as a poetic game, cf. Fitzgerald (1995) 55. Forsyth (1986) 166 discusses Catullus' "statement about poetic license in lines 5-6." Batstone (2007) 247-49 explores the complexities of Poem 16 as a "programmatic poem."

commentary on the relation of art to life. Catullus' point of contention is that Aurelius and Furius have made inferences about Catullus the person from his poetry. Catullus, on the other hand, in an attempt to control the reception of his poetry, maintains that there is a difference between the artist and the artwork. Although Catullus vigorously claims for himself a hyper-aggressive masculinity, the poem on a more fundamental level denies that any such claim has relevance for poetic interpretation. Here Catullus is saying, "This is another mask that I can wear," and the poem becomes a statement on the personae that a poet can assume in writing.

The distance that Catullus establishes in 16 between the character of poetry and the character of the poet constitutes an alternative to the *talis oratio, qualis vita* model of rhetorical and literary criticism. Scholars have called the position on the interpretation of poetry and art that Catullus offers in this poem the *lex Catulli*, and other poets in the empire made similar claims regarding their own work.[40] In *Tristia* 2, for instance, Ovid, writing from Tomis where he had been banished in part due to the offense his poetry had caused, makes a more explicit case that poetry is not indicative of a poet's character (353-60):

> crede mihi, distant mores a carmine nostri—
> vita verecunda est, Musa iocosa mea—
> magnaque pars mendax operum est et ficta meorum:
> plus sibi permisit compositore suo.
> nec liber indicium est animi, sed honesta voluptas;
> plurima mulcendis auribus apta feret.
> Accius esset atrox, conviva Terentius esset,
> essent pugnaces qui fera bella canunt.

> Believe me, my character differs from my poetry—
> My life is upstanding, my muse is playful—
> And a great part of my work is feigned and fictitious:
> It allows more to itself than to its maker.
> A book is not an indication of the soul but an honorable pleasure.
> It will offer much that is suitable for soothing the ears.

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[40] Pliny *Ep.* 4.14.5 speaks of the "law" that Catullus expressed in 16.5-8 (which Pliny quotes in the letter): *Scimus alioqui huius opusculi illam esse verissimam legem, quam Catullus expressit: Nam castum esse decet...molliculi et parum pudici.* Cf. Bramble (1974) 24, Möller (2004) 344-45.

> Accius would be savage, Terence would be a dinner guest,
> They who sing of fierce wars would be pugnacious.

In this passage, Ovid emphasizes the dichotomy between poet and poetry, often opposing the one against the other within a single line and displacing his poetry into a noun distinct from his person (*carmen*, *Musa*, *liber*). Vocabulary associated closely with the individual that we encountered above, such as *mores* and *animus*, is taken up by Ovid for an opposite purpose. And again, whereas an essential component of Catullus' response to Aurelius and Furius is its jocularity (which is nevertheless not specifically acknowledged), Ovid addresses the playful nature of poetry explicitly, terming his muse *iocosa* and a book a pleasure (*voluptas*) fit for soothing the ears (*mulcendis auribus*). Similarly, in Epigram 1.4, Martial addresses Domitian and asks him to condone his poetry just as he endures ribald jokes against generals in *triumphi* and mime players. Martial concludes the short poem with a distich that presents his poetry as a game and formulates a dichotomy between his poetry, embodied in a physical object, and his own life: *Innocuos censura potest permittere lusus:/ lasciua est nobis pagina, uita proba*, "Censure can make allowance for harmless games: my page is licentious, my life is honorable" (1.4.7-8).[41]

Later authors looked back to Catullus and directly or indirectly adduced him as an authority on the distinction between one's poetry and one's life. One of the charges Apuleius responds to in the *Apologia* is that he wrote amatory and lascivious poetry (9; he recites some of his poetry at 9.12-14). Apuleius answers this accusation by citing numerous precedents in both

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[41] Cf. Mart. 11.15.11-13: *Versus hos tamen esse tu memento/ Saturnalicios, Apollinaris:/ mores non habet hic meos libellus* "Nevertheless, remember, Apollinaris, that these verse are Saturnalian: this little book does not have my character." Cf. also Martial's statement on the intended reader of epigrams in the prolog to Book 1: *Si quis tamen tam ambitiose tristis est ut apud illum in nulla pagina latine loqui fas sit, potest epistola uel potius titulo contentus esse. Epigrammata illis scribuntur qui solent spectare Florales. Non intret Cato theatrum meum, aut si intrauerit, spectet (Ep. 1.Pr.5-7).*

Greek and Latin, and then, taking up a different line of defense, asks his accusers, *An uos potius calumniosi, qui etiam haec in accusatione, quasi ullum specimen morum sit uersibus ludere?* ("Or rather are you trying to lay a trap for the judges, you who introduce these matters into your accusation as if there were any proof of character in sportive verses?" 11.1). Given what we have seen so far, it is significant that Apuleius poses this rhetorical question specifically as a phenomenon occurring in poetry. To support this claim, Apuleius first quotes the *locus classicus*, Catullus poem 16.5-6 (11.2), and then turns to a line from an epigram written by the emperor Hadrian (11.3): *Diuus Adrianus cum Voconi amici sui poetae tumulum uorsibus muneraretur, ita scripsit: "Lasciuus uersu, mente pudicus eras," quod nunquam ita dixisset, si forent lepidiora carmina argumentum impudicitiae habenda.* "When Divine Hadrian honored the tomb of his friend the poet Voconius, he wrote the following: 'You were wanton in your verse but chaste in your mind.' He never would have said this if poems that are rather charming were going to be considered proof of lewdness." Again, it should be noted that Apuleius, via Hadrian, is making a claim regarding the connection between writing and character in poetry. Nevertheless, it is significant that Apuleius is citing these passages in his *Apologia*: although the motif was strongly associated with poetry, here we see it introduced into oratory for persuasive purposes.

To take the story further, this interpretation of poetry was carried into the Renaissance, or perhaps revived as a banner that signaled the rediscovery and revival of the literary values of the ancients. Antonio Beccadelli ("Panormita," 1394-1471), in *Hermaphroditus*, his obscene and scandalous two-book collection of epigrams, makes a defense for obscene poetry in the opening

poem of Book 1.[42] Beccadelli claims that it is a mark of the *eruditi* to appreciate obscene poetry,

by which he primarily means that ancient precedent justifies scabrous verses (1.1):

> Si vacat a patrii cura studioque senatus,
>   Quidquid id est, placido lumine, Cosme, legas.
> Elicit hoc cuivis tristi rigidoque cachinnos,
>   Cuique vel Hippolyto concitat inguen opus.
> Hac quoque parte sequor doctos veteresque poetas,   5
>   Quos etiam lusus composuisse liquet,
> Quos et perspicuum est vitam vixisse pudicam,
>   Si fuit obsceni plena tabella ioci.
> Id latet ignarum vulgus, cui nulla priores
>   Visere, sed ventri dedita cura fuit,   10
> Cuius et hos lusus nostros inscitia carpet.
>   O, ita sit! Doctis irreprehensus ero.
> Tu lege, tuque rudem nihili fac, Cosme, popellum,
>   Tu mecum aeternos ipse sequare viros.

> If you find some time apart from your concern for the country and your devotion
> to the senate, may you, Cosimo, please read this, however little it is, with a
> relaxed eye. This work draws forth loud laughs from anyone gloomy and uptight,
> and it even rouses the groin of any Hippolytus. In this respect, too, I follow the
> learned poets of old, who it is evident composed things for sport, and for whom it
> is clear that they lived a chaste life if the writing tablet was filled with obscene
> jokes. This escapes the notice of the ignorant crowd, for whom there is no care to
> look at those who have come before, but rather that care was given to the belly.
> And their ignorance will carp at these dalliances of mine. O, may it be so! But I
> will be blameless in the eyes of the learned. And so read, Cosimo, and pay no
> heed to the uncultivated rabble, but you yourself follow the immortal men along
> with me.

Not only does Panormita refer to classical authorities for tolerance and approval of obscenity

(and he does so by citing the names of ancient poets elsewhere in the collection),[43] but his own

poem echo the Catullus and Martial poems just discussed. And as for the Catullan echoes, this

poem not only sounds of 16, but also of 5, to which 16 was written as a counterpart.[44] In the

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[42] *Hermaphroditus* 1.1. Cf. Gaisser (1993) 21-22, 286-88.

[43] *Hermaphroditus* 1.18, 2.11.

[44] One could perhaps also say that poem 7 is included in Catullus' *milia multa basiorum* (16.12).

final couplet, Panormita advises Cosimo not to pay attention to the unlearned people, which rings of Catullus' exhortation to Lesbia to live and to love and to value the rumors of severe old men at not even an *as* (*Vivamus mea Lesbia, atque amemus,/ rumoresque senum severiorum/ omnes unius aestimemus assis!*, 5.1-3). Insofar as Catullus and Lesbia continue to live as literary figures, Panormita's response to Catullus' *vivamus* is found in his imperative for Cosimo to follow the "eternal men" (*aeternos...viros*, 1.1.13-14), that is, the classical authors of literature. Panormita's poem is a literary pastiche that is based on, in multiple important ways, the separation of the historical, mortal individuals from the literary characters that authors create. If poetry can be abstracted from the individual in such a way as to ensure that they live beyond the bounds of their mortal existence, what connection at all does literature have with an author's character in the end?

Whereas it was a topos for poets to reject completely the connection between speech and writing, the speakers in some oratorical texts nominally endorse the theory of *talis oratio, qualis vita* but then slyly work around or undercut it. An amusingly familiar pose adopted by the orator is one of reluctance to engage in abuse and insult slinging: he will apologize to the audience for the depths to which he must—no doubt regretfully—lower himself in order to meet the charges thrown out by his opponent or to describe his opponent's shameful way of life accurately.[45]

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[45] In the *Second Philippic*, Cicero makes a comparison between his life and his speeches (*Phil.* 2.10): *Sed cum mihi, patres conscripti, et pro me aliquid et in M. Antonium multa dicenda sint, alterum peto a vobis, ut me pro me dicentem benigne, alterum ipse efficiam, ut, contra illum cum dicam, attente audiatis. Simul illud oro: si meam cum in omni vita, tum in dicendo moderationem modestiamque cognostis, ne me hodie, cum isti, ut provocavit, respondero, oblitum esse putetis mei.* "But since, Members of the Senate, something must be said on behalf of myself and much against M. Antony, I ask, on the one hand, that you listen favorably to me speaking on behalf of myself; on the other hand, I will make sure that you listen attentively when I speak against him. At the same time I ask this of you: if you are familiar with the moderation and modesty I display in all aspects of my life but especially when I speak, please do not think that I have forgotten myself today when I shall have respond to that man as he has provoked me." Cf. *Phil.* 2.47, where Cicero claims that there are some things that he cannot even bring himself to say due to his sense of shame: *Sed iam stupra et flagitia omittamus: sunt quaedam, quae honeste non possum dicere; tu autem eo liberior, quod ea in te admisisti, quae a verecundo inimico audire non posses*, "But now let us leave aside matters of disgrace and shame: there are certain things that I am not able to say with decency. But *you*

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Nevertheless, the gratuitous personal insults that often follow in the wake of such perfunctory apologies—and were presumably as entertaining for ancient audiences as they are for modern readers—suggest that something else is going on. The reason why a speaker would want to air out the dirty laundry of his opponent in sordid detail seems fairly obvious: it can embarrass his opponent and tarnish his reputation, and entertain the audience all the while. The trick, rather, was to handle this material in such a way as to maintain an air or semblance of dignity and authority, which seems to have been achieved by expressing a disinterest in and even disgust for such mudslinging (as in the passages of Cicero and Demosthenes noted above). At the very least, although the speaker apologizes, he essentially claims, "What I am saying does not reflect my character, and I would not be saying it if I were not compelled to do so by the current circumstances." Nevertheless, such rhetorical maneuvering is a source of tension, as a speaker both ostensibly affirms the validity of the correspondence between speech and character as a mode of interpretation and risks contaminating his own speech by saying very nasty and obscene things about his opponent. Accordingly, in addition to evaluating how and why authors make

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are freer since you have done things that you are not able to hear from an enemy who possesses a sense of shame." Cicero here echoes Demosthenes' *On the Crown*, the principal model for Cicero's *Second Philippic*. Immediately before commencing his personal attack on Aeschines, Demosthenes says, Ἐπειδὴ τοίνυν ἡ μὲν εὐσεβὴς καὶ δικαία ψῆφος ἅπασι δέδεικται, δεῖ δέ μ', ὡς ἔοικε, καίπερ οὐ φιλολοίδορον ὄντα, διὰ τὰς ὑπὸ τούτου βλασφημίας εἰρημένας ἀντὶ πολλῶν καὶ ψευδῶν αὐτὰ τἀναγκαιότατ' εἰπεῖν περὶ αὐτοῦ, καὶ δεῖξαι τίς ὢν κἀκ τίνων ῥᾳδίως οὕτως ἄρχει τοῦ κακῶς λέγειν, καὶ λόγους τινὰς διασύρει, αὐτὸς εἰρηκὼς ἃ τίς οὐκ ἂν ὤκνησεν τῶν μετρίων ἀνθρώπων φθέγξασθαι; "And since then the holy and just decision has been shown to all of you, it is necessary for me, it seems —although I am no lover of abuse—to say against his many false utterances only the most necessary things about him, and to show, given who he is and from whom he comes, how easily he begins to speak foully and to tear apart sayings, himself having said things which what modest person would not shrink from uttering?" (18.126). Here, Demosthenes' indignation at Aeschines' abusive ways is captured in the anacoluthon which makes this long, carefully constructed sentence go off the rails at the end. Demosthenes proceeds to ask Aeschines rhetorically if he should first talk about how his father was the slave of a school teacher, or how his mother was a prostitute, before declaring, ἀλλὰ νὴ τὸν Δία καὶ θεοὺς ὀκνῶ μὴ περὶ σοῦ τὰ προσήκοντα λέγων αὐτὸς οὐ προσήκοντας ἐμαυτῷ δόξω προῃρῆσθαι λόγους "But by Zeus and the gods, I hesitate, lest saying things that are proper concerning you I myself seem to have chosen topics that are inappropriate for me to speak about!" (18.129). This position, then, was traditional, and part of the fun was seeing how close a speaker could come to the line without crossing it, or without drawing attention to the fact that he had crossed it.

comparisons between style and character, it is fruitful also to investigate why and when such a comparison is rejected by authors or how it can be undermined by an author's rhetoric.

In any case, the normative understanding was that style corresponded to character, and both poets and orators felt obligated to offer apologies and justifications in the face of this mode of interpretation. In the next part of this chapter, I explore some of the principal ways that stylistic faults are discussed in works of rhetorical and literary criticism. Through their choice of metaphors in their critical language and their understanding of aesthetic taste, critics significantly minimize and conceal the division between speech and speaker. Accordingly, their criticisms become comments on the authors and speakers themselves, and as such impugn the worth and status of the individual over and above his or her style.

II. Faults in rhetorical theory

Although authors of rhetorical treatises and works of literary criticism devote most of their energies to elucidating and commenting on the manifold virtues of expression, many also include shorter sections in which they expressly address faults. Faults could, of course, be found in each of the five parts of oratory (invention, arrangement, style, memory and delivery). The faults that are of most interest for my purposes, however, are those that occur in the realm of style. As opposed to faults in invention and arrangement, which could provide evidence for shortcomings in the logical faculties of a speaker, or in memory, which simply signify a poor memory, or in delivery, which could result from limited physical capacities, errors in style are of an aesthetic nature and so can be interpreted as revealing the speaker's tastes and sensibilities. Interpretations of these qualities are by nature subjective, but they are also of the utmost importance due to the close relation between style and character. Additionally, as the structure of the rhetorical handbooks suggest, matters of style required an enormous amount of attention,

as large portions of each handbook were devoted to them, and it was not uncommon for

rhetoricians to pause in their works and offer a (second) preface before their expositions of

style.[46]

This part consists of three sections. In the first, I review the resonances of the

metaphorical language used for the criticism of style, noting in particular how critics forge a

close connection between style and the individual by describing style in physical and especially

corporeal language. In the second, I examine the principle that stylistic faults resemble and

neighbor stylistic virtues, a concept derived from the Peripatetic interpretation of the nature of

virtues and vices as evident in, for example, Aristotelian ethical philosophy. In the third section,

I consider *cacozelia*, an ambiguous notion that for some authors functioned as an capacious term

to cover many different kinds of stylistic faults. *Cacozelia* is best translated as "bad taste" and,

whatever its particular manifestation, for critics it signified an unnatural (and sometimes willful)

violation of decorum that was reflective of the author's or speaker's aesthetic failings in

sensibility and character.[47] As R. C. Jebb summarily declared in his discussion of the decline of

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[46] In the *Rhetorica ad Herennium*, all of the fourth and final book (which makes up 60% of the whole work) is devoted to style, and the *auctor* begins this book with a lengthy preface on the value of writing his own examples to illustrate figures and how his practice differs from those of the Greek rhetoricians (4.1-10). Book III of Cicero's *De Oratore* predominantly consists of Crassus' treatments of style, although at the end he turns to delivery (*De Orat.* 3.213-27). This Book begins, however, with a famous preface (*De Orat.* 3.1-16) in which Cicero in high *pathos* describes the sad and untimely deaths that await the interlocutors following the dramatic date of the dialogue (the conversation is set in 91 BC and was written in 55 BC). In the *Institutio Oratoria*, Quintilian devotes more than three of his twelve books to style (8.1-11.1), and in the Preface to Book 8 summarizes what he has discussed in the work so far and the importance and dangers of style. Quintilian later returns to style in a long and special chapter in the final book (12.10), the penultimate chapter in the work which is followed only by a discussion of the proper time for an orator to retire (12.11). This emphasis on style can also be gleaned in the nature of Seneca the Elder's declamation anthology. In the manuscripts, the work is entitled *Oratorum et Rhetorum Sententiae Divisiones Colores* (see Håkanson [1989]), and while Seneca does discuss all three elements for each declamation theme, the *sententiae*, which show how the declaimers stylistically expressed their thoughts, are given pride of place, coming first for each theme and being treated at the greatest length. Moreover, the fourth- or fifth-century AD epitome of the work (the sole source for what remains of Books 3-6 and 8 of the *Controversiae*) consists almost solely of these *sententiae*, and so provides some indication of what (late) ancient readers valued most in the work.

[47] At the beginning of *Ep.* 114, Seneca virtually sets taste as his topic for the letter, for one of Lucilius' questions that he sets about answering is how at times the tastes of writers are given over to certain faults (*quomodo in quaedam vitia inclinatio ingeniorum facta sit*, *Ep.* 114.1).

Greek oratory and art more generally in the fourth century BC, "Nothing is so democratic as taste."[48] For Jebb, the mannerism and affectation that he perceives in Hellenistic art resulted from the tyranny of the few over the artistic standards of an era, wherein private predilection and self-indulgence displaced the art that responded to the universal public. Although Jebb here seems to assume that the art and culture of fifth-century Athens somehow represented the entire populace and not just the aesthetic preferences of the elite males who were primarily responsible for financing and producing it, his remark captures how imputations of an individual's taste could be effective in invective, as they attempt to divide the allegedly bizarre stylistic proclivities of an individual or minority group from the dominant, normative aesthetic standards of the larger community.

1. The Metaphorical Criticism of Bad Style

As with most aspects of the rhetorical tradition, the stylistic faults that were discussed were handed down from one generation to the next. Over the centuries the classification of such faults became more refined (or fruitlessly complicated), so that in Diomedes' late fourth-century AD *Ars Grammatica* one encounters a discussion entitled "*De vitiis orationis*" which contains three general types of faults (*obscurum, inornatum, barbarum*), which are then subdivided into fifteen specific faults.[49] Many of the technical faults that are a concern for a grammarian like

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[48] Jebb (1893) 2.439. I owe this reference to Caplan (1944) 321, who discusses Jebb's position on the classic argument for the political cause of the decline of eloquence and therein quotes Jebb's remark on the democratic nature of taste.

[49] Diomedes, Keil 1.449-56: *obscurum*: *acyrologia, pleonasmus, perissologia, macrologia, amphibolia, tautologia, ellipsis, enigma*; *inornatum*: *tapinosis, aeschrologia, cacenphaton, cacozelia, cacosyntheon*; *barbarum*: *solecismus, barbarismus*.

Diomedes, however, tell us less about the cultural implications of the criticism of style—and how it relates to character—than do those terms whose primary meanings lie outside the realm of verbal criticism but have been transferred into the critical vocabulary for the purpose of critiquing style in a metaphorical manner (e.g. *fractus* "broken," *frigidus* "frigid").[50] Metaphorical terms such as these enable a critic to associate the writing or speech that he is critiquing with broader cultural values and thus instill more heft and import into his criticism. All the same, this critical vocabulary also appears as a linguistic or rhetorical sleight of hand, since in metaphorical language there is always some degree of distance and ambiguity between the primary meaning of a word and its meaning when deployed as a metaphor. Indeed, the use of such metaphorical terminology could offer a hostile critic an obvious advantage: the semantic field of these critical terms when applied to style is by nature vague, and this can allow for a critic to pronounce damning judgments in language that lacks precise meaning.

In order to show how the critical vocabulary operates in this manner, I will survey some of the semantic fields from which it is drawn, emphasizing throughout how critics commonly described style in terms particularly appropriate for characterizing the person and specifically the body.[51] Some of the most important terms of criticism are borrowed from language that describes the physical quality of an object, and in this capacity the language has a much clearer meaning than when applied to style. An idea very popular among critics is that a style was bloated or overblown, and Latin words deployed to describe this quality include the adjectives

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[50] On Greek and Roman rhetorical terminology see Ernesti (1795) and (1797) respectively, and Fantham (1972) 137-75 for the imagery and metaphors used in the description of style, especially 164-74 on the body.

[51] For a study of literary critical terminology and the body, see e.g. Keith (1999), who examines the corporeal resonances of the stylistic ideals of Latin love elegy.

inflatus, *sufflatus*, *tumidus*, and *turgidus*, and the related verbs *tumeo, turgesco*.[52] Such words

convey not only an unattractive appearance (because it is bloated), but also, as I shall discuss in

more detail below, poor health. The clearest intersection between a swollen style and physical

infirmity is the use of *tumor* as a description of style,[53] a word which in its primary sense refers

to swellings on the body. *Fractus* "broken" is another critical term that associates bad style with

an undesirable physical state.[54] Scholars often interpret *fractus* as denoting a style that is

effeminate, a style, then, that is quite different from one that is swollen and turgid. In both cases,

however, the author is passing a judgment that speaks to a lack of physical integrity. A third

term that occurs more rarely than *tumidus* (and its synonyms) and *fractus*, but which also shares

in the idea of absence of health (and poor physical integrity), is *exsanguis* "bloodless" (*Rhet.*

Her. 4.16, Tac. *Dial*. 18). This term is used of a style that lacks vigor and vitality, but does not

carry the same connotations of effeminacy as *fractus*. In a similar semantic field as *exsanguis*

for stylistic criticism are *ieiunus* "thin, emaciated" and *ieiunitas* "dryness, poverty, meagerness"

which likewise suggests a body that is depleted and malnourished.[55]

Other pejorative descriptors for style do not possess as clear an emphasis on bodily

infirmity but also refer to style in physical and tactile terms. *Aridus* "dry" is a term that occurs in

conjunction with *exsanguis* and *ieiunus* to denote a style that is insufficient in strength and

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[52] *Inflatus*: Quint. *Inst*. 12.10.16, Tac. *Dial*. 18, Suet. *DGR* 26.2; *sufflatus*: *Rhet. Her*. 4.15, Gell. *N.A.* 7.14.5; *tumidus*: Livy 45.23.16, Sen. *Controv*. 4.25, Quint. *Inst*. 2.5.10, 8.3.13, 56, 12.10.12, Tac. *Dial*. 18, Pliny *Ep*. 7.12.4, 9.26.5, Gell. *N.A.* 7.14.5; *turgidus*: Hor. *Sat*. 1.10.36, Petron. 2.6; *tumeo*: Quint. *Inst*. 8.3.18, Mart. 4.49.8; *turgesco*: Quint. *Inst*. 12.10.73.

[53] Quint. *Inst*. 2.10.7, 9.4.140, 12.10.73; Sen. *Ben*. 2.11.5; Petron. 1; Gel. *N.A.* 2.23.21.

[54] E.g. Quint. *Inst*. 8.3.57, 10.1.125, 12.10.12.

[55] E.g. Cic. *De Orat*. 1.218, *Brut*. 114, 285, *Tusc*. 2.3, Sen. *Ep*. 75.3, Quint. *Inst*. 2.8.9, Plin. *Ep*. 1.20.21. Gellius also gives us the unique form *ieiunidicus* (6.14.5).

energy.[56] It is like a parched field, as it offers too little to the audience. *Frigidus* "frigid" in its

primary meaning also connotes unpleasing physical qualities and is often used to describe styles

or *sententiae* that fall flat in spite of concerted efforts.[57] *Frigidus* can also bear significance

related to a body, as a frigid, cold body is one devoid of life.[58] Softness has a long history in

Greek and Roman culture as an appropriate notion for evaluating effeminate people, objects, and

behaviors,[59] and *mollis* "soft" can be applied metaphorically to effeminate style in addition to its

more general uses.[60] In stylistic contexts, *mollis* is often associated with *fractus*, as they both can

be deployed to refer to a style or speaker that lacks manly qualities. As was discussed above,

ancient rhetorical education in Rome played a large role in elite male acculturation, and gendered

language is an important component of rhetorical and literary criticism.

Indeed, a fundamental element that informs much of ancient Roman critical terminology

is that the healthy, elite Roman man was the standard by which all should be measured. If a style

reflects this standard, it is good; if not, it is vitiated. One of the most common imputations

against style is that it is womanly and hence unmanly. We have already encountered some

words that were used to signify a feminine style in a somewhat indirect manner (*infractus*,

mollis), but Roman critics had many terms that made the association pellucid. Indeed, the large

array of critical vocabulary that denotes a womanly and effeminate style indicates that this is one

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[56] *Rhet. Her.* 4.16, Cic. *De Orat.* 2.159, Sen. *Ep.* 75.3, Quint. *Inst.* 12.10.13, Fro. *Aur.* 2.p.48.

[57] E.g. Cic. *De Orat.* 2.260, Quint. *Inst.* 4.1.77, 4.2.59, 8.5.30, 9.3.74, 12.10.12. Treatments of a frigid style (ψυχρός) and frigidity (ψυχρότης) are common in Greek authors. In his *Rhetoric* Aristotle discusses the types and causes of frigidity (3.2, 1405b35-1406b19) and in Demetrius' *On Style* the frigid style (ψυχρός) is the corresponding faulty style to the grand style (114-27).

[58] Cf. Quintilian on the loss of his son where *frigidus* and *exsanguis* are paired (*Inst.* 6.pr.12): *tuosne ego, o meae spes inanes, labentis oculos, tuum fugientem spiritum vidi? tuum corpus frigidum exsangue complexus, animam recipere auramque communem haurire amplius potui, dignus his cruciatibus quos fero, dignus his cogitationibus?*

[59] Cf. Herodotus 9.122.3.

[60] E.g. Quint. *Inst.* 12.10.12.

particular aspect of style over which Roman men had a pronounced anxiety. Its use on the most

basic level is evident in several passages in the work of Quintilian: a style could feminize

(*effeminare*) the subject (*Inst*. 8.proem.20); a teacher should read faulty speeches aloud with his

students and point out what in them is effeminate (*effeminata*), alongside other faults (2.5.10);

stylistic ornamentation should not be fond of effeminate triviality (*effeminatam levitatem*, 8.3.6);

and *compositio* should be hard and rough rather than effeminate and nerveless (9.4.142).[61] An

extension of this idea was that a style should not be made up with cosmetics (*fuci*)[62] or be curled

(*cincinnus*)[63] through the use of curling irons.[64] As this language shows, Romans critics viewed

a womanly style as possessing an unnatural and superficial charm or beauty. This idea is

strikingly present in the manner in which Romans viewed excessively refined style as having the

quality of a prostitute. Quintilian laments that contemporary Romans despise what nature

dictates and seek not ornaments but meretricious allurements (*nos melius, quibus sordet omne*

quod natura dictavit, qui non ornamenta quaerimus sed lenocinia, *Inst*. 8.proem.26). Elsewhere

he claims that the oratory of the *vir bonus*, even if it lacks such meretricious allurements

(*lenocinia*), will be sufficiently ornamented by its own nature (*Inst*. 12.1.30). For Quintilian and

other Roman critics, an effeminate style is tricked out in an artificial and sordid manner, and it

presents the threat of leading each man who encounters it astray from the path to virtue.[65]

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[61] For effeminacy in rhythm, cf. also e.g. Fronto 156.3-4 van den Hout=2.106 Haines.

[62] E.g. Cic. *Brut*. 36, *Or*. 79, Quint. *Inst*. 8.proem.19, 8.3.6, Gel. *NA* 7.14.11.

[63] E.g. Cic. *De Orat*. 2.100, Suet. *Aug*. 86.

[64] E.g. Cic. *Brut*. 262, *Or*. 78, Tac. *Dial*. 26

[65] Cf. Bramble (1974) 44 nn. 1 and 2 on the "sexual overtones" of critical vocabulary.

Other critical terms that present a threat to the identity of the elite Roman man include *puerilis* "puerile, childish."[66] The goal of rhetorical training was to produce men, not boys, and so the aspects of style that were boyish were to be avoided. Puerile phrases and conceits were in particular connected to the schoolroom, which was suspect because it constituted an insulated, artificial environment that was not sufficiently representative of the outside world. Accordingly, a favorite term of Quintilian's, and one likewise closely associated with the declamatory rhetoric of the schoolroom, was *scaenicus* "belonging to the stage, theatrical."[67] Stage actors were marked by *infamia*, and so rhetoric that resembled the kinds of verbal expressions found in the theater were deemed below the dignity of an elite Roman. But as is the case with effeminate and meretricious rhetoric, Quintilian's mission to guard the holy grail of eloquence against such theatrical practices suggests that they were dangerously attractive to the student. Just as it is common for an orator to employ invective to assume a conservative stance, to alarm the audience about the threats posed by an individual or groups of people, and to present the community as under attack by sinister forces, so the rhetorical and literary critic often assumes a similar persona, bristling at barbarian invaders and attempting through his work to ward off the threat to the language, literature, and morals of the community that faulty style represents.

Such a threat is embodied in a term of general disapprobation that is widely deployed in stylistic criticism but vague in meaning: *corruptus*, "corrupt."[68] Insofar as this word in a literal sense describes objects or creatures that are destroyed, spoiled, or otherwise wasted, it too is a metaphorical term that in its application to stylistic criticism conveys physical connotations. In

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[66] E.g. Cic. *De Orat*. 1.20, Sen. *Suas*. 2.16, Quint. *Inst*. 4.1.77.

[67] E.g. Quint. *Inst*. 6.3.29, 10.7.21.

[68] E.g. Cic. *Brut*. 202, 261, Sen. *Suas*. 1.13, *Sen. Ep.* 114.1, Quint. *Inst*. 2.5.10.

its general metaphorical sense, it can refer to someone that has been corrupted or misled morally; as a descriptor of style, it refers to style that has been morally compromised. This gets to the heart of the criticism of bad style in rhetorical and literary critical treatises. Those critics who most virulently attack stylistic faults are also those who set the highest moral aims for their own writings. The primary goals of such works are to teach the student how to identify and appreciate good verbal expression, as well as how to guide him to be able to produce it himself. The more significant purpose lying behind these immediate goals, however, is to raise and strengthen the moral sensibility of the student through the study and imitation of good models of writing and speaking. For these ancient critics, the great writers of the past were exempla, and the study of literature itself was a moral undertaking. The term *corruptus* is a potent term in dialogue with this idea because, while it refers metaphorically to that which is morally corrupt, a speaker can activate its literal sense to suggest that such speaking and writing styles attest to a spoiled morality and decayed society.

In general, an essential aspect of the metaphorical terminology in Roman literary-critical vocabulary is the critic's interest in making the language physical and tangible. To describe a style as bloated or broken or painted with cosmetics offers a much more vivid and accesibile— and hence effective—critique than a plodding discussion that deals with minute errors in diction or rhythm. Moreover, it is not only words and *sententiae* that are assigned these metaphorical qualities: speakers and writers also take on qualities from the criticism. Therefore, an orator can be said to swell or can be described as broken. Obviously, neither of these statements would be true in a literal sense, but it shows that a critic can formulate judgments about an individual based on that individual's words. As we saw in Seneca's letter above, in talking about Maecenas' style Seneca freely crosses over into pronouncements about Maecenas the individual.

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The use of the kind of critical language that stresses the physical and bodily component of style assists the critic in reaching this end. Indeed, just as the most effective attacks in invective discourse are those that reach the character of the target, so the most useful weapons in a critic's arsenal are those that allow him to comment on the person and character of a speaker or writer.

2. Ethics and the Body in the Theory of Types of Style

The connection between a speaker and his words is also inherent in another principle underlying the criticism of faulty style, namely, that stylistic faults can resemble stylistic virtues.[69] Sometimes only a fine line, for example, distinguishes a style that possesses charm and elegance from one that is cloying. Similar to the concept of *talis oratio, qualis vita*, the principle of neighboring virtues and faults could nevertheless be adapted by individual authors to serve specific rhetorical goals, as can be seen in its appearance in the works of two closely connected writers. To conclude his discussion of style in the penultimate chapter of the *Institutio Oratoria*, Quintilian states that the elements that conduce to oratorical brilliance need to be tempered in order for a speaker to arrive at stylistic virtues and avoid the corresponding faults (12.10.79-80):

> Sed et copia habeat modum, sine quo nihil nec laudabile nec salutare est, et nitor ille cultum virilem et inventio iudicium. Sic erunt magna non nimia, sublimia non abrupta, fortia non temeraria, severa non tristia, gravia non tarda, laeta non luxuriosa, iucunda non dissoluta, grandia non tumida. Similis in ceteris ratio est ac tutissima fere per medium via, quia utriusque ultimum vitium est.

> But even abundance should have a limit, without which nothing is either praiseworthy or healthy, and that brilliance should be coupled with manly care, and imagination should be tempered by judgment. In this way things will be great but not excessive, elevated but not precipitous, stern but not gloomy, weighty but not ponderous, joyful but not luxuriant, pleasant but not licentious, grand but not tumid. A similar consideration exists in other matters and the safest way is generally down the middle because a fault lies at either extreme.

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[69] For examples of this idea, cf. Longinus 5, Quint. 8.3.6-7, 8.3.58. In a note *ad* Quint. *Inst*. 8.3.6-7, Russell (2001) also gives Quint. *Inst*. 3.7.25, Thuc. 3.82.4-5, Plato *Republic* Book 8, 560D, Arist. *Rhet*. 1.9, 1367a33 as comparanda.

Moderation, manly care, and good judgment are the watchwords here. In the final sentence, Quintilian notes that good style requires a kind of reasonable moderation (*ratio*) that is common to other areas of life, and so suggests that style is governed by the same kind of standard that is a hallmark of ancient ethical thought. Behind such a generalized pronouncement as Quintilian's one can detect the famous maxim, Μηδὲν ἄγαν ("Nothing in excess"), attributed to the Seven Wise Men of Greece, as well as Aristotle's more highly developed doctrine of the mean. Writing a little over a decade later, Quintilian's student, Pliny the Younger, iterates the concept in defense of his own stylistic judgments that were criticized by his correspondent Lupercus as excessive (9.25.5-6):

> visus es mihi in scriptis meis adnotasse quaedam ut tumida quae ego sublimia, ut improba quae ego audentia, ut nimia quae ego plena arbitrabar. Plurimum autem refert, reprehendenda adnotes an insignia. Omnis enim advertit, quod eminet et exstat; sed acri intentione diiudicandum est, immodicum sit an grande, altum an enorme.

> You seemed to me to have condemned in my writings certain things as tumid which I judged lofty, as shameless which I judged bold, as excessive which I judged abundant. But it is of the utmost importance whether you condemn things that should be censured or that are distinguished. For everyone notices what is eminent and stands out; but one must deploy keen effort when judging whether something is immoderate or grand, lofty or enormous.

Throughout this letter, Pliny eschews his teacher's emphasis on moderation to maintain that license needs to be granted for some excesses in order for writers to reach their greatest heights. Moreover, in the course of contradicting Lupercus' assessments, Pliny explicitly argues that aesthetic judgments necessarily rested on some degree of subjectivity, and the same can be said of the ethical beliefs that underpin them. Yet, although the aesthetic sensibilities have shifted from Quintilian to Pliny, nevertheless the general critical framework that vices can resemble virtues is retained. Furthermore, both authors still connect good style with proper morality:

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whereas Quintilian urges a rather traditional and general sense of moral moderation, in his letter

Pliny argues, however playfully, that allowance for artistic excellence is an ethical imperative.

Pliny's letter has been taken as a defense of the grand style,[70] and the notion of

neighboring virtues and vices in style is most evident in the doctrine of types of styles (*genera*

dicendi, *figurae*, χαρακτῆρες).[71] I briefly mentioned this doctrine above when discussing

χαρακτήρ, but it will not seem irrelevant, I hope, to present a more systematic overview of it at

this juncture before examining in greater detail the ethical implications it has in the criticism of

faulty style.

In the theory of styles, rhetoricians stipulate (without consensus) that there are three (or

four or two) general types of styles, and that each type has a corresponding faulty style that

resembles it and exists, as it were, on the same spectrum. Speakers can drift into the

corresponding faulty type of style by aiming unsuccessfully at the virtuous type, an error which

often involves exceeding propriety (e.g. producing a style that is overly ornamented rather than

judiciously so).

The most familiar version, known through some of the core Roman rhetorical works,

proposes three rhetorical styles (*genera/figurae*): the grand (*gravis/grande*), the plain

(*extenuate/subtile*), and the middle (*mediocris/medium*).[72] The three styles are determined by

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[70] Cf. Gurd (2012) 121.

[71] For overviews of the doctrine, see Lausberg §§ 1078-82, D'Alton (1931) 68-77, Russell (1981) 137-9, and especially Caplan (1954) ad *Rhet. Her.* 4.11, who provides copious parallels and references to earlier scholarship.

[72] *Rhet. Her.* 4.11-16; Cicero *De Orat.* 3.177, 199, 212, *Orat.* 20-23, 75-100; Quint. *Inst.* 10.1.44, 12.10.58-72. Additionally, according to Aulus Gellius (6.14), Varro discussed the theory in his *De Lingua Latina*. The theory was well known in antiquity, and some authors suggest that the tripartite scheme was known even to Homer, who used Odysseus, Menelaus, and Nestor as the respective representatives of the grand, plain, and middle styles (*Il.* 3.212ff., 1.249). Cf. Russell (1981) 137 n. 21. Be that as it may, the scheme is obviously rigid and artificial and in typical fashion Quintilian criticizes the narrowness of the concept in the course of conveying it (*Inst.* 12.10.66-68). Cf. Hor. *Epist.* 2.1.55-9 and Russell (1981) 138.

diction (which includes word forms, such as archaisms [e.g. *olli* for *illi*]), word arrangement, and the use of figures of thought and speech.[73] Most importantly, the style should be appropriate for the content, meaning that the orator must exercise proper judgment in terms of decorum (cf. e.g. Cicero, *De Orat.* 3.212). This shows that in ancient stylistic theory a clear separation between style and content did not exist: an elevated subject, for instance, was integral to the successful realization of elevated style. Furthermore, a speaker must also observe decorum to avoid lapsing into the corresponding faulty styles. In the three-type model as it is found in the *Rhetorica ad Herennium*, the corresponding fault to the grand style is the swollen style (*sufflata*), to the middle style the loosened (*dissolutum*) style, and to the plain style the arid (*exile*) style. As was evident from the Quintilian and Pliny passages discussed above, authors maintain that writers fall into these neighboring faulty styles by misconstruing vices as virtues, mistaking, for example, bombast for force, effeminate rhythms for elegance, meanness for simplicity.[74] Thus poor aesthetic judgment or taste is at the essence of the faulty styles.

As was noted above, an alternative four-type version is known principally from Demetrius' Περὶ Ἑρμηνείας, a work of uncertain date and authorship.[75] Demetrius' version is

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[73] The three elements of diction, composition, and figures are derived ultimately from Theophrastus, who posited four virtues of style: correctness, clarity, ornamentation, and propriety. Cf. Stroux (1912), D'Alton (1931) 85. Diction, composition, and the use of figures fall under the heading of ornamentation and are often used as a framework for analyzing an author's style. Cf. Dionysius of Halicarnassus *Pomp.* 4-6. Quintilian organizes his treatment of style (*Inst.* 8.1-11.1) around these four virtues: correctness (8.1), clarity (8.2), ornamentation (8.3-10.7), propriety (11.1). See also Jocelyn (1979) 124 n. 69.

[74] Cf. Hor. *Ars*. 24-5: *Maxima pars uatum, pater et iuuenes patre digni,/ decipimur specie recti*, "Most of us bards, father and youths worthy of the father, are deceived by what seems correct." Horace proceeds to describe some ways in which poets fall into neighboring faults when aiming for success (25-28), and it has been suggested that Horace has in my mind here the doctrine of three styles and the corresponding vicious styles (Jocelyn [1979] 107).

[75] Dates suggested for Demetrius' work generally range from 275 BC (Grube 1965) to the first century AD, with several scholars generally believing that it is the only rhetorical treatise from the Hellenistic period that we possess in full. For other versions of a four-type version, cf. Russell (1981) 137 n. 19. Cf., however, Horace, *Ars Poetica* 25-28.

only slightly more flexible than the three-type version, with the four types being the grand (μεγαλοπρεπής), the elegant (γλαφυρός), the plain (ἰσχνός), and the forceful (δεινός, *Eloc*. 36).[76] In Demetrius' model, the corresponding faulty styles are respectively the ψυχρός "frigid" (*Eloc*. 114-27), the κακόζηλος "affected" (186-89), the ξηρός "arid" (236-39), and the ἄχαρις "unpleasant" (302-4). In addition, Demetrius reports—and subsequently labels γέλοιος ("ridiculous")—a simpler two-types concept, in which the two styles are the plain and the grand (*Eloc*. 36-37). In the *Brutus* (46 BC) Cicero also briefly touches on this two-type scheme,[77] although it is something of a curiosity in his oeuvre, because in the major rhetorical treatises that he wrote both before the *Brutus* (*De Oratore*, 55 BC), and immediately after (*Orator*, 46 BC) , Cicero expounds in much greater detail the tripartite scheme.

In any case, a general takeaway from these three different schemes, however artificial they seemed even to contemporary audiences, is that there are discreet types of style, just as there are types of personality, such as those presented in Theophrastus' Χαρακτῆρες (*Characters*). This work consists of 30 brief sketches of character types (for example the flatterer, the braggart, the busybody), and scholars have argued that these often humorous vignettes served as raw material on which Theophrastus could draw to enliven his lectures, or that other speakers could incorporate into their own works.[78] I will return to the Χαρακτῆρες in the following section when I discuss the caricature of style, but for now it should be noted that the idea of character types in both the theory of types of style and Theophrastus' Χαρακτῆρες does not seem to be

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[76] The relation of Demetrius' unique scheme to the three-type model has, naturally, given rise to much scholarly debate, with some thinking that it is a development of the three-type scheme, and others that it is independent of it. In general, however, scholars are in agreement that on the whole the work exhibits Peripatetic features.

[77] *Brut.* 89-90.

[78] Diggle (2004) 12-16.

coincidental. The origin of the theory of the three types of style is unknown, but scholars have

reasonably detected in it Peripatetic influences, as the middle style is sometimes described as a

middle course between the two opposite styles, the grand and the plain.[79] Some have gone

further, attributing the idea to one of Theophrastus' lost works on rhetoric.[80]

    The idea of corresponding faulty styles is a further Peripatetic aspect of the theory.[81] The

notion that stylistic virtues and vices are at times only divided by a fine line is an offshoot or

development of a more fundamental understanding of the nature of virtue in Aristotelian ethics.

In the *Nicomachean Ethics*, Aristotle maintained that virtue is a mean (τὸ μέσον, ἡ μεσότης) that

exists between faults that result from either an excess (ἡ ὑπερβολή) or a deficiency (ἡ ἔλλειψις)

of the same quality or pattern of behavior.[82] For example, concerning fear and boldness, manly

courage is the mean, while temerity is the excess and cowardice the deficiency (1107a32-

1107b3); as for the giving and the taking of money, liberality is the mean, profligacy the excess,

and stinginess the deficiency (1107b9-14). In this model, the virtue and the corresponding vices

appear to occupy different points on a single spectrum. This notion is manifest in the rhetorical

handbooks in different guises. For example, in the previous chapter I noted how in invective a

speaker could exploit this idea by calling, for instance, prudence cowardice or frugality

miserliness. In such cases, it was a rhetorical strategy to label a virtue a vice (and vice versa) in

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[79] For the (considerable) influence that the Peripatos, through Aristotle and Theophrastus, had on rhetoric in general, see Kennedy (1963) 82-114, 272-90.

[80] Cf. Innes (1985). In his list of Theophrastus' works, Diogenes Laertius includes a work *On Style* (Περὶ λέξεως, D. L. 5.47) . Stroux (1912) explores Theophrastus' work on style, focusing on the theory of four virtues of style attributed to him. For the fragments of Theophrastus' works on rhetoric and poetry, see 666-713 Fortenbaugh. On the origin of the theory of types of style, see Hendrickson (1904), (1905).

[81] Demetrius seems to address this explicitly at 114.

[82] Aristotle, *N.E.* Book 2, 1106a14-1109b27.

order (as Quintilian declares) to mislead the audience.[83] Accordingly, the idea that faulty styles

correspond to or neighbor on good styles is grounded in a framework of ethical philosophy,

underscoring the ethical component of style in general. Nevertheless, although both the larger

ethical idea and this particular concept of style have Peripatetic origins, it is proof of the

widespread success of this interpretation of virtue and vice that it has been adopted by a range of

authors in the rhetorical tradition who are not otherwise associated with the Peripatos.

In addition to the discussion of types of style, some of the rhetoricians associate the

different styles with particular authors, indicating a relation or correspondence between

individual authors' *ingenia* and the characters of style. This can be seen explicitly in the small

portion of Varro's *De Lingua Latina* on the three styles that is reported by Gellius: "But Marcus

Varro states that the true and proper examples of the forms of this sort are Pacuvius for the rich,

Lucilius for the slender, and Terence for the middle," *Vera autem et propria huiuscemodi*

formarum exempla in Latina lingua M. Varro esse dicit ubertatis Pacuvium, gracilitatis

Lucilium, mediocritatis Terentium (*Noctes Atticae* 6.14).[84] The connection between individuals

and styles is also evident in Dionysius of Halicarnassus' *On Demosthenes*, in which he offers

more traditional prose authors as representatives of the different styles: grand, Gorgias and

Thucydides; simple, Lysias; middle, Thrasymachus and Plato (*Dem.* 1-7).[85] Additionally, this

connection is implicitly present in Demetrius' Περὶ Ἑρμηνείας, in which certain authors are used

repeatedly to illustrate the different characters of style (e.g. Thucydides for the grand style;

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[83] See Chapter 1, "Spin and Smear."

[84] Notably, Varro uses poets rather than prose authors as illustrative of the different styles, which provides some
evidence of the pervasiveness of this concept. Moreover, although all three poets were roughly contemporaneous or
at least active in the second century BC, each wrote in a different genre: tragedy (Pacuvius), verse satire (Lucilius),
and comedy (Terence).

[85] Cf. Russell (1981) on the Greek history writers.

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Xenophon, Sappho, and Sophron for the elegant; Demosthenes for the forceful). In such

interpretations, the categories, while being artificial and rigid, seem to be able to be used as

general approximations for identifying an author's stylistic character.[86] Alternatively, some

writers on rhetoric such as the *auctor* of the *Rhetorica ad Herennium* and Cicero, as well as

Dionysius, stress that an orator can use all three styles within the course of a single speech,

deploying each as is appropriate to the subject matter and avoiding satiety through variety of

style (*Rhet. Her.* 4.16, Cicero *De Oratore* 3.177, 212, *Orator* 100-11). Indeed, Cicero (*Orat.*

104-5, 110-11) and Dionysius (*Dem.* 8) emphasize that Demosthenes' success in using all three

styles adeptly is a chief reason for why he is regarded as the greatest Greek orator.

　　The extension of the doctrine to the analysis of character and person is seen especially in

the *Rhetorica ad Herennium*, in which the *auctor* describes the faulty styles in bodily terms. In

his assessment of bad style, the metaphorical language that describes style in corporeal terms and

the idea of neighboring faults come together. In introducing the faulty tumid style (*figura*

sufflata) that corresponds to the grand style, the *auctor* compares the style to swellings of the

body that might be mistaken as indications of good health (*Rhet. Her.* 4.15):

> Est autem cavendum ne, dum haec genera consectemur, in finitima et propinqua
> vitia veniamus. Nam gravi figurae, quae laudanda est, propinqua est ea quae
> fugienda; quae recte videbitur appellari si sufflata nominabitur. Nam ita ut
> corporis bonam habitudinem tumor imitatur saepe, item gravis oratio saepe
> inperitis videtur ea quae turget et inflata est, cum aut novis aut priscis verbis aut
> duriter aliunde translatis aut gravioribus quam res postulat aliquid dicitur.

> But we must be on guard that in the pursuit of these types we do not come into the
> bordering and neighboring faults. For neighboring on the grand style, which itself
> is worthy of praise, there is a style which we must avoid and which seems to bear

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[86] As I noted above in the discussion of χαρακτήρ, critics also conceived of individualized styles. Dionysius, for example, claims that he did not talk about Dinarchus in *On Ancient Orators*, because he was not an inventor of a distinct style, as were Lysias, Isocrates, and Isaeus: διὰ τὸ μήτε εὑρετὴν ἰδίου γεγονέναι χαρακτῆρος τὸν ἄνδρα, ὥσπερ τὸν Λυσίαν καὶ τὸν Ἰσοκράτην καὶ τὸν Ἰσαῖον (*Din.* 1). Jocelyn (1979) 72, drawing primarily on scholia, shows that for critics there existed a Ὁμηρικὸς χαρακτήρ, a Ἡσιόδειος χαρακτήρ, a Σοφόκλειος χαρακτήρ, a Εὐριπίδειος χαρακτήρ, an Ἀράτειος χαρακτήρ, a Πλατωνικὸς χαρακτήρ (Plutarch *Moralia* 718c), and (from Aulus Gellius 3.3.13) a *stilus Plautinus*.

the correct appellation if it is called the tumid style. For just as a swelling often resembles a good condition of the body, so to the unskilled elevated speech often seems to be that which is swollen and bloated, such as when one uses words that are either newfangled or archaic or have been brought in harshly from elsewhere or are more ponderous than the subject demands.

By describing the speech in terms of a body, the *auctor* makes a connection between the speech and the person speaking. In particular, in the *figura sufflata*, the speech seems to be unhealthy. In the specific stylistic features with which the *auctor* concludes this passage—which one could diagnose as the specific tumors that afflict the body of the speech—a common element is the violation of propriety. The words are either too new or too old, harshly introduced (by which the *auctor* presumably means metaphorical language), or more ponderous than is appropriate. Indeed, it is noteworthy that this type of fault can result from seemingly opposite inclinations: style can become tumid from excessive desire either for novelty or for archaisms. The common element appears to be failure to understand what is appropriate. It seems that those who speak in the *figura sufflata* strive for a striking effect by means of the unfamiliar but ultimately produce a sickly or monstrous creation. This style exhibits affectation, and so seems to derive its faults from a failure in judgment rather than from something less connected to a speaker's character, such as technical incompetence, a point that is underscored by the *auctor*'s assertion that the turgid style often appears grand to the *imperiti*.

When turning to the dissolute style (*genus dissolutum*), the faulty style that borders on the middle style, the *auctor* also uses language associated with an ill-formed body in his description (*Rhet. Her*. 4.16):

> Qui in mediocre genus orationis profecti sunt, si pervenire eo non potuerunt, errantes perveniunt ad confine genus eius generis, quod appellamus dissolutum, quod est sine nervis et articulis; ut hoc modo appellem fluctuans, eo quod fluctuat huc et illuc nec potest confirmate neque viriliter sese expedire…. Non potest huiusmodi sermo tenere adtentum auditorem; diffluit enim totus neque quicquam conprehendens perfectis verbis amplectitur.

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They who have set out for the middle type of style, if they do not get there, in going astray they arrive at the type of style that borders the middle type, which we call the dissolute, since it lacks sinews and joints. Accordingly, I would call it undulating because it undulates here and there and cannot disentangle its feet in a resolute or manly way…. Speech of this sort is not able to keep a listener attentive. For the whole of it flows in different directions and cannot grasp and hold anything with words that are firmly fixed.

The predominant spatial image in the description of this style is the liquid which follows a lazy and loose course. Speakers are said to go astray (*errare*) into this defective style, which itself drifts and wanders astray as it unfolds, implying a fault as well as a movement. The principal fault evident in this style is a lack of regard for arrangement (*compositio*), as the example sentence is loosely-knit and meanders in a sprawling manner,[87] continuing at length and preventing the reader from reaching a satisfying conclusion.[88] The *auctor*, however, also states that it is without nerves and joints (*sine nervis et articulis*), conjuring an image of a body that is weakly bound together and not properly composed. Moreover, the *auctor* explicitly genders this style by describing it as moving in an unmanly fashion (*neque viriliter*), linking its looseness with a lack of manhood. *Nervus* and *virilis* often appear in tandem in stylistic criticism, but perhaps the most direct connection between them lies in the fact that *nervus* can mean "penis."[89] Along these lines, the assessment that the *genus dissolutum* fails to reach a satisfying conclusion perhaps has sexual overtones, suggesting that its lack of manly nerve renders it impotent. Again, in characterizing this type of style in both bodily and gendered terms, the *auctor's* criticisms

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[87] *"Socii nostri cum belligerare nobiscum vellent profecto ratiocinati essent etiam atque etiam quid possent facere, si quidem sua sponte facerent et non haberent hinc adiutores multos, malos homines et audaces. Solent enim diu cogitare omnes qui magna negotia volunt agere."*

[88] Cf. Dionysius of Halicarnassus' similar criticism of Isocrates (*Isoc*. 2-3, *Dem*. 18-20). Cf. also Horace's criticism of Lucilius as a muddy (*lutulentus*) river (*Sat*. 1.4.11, 1.10.50).

[89] Cf. Part I above.

seem not to be restricted to the speech itself, but to extend to the person of the speaker.

In the third faulty style, the feeble type (*genus exile*), which corresponds to the plain, the *auctor* once more draws on the conception of an unhealthy body to make his point: *Qui non possunt in illa facetissima verborum adtenuatione commode versari veniunt ad aridum et exsangue genus orationis, quod non alienum est exile nominari*, "Those who cannot skillfully take part in that most elegant simplicity of speech fall into that arid and bloodless type of style which it is proper to call feeble" (*Rhet. Her.* 4.16).[90] This type of style is thin and emaciated, and by labeling it "arid" (*aridus*) and "bloodless" (*exsanguis*), the *auctor* conveys that it lacks vitality. In this instance, however, the *auctor*'s criticism does not just describe the style in terms of a sickly body, but of a lifeless one. And so, the feeble style, like the tumid and the dissolute styles, is articulated in a manner that connects style with the person who is speaking: an unhealthy style is explained in terms which call to mind an unhealthy body.

3. *Cacozelia*: *omnium in eloquentia vitiorum pessimum*

The fact that stylistic faults and virtues lie near each other makes it possible for speakers and writers to veer accidentally into a faulty mode of expression. Indeed, it is probable that many speakers and writers make errors out of simple ignorance. There is, however, one particular stylistic fault, *cacozelia* (ἡ κακοζηλία), that deserves special attention for two reasons: it appears to result more from perverse judgment than accidental mistakes, and it was approached by some authors as the arch stylistic fault.[91] Indeed, *cacozelia* seems especially to lurk behind

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[90] Of this type of style the *auctor* provides the following example (4.16): *"Nam istic in balineis accessit ad hunc. Postea dicit: 'Hic tuus servus me pulsavit.' Postea dicit hic illi: 'Considerabo.' Post ille convicium fecit et magis magisque praesente multis clamavit." Frivolus hic quidem iam et inliberalis est sermo; non enim est adeptus id quod habet adtenuata figura, puris et electis verbis conpositam orationem.*

[91] For convenience, I will often use the Latinized form *cacozelia* to refer to the critical idea in general. Nevertheless, as will become clear in my analysis, perhaps the most salient characteristic of this difficult term in all its appearance

the *auctor*'s description of the "swollen" (*sufflatum*) style which was especially a product of poor judgment and affectation. Some definitions of *cacozelia* claim that it is the result of an author striving to ornament his speech but missing the mark. Insofar as it reflects a writer's taste or aesthetic judgment—they *chose* to express themselves in a way that was distasteful and unnatural—it can be interpreted as being particularly indicative of a writer's character.

As is etymologically apparent, *cacozelia* is a term of Greek origin.[92] The adjective κακόζηλος is a compound formed from κακός and ζῆλος (from the verb ζηλόω), and literally it means "being eager for or desiring the bad." In Greek texts, the term often appears as a substantive neuter noun (τὸ κακόζηλον), an adverb (κακοζήλως), or an abstract feminine noun (ἡ κακοζηλία) with the same meaning as the substantive noun. In Latin texts, the transliterated forms *cacozelus, cacozelōs*, and *cacozelia* appear, as well as the Greeks words themselves. For these nouns, *LSJ* and *OLD* offer the translations "bad taste," "affectation," and "affectation of style," and for the adjectives and adverbs, "having bad taste," "using a bad, affected style," and "with stylistic affectation." These definitions are certainly helpful and perhaps the best way to render the term in one or two English words. But one of the more interesting (and perhaps frustrating) aspects of the κακόζηλος words is their ambiguity as critical terms; a neat definition is in fact unattainable because of the vague and conflicting ways in which they are used.[93]

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in both Greek and Latin texts is that the semantic range is very wide and at times ambiguous. Jocelyn (1979) offers the most thorough examination of the term, in the course of which he systematically reviews all 53 occurrences of *cacozelia* words that he collected. For other scholarly treatments, see his list of discussions, extending back to 1670, "that attempt to do more than repeat conventional doctrine" (128 n. 123).

[92] On the etymology, cf. Jocelyn (1979) 79-80.

[93] Cf. Jocelyn (1979) 77-8 on the *cacozelia* words: "Their use in controversy as terms of disparagement brought them at times dangerously close to becoming empty of content but they never quite succumbed to that fate."

Determining the earliest extant occurence of κακόζηλος is a difficult matter.[94] An early

and remarkable (possible) use of κακοζηλία is found in Book 10 of Polybius (transmitted as

κακοζηλωσίαν in the mss. and restored by some editors from the quotation of the Polybius

passage in the *Suda*),[95] by which Polybius refers not to speaking or writing style but rather to

capable and scrupulous commanders' "inappropriate zeal" that creates undue hardships for both

the infantry and the calvary.[96] In the record of κακόζηλος words in both Greek and Latin

sources, this is the sole attestation that does not refer to language and style. Insofar as it is one of

the earliest attestations (or even the earliest), it seems plausible that the word originally had a

wider semantic range and was subsequently narrowed to denote faulty literary style. Perhaps the

earliest use of the term in a specifically literary sense is found in the treatise *On Style* attributed

to Demetrius, but, again, uncertainties regarding the date of this work make it difficult to date

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[94] The *Violarium* attributed to Eudocia, the wife of the eleventh-century Byzantine emperor Constantine X Doukas, contains an entry for Neanthes of Cyzicus: Νεάνθης· Κυζικηνός· ῥήτωρ· μαθητὴς Φιλίσκου τοῦ Μιλησίου. ἔγραψε Περὶ κακοζηλίας ῥητορικῆς καὶ λόγους πολλοὺς πανηγυρικούς. Philiscus of Miletus was a student of Isocrates, which would make Neanthes active in the later fourth century BC; consequently, the title of the work Περὶ κακοζηλίας ῥητορικῆς would be the earliest attestation of a *cacozelia* word. The *Violarium*, however, has been shown to be a Renaissance compilation of earlier lexica, including the *Suda*, and its entry for Neanthes could be a conflation of two different Suda entries (*BNJ* 84 T 1b). The first is for Neanthes (nu 114): Νεάνθης· Κυζικηνός· ῥήτωρ· μαθητὴς Φιλίσκου τοῦ Μιλησίου; the second is the entry for Callinicus, the third-century AD sophist from Petra (kappa 231, with the relevant portions underlined): Καλλίνικος, Γαΐου, ὁ καὶ Σουητώριος ἐπικληθείς, σοφιστής· Σύρος, ὡς δέ τινες Ἀράβιος, τὸ δὲ ἀληθὲς Πετραῖος· σοφιστεύσας ἐν Ἀθήναις. <u>ἔγραψε πρὸς Λοῦπον Περὶ κακοζηλίας ῥητορικῆς</u>, Προσφωνητικὸν Γαλιήνῳ, Πρὸς Κλεοπάτραν, Περὶ τῶν κατ' Ἀλεξάνδρειαν ἱστοριῶν βιβλία δέκα, Πρὸς τὰς φιλοσόφους αἱρέσεις, Περὶ τῆς Ῥωμαίων ἀνανεώσεως· <u>καὶ ἄλλα τινὰ ἐγκώμια καὶ λόγους</u>. Furthermore, the *Suda* entry for κακοζηλία (kappa 158) runs as follows: Κακοζηλία. Καλλίνικος ἔγραψεν ὁ Σύρος περὶ κακοζηλίας ῥητορικῆς. No fragments or additional references to such a work of Neanthes exist and his other works, of which there are fragments, are of biographical and historical nature (*BNJ* 84). All of this casts doubt on the reliability of the information contained in the *Violarium* and it is not possible to date κακοζηλία to the fourth century BC with confidence.

[95] Both the passage in Polybius and the *Suda* entry [phi 409] concern Philopoemen, the Greek military commander (c. 253-182 BC) for whom Plutarch wrote a *Life*. In his Teubner edition of Polybius, Buettner-Wobst prints κακοζηλωσίαν (which is a ἅπαξ), a reading that is also accepted by Walbank (1967), who *ad loc.* reasons that it and κακοζηλίαν of the *Suda* will provide the same sense.

[96] 10.22.10. Suda: εἰ δέ ποτε καὶ γένοιντο τῶν ἀρχόντων τινὲς τῇ τε κατὰ σῶμα χρείᾳ δυνατοὶ πρός τε τὸ τῶν κοινῶν ἀπέχεσθαι πρόθυμοι, πλείω κακὰ τῶν ὀλιγωρούντων διὰ τὴν κακοζηλίαν ἀπεργάζονται τοὺς πεζούς, ἔτι δὲ μᾶλλον τοὺς ἱππεῖς. "But if ever some of the rulers should be capable of service with respect to their bodies and willing to hold off from the common property, on account of their misdirected eagerness they bring about more evils for the infantry than those who pay no heed, and still more for the cavalry."

this instance of *cacozelia*. Be that as it may, the semantic range of κακόζηλος in *On Style*—in which it denotes the faulty χαρακτήρ that corresponds to the "elegant" (γλαφυρός) χαρακτήρ—is rather idiosyncratic and much narrower than in the works of other authors. Furthermore, in initially introducing the term, Demetrius states that he refers to this faulty style by the current term κακόζηλος (ὀνομάζω δὲ αὐτὸν τῷ κοινῷ ὀνόματι κακόζηλον, 186), and when he briefly returns to κακοζηλία later in the work, his wording again suggests that the term is somewhat new (Πολλάκις μέντοι τὸ μὲν διανόημα αὐτὸ ψυχρόν τί ἐστι καὶ ὡς νῦν ὀνομάζομεν κακόζηλον, ἡ σύνθεσις δ' ἀποκεκομμένη καὶ κλέπτουσα τοῦ διανοήματος τὴν ἀηδίαν, "Often moreover the thought itself is frigid or, as we now say, tasteless, whereas the rhythm is abrupt and conceals the unpleasantness of the thought" 239). This suggests that Demetrius' work presents an early stage in the history of the word before it acquired its more typical (and ambiguous) meaning.

Cacozelia had entered the Roman critical vocabulary by the first century AD. The earliest occurrences of the word in Latin works are found in Seneca the Elder, who seems to have written his declamation anthology in the 30s AD. A later source, however, includes a use of *cacozelia* that can be potentially dated to the Augustan period. In the *Life of Vergil* attributed to Donatus and believed to be based on the life of the poet by Suetonius, a M. Vipranius, a detractor of Vergil, called Vergil "a discoverer of a novel *cacozelia*, neither swollen nor feeble, but made from common words and therefore concealed" (*novae cacozeliae repertorem, nec tumidae nec exilis, sed ex communibus verbis atque ideo latentis*, 44).[97] Vipranius' use of *cacozelia* suggests that it is an established term in literary criticism and Seneca also seems to assume that the reader

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[97] Jocelyn (1979) 67-77 discusses this remark at length, concluding (118) that Vipranius (not Vipsanius, the emendation most editors accept) was taking specific aim at Vergil's language in the *Georgics*.

is familiar with it.[98] In three of the four instances, Seneca comments that the *sententia* that he is criticizing is a particular type of *cacozelia* (*genus cacozeliae*).[99] These uses, along with that which appears in the *Life of Vergil*, suggest that for Romans of the early principate *cacozelia* signified something said in bad taste generally, that there were many kinds of expression that qualified as such, and that critics had an interest in classifying them. More, however, can be said. A characteristic common to the *sententiae* that Seneca criticizes—although one which he does not comment on—is that the faulty element arrives only at the end of the *sententia*. This suggests that the speakers were striving to create a pointed effect, to end their sentence with a bang, as it were. But rather than bringing forth applause, in Seneca's estimation their utterances only fell flat. Furthermore, Seneca's use of the term is especially suited to criticize a characteristic of the pointed rhetorical style that was most fashionable in the Latin of the early empire, and so presents one example of how the term could be molded by individual writers to address specific critical purposes.

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[98] It is interesting that all instances of *cacozelia* in Seneca occur in either Book 9 of the ten books of the *Controversiae* or in the lone surviving book of the *Suasoriae*, which could suggest that it is a critical term that Seneca took up only near the end of his work on declamation.

[99] *Controv*. 9.1.15: *GARGONIVS in hac controversia foedo genere cacozeliae usus dixit: "istud publicum adulterium est, sub Miltiadis tropaeis concumbere"*; 9.2.28 on Flamininus' execution of a condemned man at a banquet party: *Ecce et illud genus cacozeliae est, quod amaritudinem verborum quasi adgravaturam res petit, ut in hac controversia LICINIVS NEPOS dixit: "reus damnatus est legi, perit fornici"*; *Suas*. 7.11: *Et haec suasoria...insignita est. dixit enim sententiam cacozeliae genere humillimo et sordidissimo, quod detractu aut adiectione syllabae facit sensum: "Pro facinus indignum! peribit ergo quod Cicero scripsit, manebit quod Antonius proscripsit."* This last *sententia* is perhaps inspired by Asinius Pollio's famous response to Augustus's Fescennine verses against him that Macrobius preserved in his *Saturnalia* (2.4.21): *Temporibus triumviralibus Pollio, cum Fescenninos in eum Augustus scripsisset, ait, "at ego taceo. non est enim facile in eum scribere qui potest proscribere."* These examples from Seneca are in line with how the term is most often used in critical contexts: a sentence, phrase, or word is declared to be *cacozelon*, and an explanation for why this is so is not provided. In the remaining occurrence in the Seneca's work (*Suas*. 2.16), the precise meaning of *cacozelus* is uncertain: the form is (unusually) masculine accusative plural, and from the context it is unclear what word it is modifying as an adjective or what its sense is as a substantive: *CATIVS CRISPVS, municipalis <rhetor>, cacozelos dixit post relatum exemplum Othryadis: "aliud ceteros, aliud Laconas decet; nos sine deliciis educamur, sine muris vivimus, sine vita vincimus."* But it does seem to be clear from the example that here again the final element of the tricolon (*sine vita vincimus*) is the offending party.

Other uses and definitions reinforce the notion that *cacozelia* is an elastic term, and it is very difficult to abstract from them one single definition.[100] I have already mentioned Demetrius, who in *On Style* uniquely speaks of a κακόζηλος χαρακτήρ, the faulty style that corresponds to the γλαφυρὸς ("elegant") χαρακτήρ. In Peripatetic fashion, all of Demetrius' faulty styles involve excess—excess of the distinct qualities which inform or constitute the good style. Κακόζηλος signifies a specific type of excess, and although Demetrius is not very descriptive in his short discussion of it, relying instead on examples accompanied by brief commentary to make his points, we learn that the ὁ κακόζηλος χαρακτήρ violates propriety, is insensible, and in particular uses unmanly rhythms (186-89). Longinus in the treatise *On the Sublime* connects τὸ κακόζηλον with puerility (τὸ μειρακιῶδες), which in some ways resembles frigidity (τὸ ψυχρόν) and is contrasted with tumidity (τὸ οἰδοῦν): writers strive for the uncommon, the artificial, and above all pleasure, but drift into the cheap and affected (ὀλισθαίνουσι δ' εἰς τοῦτο τὸ γένος ὀρεγόμενοι μὲν τοῦ περιττοῦ καὶ πεποιημένου καὶ μάλιστα τοῦ ἡδέος, ἐξοκέλλοντες δὲ εἰς τὸ ῥωπικὸν καὶ κακόζηλον, 3.4-5). In some authors, it seems to be connected to novelty.[101] In others, it signifies a faulty extreme of either bombast or thinness, in which sense it seems to describe an affectation that goes beyond proper measure and

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[100] Jocelyn tries to narrow the scope in suggesting that *cacozelia* often refers to expressions which are novel and involve ambiguity or obscurity (78; see also 103), and although his attempt is admirable, his position is ultimately unconvincing. For my own part, I would emphasize two interrelated features of *cacozelia*, both of which are present in Quintilian's interpretation of *cacozelia* (8.3.56-58), discussed below: it almost always involves an idea of overreaching or striving for effect that results in excess and failure (cf. Polybius 10.22.10 discussed above for the concept of striving as an aspect of *cacozelia* apart from writing style); and this striving is a result of choice, and so reflects the character of the speaker or writer. In any case, as I noted above, "affectation" and "bad taste" are the best ways to render the idea in English.

[101] For example, in Suetonius' *Life of Augustus* (86.2) on Augustus' literary and rhetorical tastes, and in an excerpt from Helladius' fourth-century AD encyclopedic work *Chrestomatheia* preserved in Photius' *Bibliotheca* (279, p. 532, b 17-30 Bekker). In considering the attempts by ancient authors to define *cacozelia*, Jocelyn (1979) 108 claims "All stress divergence from the linguistic or literary norm in the direction of novelty." I accept that an important aspect of such definitions is a divergence from the norm but it is not true that the divergence is always "in the direction of novelty."

propriety.[102] Galen repeatedly uses the term to refer to overly figured language which for him is a criterion for determining that a section or part of a work in the Hippocratic corpus is spurious.[103] Hermogenes, who in his *On Invention* offers one of the lengthiest treatments of τὸ κακόζηλον (*Rhetores Graeci* 2.256-58 Spengel), associates it with ideas and expression that lack credibility (ἄπιστα, 257). In two letters (*Ep.* 57 and 106), Jerome uniquely uses it almost exclusively to refer to translations of Greek scripture into Latin that are translated too literally and not written in idiomatic Latin, and thus are categorized by Jerome as faulty *interpretatio*.[104] With regard to the tendency of specific writers to employ *cacozelia* for specific rhetorical purposes, here we see Jerome using the term in an attempt to fuse classical and Christian literary goals. Finally, to make matters even more confusing, in the works of some later grammarians, *cacozelia* comes to be used as a rhetorical figure in which a paradox was expressed! This is most explicit in the *Artes Grammaticae* of the late-third-century grammarian Marius Plotius Sacerdos, who includes *cacozelia* between Synonym and Polyptoton in the section *De Schematibus* ("On Figures," Keil 6.455), but *cacozelia* also appears to be interpreted in this way in the commentaries of Pomponius Porphyrio on Horace and Aelius Donatus on Terence, and perhaps also by Ps.-Asconius on Cicero's *Divinatio in Caecilium*.[105]

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[102] In addition to Vipranius who appeared above as a critic of Vergil, see Diomedes' late-fourth-century *Ars Grammatica* (Keil 1.451).

[103] For these passages, see Jocelyn (1979) 88-92.

[104] Jerome *Ep.* 57.5, 11; 106.3, 17, 50. For *interpretatio* as a technical term for translation, see McElduff (2013) 192-93.

[105] Porphyrio on Horace *Ars* 24-24, *Carm. Saec.* 10-11, *Serm.* 2.5.41, *Epist.* 1.11.28, 1.12.19; Donatus on *Eunuchus* 192 and 243; Ps.-Asconius on *Divinatio in Caecilium* 21 (192 Stengl). Jocelyn (1979) 96 speaks of "Sacerdos' aberrant behavior in making a figure of speech worthy of cultivation" and later (107) dismisses his definition as a third-century "oddity," but he also notes that Ps.-Asconius adduces the same passage (*cum tacent clamant*, Cic. *Cat.* 1.21) that both Porphyrio and Donatus do as an example of a σχῆμα κακόζηλον (102). Similarly, Hermogenes in his discussion of τὸ κακόζηλον in *On Invention* categorizes expressions that lack credibility as κακόζηλον, but does not explicitly label it a fault. All of this suggests that Sacerdos' definition is only the most striking representation of a shift in interpretation in which grammarian and rhetoricians began to approach *cacozelia* as a figure. Is it a sign of

Of all the ancient discussions of *cacozelia*, Quintilian offers the fullest definition of the term. His definition is also the most helpful and nuanced because he keeps it appropriately broad. A close examination of it will shed light on the ethical and social implications of bad style. Before examining the definition itself, though, the context in which Quintilian addresses *cacozelia* deserves to be sketched because it elucidates important aspects of his interpretation of the term. Namely, it shows that for Quintilian *cacozelia* both is associated primarily with errors in stylistic ornamentation, and that it is an arch-fault in this domain.

In the middle of section 8.3 of the *Institutio Oratoria*, Quintilian takes up the third of the Theophrastean four virtues of style, ornament (*ornatus*). His coverage of this topic is not complete until the end of Book 10, evidence that ornament is a singularly important component of the orator's arsenal. The importance is also signaled by the fact that at the beginning of this section Quintilian undertakes virtually another preface (8.3.1-11). Quintilian claims that ornament makes speech beautiful and that this is what brings an orator great applause.[106] Nevertheless, it is also dangerous, as Quintilian pointedly makes clear when he distinguishes the manly, strong variety of *ornatus* from that which is effeminate and artificially colored (*Sed hic ornatus (repetam enim) virilis et fortis et sanctus sit nec effeminatam levitatem et fuco ementitum colorem amet: sanguine et viribus niteat*, 8.3.6). For Quintilian, as for other Romans orators and rhetoricians, there was considerable anxiety surrounding ornament.

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changing tastes and the "decline of eloquence" in the post-classical world that what was once considered a fault became a figure?

[106] *Inst*. 8.3.2-3: *Cultu vero atque ornatu se quoque commendat ipse qui dicit, et in ceteris iudicium doctorum, in hoc vero etiam popularem laudem petit, nec fortibus modo sed etiam fulgentibus armis proeliatur. An in causa C. Corneli Cicero consecutus esset docendo iudicem tantum et utiliter demum ac Latine perspicueque dicendo ut populus Romanus admirationem suam non adclamatione tantum sed etiam plausu confiteretur?*

Yet, once launched, Quintilian interrupts the plan he set out for himself at the start for covering the subject in order to describe a number of faults in ornament (41-55).[107] After covering these faults and making the summarizing statement that everything that does not add to the meaning or the ornament of a speech should be considered a fault (8.3.55), Quintilian arrives at *cacozelia*, which for him is the "worst of all the faults in eloquence" (8.3.56-58):

> Cacozelon, id est mala adfectatio, per omne dicendi genus peccat; nam et tumida et pusilla et praedulcia et abundantia et arcessita et exultantia sub idem nomen cadunt. Denique cacozelon vocatur quidquid est ultra virtutem, quotiens ingenium iudicio caret et specie boni fallitur, omnium in eloquentia vitiorum pessimum: nam cetera parum vitantur, hoc petitur. Est autem totum in elocutione. Nam rerum vitia sunt stultum commune contrarium supervacuum: corrupta oratio in verbis maxime inpropriis, redundantibus, compressione obscura, compositione fracta, vocum similium aut ambiguarum puerili captatione consistit. Est autem omne cacozelon utique falsum, etiam si non omne falsum cacozelon: est <enim quod> dicitur aliter quam se natura habet et quam oportet et quam sat est. Totidem autem generibus corrumpitur oratio quot ornatur. Sed de hac parte et in alio nobis opere plenius dictum est et in hoc saepe tractatur et adhuc spargetur omnibus locis. Loquentes enim de ornatu subinde quae sint vitanda similia virtutibus vitia dicemus.

> Cacozelon, that is, bad affectation, is a mistake committed in every kind of speaking. For that which comes into error because it is tumid or trifling or cloying or superabundant or forced or prolix falls under the same name. In a word, whatever goes beyond virtue, whenever natural ability lacks judgment and is deceived by that which appears good, it is called cacozelon, the worst of all the faults in eloquence. For other faults occur because one has done too little to avoid them; cacozelon is sought out. Furthermore, it is a matter of style. For faults of subject matter include saying something that is stupid, common, contradictory, or superfluous. Corrupt oratory is found in words that are especially inappropriate or redundant, in obscure compression, in effeminate rhythm, in a childish hunting after similar and ambiguous sounds. It is the case that every instance of cacozelon is undoubtedly false, even if not every false thing is an instance of cacozelon. For cacozelon is that which is said differently from how nature would have it, from what is becoming, from what is sufficient. Additionally, style is corrupted in just as many ways as it is ornamented. But I have both discussed this

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[107] *Inst.* 8.3.41: *Ceterum dicturus quibus ornetur oratio, prius ea quae sunt huic laudi contraria attingam: nam prima virtus est vitio carere.*

point more fully in another work of mine [*De Causis Corruptae Eloquentiae*] and treated it often in the present work, and still there will be many occasions to return to it. For in speaking about ornament I shall repeatedly come across faults that are similar to virtues and must be avoided.[108]

In his definition Quintilian correctly recognizes the elasticity of the term. The wide net that he casts resembles Seneca the Elder's use of the term, insofar as the latter conceived that there were many different types of cacozelia. For Quintilian, *cacozelon* is a genus of fault that consists of a number of species,[109] and in the specific errors of style that he lists we can note parallels in the examples from other authors that were touched on above. All the same, Quintilian identifies some general qualities that for him characterize *cacozelia*. To start, Quintilian translates the transliterated Greek work *cacozelon* for his Roman readers as *mala adfectatio*. In a general sense, *affectatio* is an (often good) striving for an object, and it is often used by (philosophically inclined) writers to refer to the (commendable) pursuit of knowledge or virtue.[110] In the criticism of rhetoric, however, it almost exclusively denotes an excessive and unnatural striving for effect, and in this sense it is appropriately translated as "affectation."[111] The qualities of excess and unnaturalness appear elsewhere in Quintilian's definition. For him, *cacozelia* is whatever is "beyond" virtue (*ultra virtutem*), whenever natural ability lacks judgement (*ingenium iudicio caret*). Errors that should be categorized as *cacozelia* display a lack of proper measure by overreaching, and so transgress standards of decency.

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[108] Quintilian's definition was essentially copied by Iulius Victor (whom Jocelyn [1979] 101 deems a "plagiarist") in his late-fourth-century AD *Ars Rhetorica* (Halm 436).

[109] Cf. also *Inst*. 2.3.9: *Nam tumidos et corruptos et tinnulos et quocumque alio cacozeliae genere peccantes certum habeo non uirium sed infirmitatis uitio laborare, ut corpora non robore sed ualetudine inflantur, et recto itinere lassi plerumque deuertunt.*

[110] Cf. *OLD* s.v. 1.

[111] For *affectatio*, cf. Quint. 1.6.40, 8.3.27, 9.3.54, 10.1.82, and further citations in Zundel (1989); Suet. *Gram*. 10, *Tib*. 70. *OLD* s.v. 2 offers for the special rhetoric sense "A straining after effect, affectation."

Hence a principal component of Quintilian's interpretation of *cacozelia* is that it is a violation of decorum.[112] Decorum is traditionally the last of the four virtues of style attributed to Theophrastus, and rhetoricians commonly note that it is one of the most difficult subjects in the discipline to master and teach. Rhetoric is in large part comprised of a system of rules, but proper decorum often is a product of sensitivity to a situation and an innate understanding of what is appropriate. Accordingly, it can be viewed as evidence of a refined or even a naturally superior mind and character. Thus the charge of affectation that is at the core of cacozelia is especially damning, insofar as it to a significant degree stands as an accusation of an individual's in born insensitivity and lack of social wherewithal.[113]

This lack of decorum and social grace can be viewed as bad taste, and although, as noted, one of the best English translations of *cacozelia* is "bad taste," exploring this in more detail is helpful for understanding how *cacozelia* is construed as unnatural. In Lucian's dialogue *On Dancing* (Περὶ ὀρχήσεως), in which Lycinus persuades Crato, who begins the dialogue as a staunch opponent of dancing, that dancing, pantomime in particular, is a good thing. Near the end of the dialogue, after elucidating the virtues a dancer can display, Lycinus turns to the faults, concentrating on those that spring from the mind (ἡ διάνοια) rather than the body (80), and in this mode draws on the language of grammatical and rhetorical criticism to make his points. He mentions that many dancers commit terrible solecisms (σολοικίαι δειναί), for instance being out

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[112] For *decorum*, cf. Cic. *Or*. 70-74, *De Off*. 1.93-151, Quint. *Inst. Orat*. 11.1.

[113] For an example of improper decorum and the stigma attached to it in a non-oratorical or non-literary context, cf. Catullus Poem 12, in which Catullus rebukes and presumably hopes to shame Asinius Marrucinus for his gauche practice of stealing fellow diners' napkins. In contrast, Catullus praises Marrucinus' brother, Asinius Pollio, who he claims is a witty and charming young man. Although Marrucinus may believe that his pilfering habit is witty, Catullus assures him that in reality it is utterly ungraceful (12.3-4). Marrucinus' behavior then has significant parallels with Quintilian's definition of *cacozelia*, insofar as Marrucinus strives for a recognizable good (i.e. humor) but misses his mark and falls into a fault. Here, then, aspects of style in dining have some resemblance to aspects of style in speaking.

of step with the music, or introducing scenes or characters that, although they may be thematically related, are anachronistic in relation to the principal subject (80). What seems to be a greater cause of trouble, however, is that a dancer can be led astray by κακοζηλία (82):

> Γίνεται δέ, ὥσπερ ἐν λόγοις, οὕτω δὲ καὶ ἐν ὀρχήσει ἡ πρὸς τῶν πολλῶν λεγομένη κακοζηλία ὑπερβαινόντων τὸ μέτρον τῆς μιμήσεως καὶ πέρα τοῦ δέοντος ἐπιτεινόντων, καὶ εἰ μέγα τι δεῖξαι δέοι, ὑπερμέγεθες ἐπιδεικνυμένων, καὶ εἰ ἁπαλόν, καθ᾽ ὑπερβολὴν θηλυνομένων, καὶ τὰ ἀνδρώδη ἄχρι τοῦ ἀγρίου καὶ θηριώδους προαγόντων.

> Just as in speech, so also in dancing *cacozelia*, as it is called by many, results from those overstepping the measure of imitation and striving beyond what is necessary. And so if dancers should need to depict something large, they display something immensely large, and if something simple, they become womanish on account of their exaggeration, and they carry manly subjects forward to the point of wildness and savagery.

Lycinus' discussion of κακοζηλία in dancing centers around overstepping proper measure and reaching beyond what is necessary. Of particular interest, he articulates hyperbolic representation in light of gender norms: a depiction of manliness is a desired target, while a womanly representation is the result of hyperbole. To illustrate his general point about exaggeration, however, he relates an extended anecdote in which a dancer portraying the madness of Ajax took the imitation to such an extreme that he tore the clothes of the person keeping time and, taking the aulos from one of the musicians, delivered a blow to the head of the actor playing Odysseus. Lycinus claims that while the vulgar and ignorant, who do not aspire to what is becoming and do not distinguish the worse from the better (οἱ μὲν συρφετώδεις καὶ αὐτὸ τοῦτο ἰδιῶται τοῦ μὲν εὐσχήμονος οὐκ ἐστοχασμένοι οὐδὲ τὸ χεῖρον ἢ τὸ κρεῖττον ὁρῶντες), believed that the dancer's action constituted the summit of imitation (ἄκραν δὲ μίμησιν τοῦ πάθους τὰ τοιαῦτα), the more refined were embarrassed, but applauded to cover up the folly of the dance, although they discerned that the madness was not Ajax's but the dancer's. Lycinus goes on to to relate that after the dancer came back into his senses, he admitted the insanity of his

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performance, but was especially irked by another performer who, perhaps in reaction, was especially sensible in his performance of Ajax's madness, keeping within the boundaries of dancing and not abusing the art of acting like a drunken man (μείνας ἐντὸς τῶν τῆς ὀρχήσεως ὅρων καὶ μὴ παροινήσας εἰς τὴν ὑπόκρισιν, 83-84).

For Lucian's speaker, the actor's performance was a flagrant violation of propriety, although it was met with very different reactions by the two very different components of the audience. The ignorant segment is characterized as not distinguishing the better from the worse, and this lack of faculty of discernment manifests in this particular instance as a display of bad taste. For them, the dancer's hyperbolic mimicry seemed a natural representation of madness. All the sensible people, however, according to Lucian, perceived accurately (ἀκριβῶς, 83) that the dancer went well beyond the bounds of what was acceptable and reasonable, and in fact his performance *was* a display of madness or drunkenness. That is to say, it was the behavior of one who has entered into an unnatural state of mind. As it appears from Lucian's anecdote, then, poor taste, that is, the failure or inability to recognize proper measures and limits, results in the development of the preference for the unnatural and the extravagant.

The convergence of bad aesthetic taste and unnaturalness is even more strikingly evident in Quintilian. In discussing the pedagogical duties of the rhetorician, Quintilian claims that it is helpful even for bad speeches to be read aloud in order that the teacher may point out their faults (2.5.10):

> Ne id quidem inutile, etiam corruptas aliquando et uitiosas orationes, quas tamen plerique iudiciorum prauitate mirentur, legi palam, ostendique in his quam multa inpropria obscura tumida humilia sordida lasciua effeminata sint: quae non laudantur modo a plerisque, sed, quod est peius, propter hoc ipsum quod sunt praua laudantur.

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> It is even useful sometimes also for corrupt and faulty speeches, which nevertheless a great many judges would admire on account of their perversity, to be read aloud in class, and for it to be pointed out how many inappropriate, obscure, tumid, menial, foul, wanton, and effeminate things are in them. Which not only are praised by many, but what is worse, are praised for the fact that they are perverse.

As Quintilian interprets it, many people admire faulty speeches on account of their own perversity (*pravitate*), and a range of faults follow which resemble those lists he includes in his discussions of cacozelia at 2.3.9 and 8.3.56-9. We might here read *pravitas*, then, as the critical characteristic that approves of *cacozelia*. What is worse, Quintilian claims, is that such speeches are praised expressly because they are bad (*prava*). Quintilian continues on to remark that speech that is upright and in accordance with nature seems to bear no mark of genius, and that we (in these degenerate times) admire that which has been bent out of shape in anyway whatsoever, just as in certain quarters misshapen and monstrous bodies fetch a higher price than those which are not lacking anything from the common goods of appearance (2.5.11-12). Quintilian's rhetoric throughout this passage makes a pointed contrast between what is straight (*rectus*) and what is crooked (*pravus*), and although the meaning of these terms is left somewhat vague, it seems that for Quintilian *pravus* is that which deviates from nature. At the end of the passage, Quintilian claims that some people who are captivated by appearance believe that there is greater beauty in those who are depilated, smoothed, and artificially colored than uncorrupted nature (*incorrupta natura*) can bestow, with the result that the beauty of the body seems to come from bad character (*ut pulchritudo corporis venire videatur ex malis morum*, 2.5.12). Here is another instance in which style is discussed in terms of the body, bad style is compared to deliberately misshapen and unnatural bodies, and the style appears to be a part of the person just as the disfigured body is. But Quintilian develops this idea even further in the final thought of

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this fascinating passage, where he makes a direct connection between poor taste and bad character.[114]

The connection between individual and style is reinforced by a distinguishing feature of *cacozelia* that Quintilian alone points out explicitly: it is sought (*hoc petitur*). Here Quintilian calls attention to the intentionality that lay behind this type of fault.[115] This is a feature that is only implicit in the treatment of *cacozelia* by other authors, although, as was discussed above, it is etymologically part of the term (*cacozelia* signifies a desire for what is bad). It is worth exploring the nature of this desire as it is formulated by Quintilian. He notes that the *cacozelon* is a consequence of a speaker's failure or inability to distinguish the good from the bad. Accordingly, the faulty desire is not a desire for the bad per se, but a desire for something bad that is incorrectly judged to be good;[116] and again, such an error in judgment in aesthetics

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[114] A similar passage occurs in Book 5 of the *Institutio Oratoria*, although there Quintilian links his criticisms of unnatural bodies to gender dynamics. Quintilian claims that declamations, once useful for training for real judicial contests, are now composed for pleasure (*ad solam compositae voluptatem*) and lack sinews (*nervis carent*), the fault of teachers which is the same as the fault of slave dealers who castrate boys in order to increase their beauty (5.12.17). Just as such slave dealers judge that there is too little attractiveness in the strength, muscles, and beard which nature has given properly to males (*quae natura proprie maribus dedit*), bad teachers cover the virility and strength of speaking with a delicate skin of eloquence (5.12.18). But for Quintilian, who keeps his eye on nature (*sed mihi naturam intuenti*), no man will ever not be more beautiful than a eunuch, and he himself will never think something becomes attractive by means of the knife that, if it had been born such, would be a monster (5.12.19). Quintilian proceeds to align such failings in taste to bad morals and differentiates between lust and the good: *Libidinem iuvet ipsum effeminati sexus mendacium, numquam tamen hoc continget malis moribus regnum, ut si qua pretiosa fecit fecerit et bona*, "Although the very falsehood of a feminized sex may stimulate lust, nevertheless a realm with bad morals will never come about to such an extent so that if some things have become costly, they also have become good" (5.12.19).

[115] To understand *cacozelia* as a bizarre yet intentional affectation, a helpful comparison again can be found in the poetry of Catullus. In Poem 84 Catullus memorializes Arrius as a ludicrous figure due to his penchant for aspirating the beginning of certain words. Thus, as Catullus tells us, Arrius says *chommoda* instead of *commoda*, *hinsidias* rather than *insidias* (84.1-2). Catullus notes that Arrius thinks that in doing so he has spoken marvelously (*mirifice* 84.3-4) and so it is clear that this affectation is studied and deliberate.

[116] Nevertheless, there is evidence that some speakers loved their own faults. The most well known example of this is Seneca the Elder's comparison of Ovid as a declaimer and as a poet: *Declamabat autem Naso raro controversias et non nisi ethicas. libentius dicebat suasorias. molesta illi erat omnis argumentatio. verbis minime licenter usus est, non <ut> in carminibus, in quibus non ignoravit vitia sua sed amavit* (*Controv.* 2.2.12; text Håkanson [1989]). Cf. Quintilian's judgment of Ovid (*Inst.* 10.1.88): *Lascivus quidem in herois quoque Ovidius et nimium amator ingenii sui, laudandus tamen partibus*. Cf. also Fantham (1978) 114 on Quintilian *Inst. Orat.* 2.5: "willful deviation."

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signifies the lack of taste. In any case, for Quintilian, *cacozelon*, however much it may be an outcome of vitiated judgment, is also a result of choice, and as such reflects the disposition and character of the individual speaker or writer.

Not all ancient literary critics used the term *cacozelia*. It is notably absent, for example, from the works of Cicero and Dionysius of Halicarnassus. More strikingly, Seneca the Younger does not deploy it, despite ample opportunity to do so: Maecenas' perversities in speech (*Ep*. 114.4-8), which are presented as a result of deliberate affectation and a striving for a mannered effect, constitute a virtual case study of *cacozelia* as Quintilian would later define it. After Seneca describes men who deplitate their beards, shave their lips and "lower" (*summissa*) areas, dress with extraordinary conspicuousness, and wish to do nothing that passes unnoticed—for they wish even to be rebuked provided that they are noticed—he claims, "Such is the style of Maecenas and all others who err not by chance but knowingly and willingly" (*Talis est oratio Maecenatis omniumque aliorum qui non casu errant sed scientes volentesque*, *Ep*. 114.21; cf. *Ep*. 114.11, discussed above: *sunt...qui ipsum vitium ament*). That Maecenas' excesses and eccentricities in style, dress, and general deportment are presented as intentional helps Seneca make his more fundamental points that violations in decorum in both style and life more generally are connected and arise from an individual's *ingenium*, "nature" or "character," and hence are indicative of character.

Roman critics, then, critiqued style in language that facilitated links to be made between style and the individual. But, as I noted in the introduction to this chapter, as a result of Seneca's restricted focus on Maecenas' eccentricities, the picture of Maecenas that emerges from Seneca's letter is as much a caricature as a realistic character sketch: Maecenas' faults are magnified while the other parts of his person recede into the margins, to the extent that they remain visible at all.

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Seneca ostensibly offers a salient representation of Maecenas' character, but ultimately produces an exaggerated, warped, and comically unnaturalistic image that suits the rhetorical and philosophical purposes of his letter. Seneca's caricature of Maecenas, then, is an example of how the connection between style and character that was generally endorsed by ancient critics could be exploited to justify deliberate distortions of style and person in order to ridicule and discredit them. How such distortions in the caricaturing of style were developed and deployed more generally is the focus of the next part of this chapter.

III. Caricature of Style

As was discussed in the previous chapter in connection with the "spin and smear" component of invective, it was usual in invective for a speaker to misrepresent and distort his target in order to make him or her appear particularly heinous or ridiculous. The goal was not to convey a clear, unbiased representation, but rather to construct a striking and exaggerated image that was intended to evoke from the audience very strong and very specific emotional reactions. A parallel for this tactic can be found in the practice of drawing caricatures, which for centuries have had a significant effect as political propaganda. In caricature, an actual person is reduced, for example, to a belly, a gaping maw, or a nose, as these elements are severely exaggerated and dominate the rendering. We can see this at work in a caricature of President Donald Trump from around the beginning of 2017, in which there is an unmistakable likeness between the caricature and Trump the person, but signature features are exaggerated in order to make statements about Trump's personality (Fig. 1):

Fig. 1. Donald Trump. Drawing by Rob Maystead. Rob Maystead Caricatures.
https://www.pinterest.com/rmaystead/rob-maystead-caricatures/ Accessed January 31, 2018.

Here, the viewer's eye is immediately drawn to Trump's fleshy jowls, twisted, open mouth, and

gesturing right hand, and in looking at this image one can virtually hear Trump speaking. It

remains for the viewer to fill in whatever Trump is saying at this moment, but the squinting eyes

and bared teeth suggest that it is being delivered in an aggressive manner. The central focus on

Trump's sizeable face forces out of the frame other parts of him included in the image—his

body, hands, and meticulously coiffed hair. Subordinate as they are to his face, all three of these

elements nevertheless indicate important information about Trump. The suit and red tie, out of

the collar of which thick, bulging folds of his neck emerge, signify that this is the (Republican)

President of the United States. His hands contribute to the representation of his aggressive

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speaking style, but perhaps also, being as prominent as they are, are intended to remind the viewer of specific boasts that he made about them in the course of the presidential campaign. Finally, while his hair is to a large extent cropped out of the image, its light, feathery texture is clearly conveyed, and the exaggerated flipped lock extending from the left side of his head is a flourish that at once implies vanity and bizarre tastes in personal appearance.

Today's political cartoons continue the tradition of caricature and their daily appearances in newspapers evinces the relevance that caricature still has for contemporary politics and culture.[117] The rhetorical strategy of the cartoon or caricature is to draw attention to one or more salient characteristics of the represented figure, which in turn function as a means for commenting on the defining aspects of this person. At play in such a medium, however, is a dehumanizing strategy, as the sketch obscures the complex nature of the individual through a network of symbols that are in themselves, as they are presented, detached from reality. When used in invective contexts, caricature can be thus a useful way for narrowing in on specific characteristics of a target, monstrifying them, and so removing the audience's sympathy.

As seen in the analysis of Seneca's letter on Maecenas, descriptions of bad style in rhetorical and critical treatises as well as other works can amount to caricatures of style. In such instances, the character that is allegedly revealed by means of the criticism of style becomes a caricature, as the exaggerated faults yield a ludicrous image. In addition to Seneca's letter, such caricaturing of style is evident in Gellius' discussion of *loquacitas* and Cato's attack on Caelius quoted in the introduction to this chapter. For Gellius, the loquacious person seems unaware that he is even speaking, and according to the fragment of Cato's speech, people hear Caelius' words but do not listen to them, and so his words seem to have an effect which is the opposite to that

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[117] On caricature, see Gombrich and Kris (1940), Shikes (1969).

which he intended for them. In both cases, the reader is confronted with an absurd situation, as the speaker's excessive speech is not interpreted as speech at all.

Besides the passages from Gellius, Cato, and Seneca discussed in the introduction, in this chapter we have also seen caricature at play more generally in Lucian's description in the *De Saltatione* of the dancer who went beyond all reasonable measure in his performance of mad Ajax. A notable difference between Cato's and Seneca's attacks and those of Lucian and Gellius is that Caelius and Maecenas are named, whereas the targets of Gellius and Lucian are either unnamed or of a general type. Although political cartoons achieve much of their effect by skewering a recognizable individual, the ridiculing of types is also an important aspect of caricature. An ancient work that makes fun of types of characters extensively is Theophrastus' Χαρακτῆρες (*Characters*), the full title of which is probably Ἠθικοὶ Χαρακτῆρες,[118] which can be translated as *Character Types*. Theophrastus' text, however, does not deal with character types universally. Rather, the thirty character sketches all focus on ridiculous figures whose behavior in some respect constitutes a breach of decorum. Moreover, as each one is exaggerated to the point of humor, the character sketches shade into caricatures. I began this chapter by considering Gellius' thoughts on talkativeness (*loquacitas*); and two of Theophrastus' *Characters*, the "Idle Talker" (ὁ ἀδολέσχης, *Char*. 3) and the "Babbler" (ὁ λάλος, *Char*. 7), focus on people who display an excessive predilection for talking. The Idle Talker is the sort of person who will sit next to someone he does not know and talk about anything and everything, sharing information not only about what he has recently eaten, but also events that transpired when his stomach was in a less appetitive state (Χθὲς ἤμεσα, "Yesterday I threw up" *Char*. 3.3

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[118] In Diogenes Laertius' catalog of Theophrastus' works, two entries correspond to the work: Ἠθικοὶ Χαρακτῆρες (5.47), Χαρακτῆρες Ἠθικοί (5.48). There are other double entries in the catalog, however, and so it appears that Diogenes compiled his list from multiple lists and in the process created duplicate entries. For the title of the work, see Diggle (2004) 4-5.

Diggle). On the other hand, "the Babbler is the sort of person who says to whomever he meets whenever he utters a sound, that he is saying nothing and that he himself knows all and, if he should only listen to him, he will learn" (ὁ δὲ λάλος τοιοῦτός τις, οἷος τῷ ἐντυγχάνοντι εἰπεῖν, ἂν ὁτιοῦν πρὸς αὐτὸν φθέγξηται, ὅτι οὐθὲν λέγει καὶ ὅτι αὐτὸς πάντα οἶδεν καὶ, ἂν ἀκούῃ αὐτοῦ, μαθήσεται, *Char*. 7.2 Diggle). He is equipped with such an ability for creating tumult that his interlocutor is not even able to catch his breath (καὶ ἑτέρας ταραχὰς τοιαύτας πορίσασθαι, ὥστε μηδὲ ἀναπνεῦσαι τὸν ἐντυγχάνοντα, *Char*. 7.3 Diggle). And after giving a report about what has happened in the assembly, he relates information about oratorical disputes that occurred years earlier, as well as those speeches for which he himself was held in high esteem, mixing in abuses of the people, until his listeners object, doze off, or take their leave, abandoning him in the midst of his discourse (*Char*. 7.7). The "Flatterer" (ὁ κόλαξ) tells the people present to be quiet when the person he is flattering is speaking, praises when he is listening, and laughs when he makes a frigid joke, even thrusting his cloak into his mouth as though he is not able to stop laughing (*Char*. 2.4 Diggle). The "Disgusting Man" (ὁ βδελυρός) exposes himself to free women, and at the theater applauds when no one else does and belches when it is silent in order to make his fellow theatergoers turn around (*Char*. 11.2-3 Diggle).

Theophrastus succeeded Aristotle as the head of the Lyceum in 323, and his *Characters* seems to be rooted in the Aristotelian understanding of ethics discussed above in which virtue is a mean between vices of excess or deficiency.[119] Nine of the thirty character types that Theophrastus sketches correspond to the vices that Aristotle in his *Nicomachean Ethics* claims result from either an excess or a deficiency in relation to the virtuous mean.[120] For example,

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[119] See above, Ethics and the Body in the Theory of Types of Style.

[120] For this see Diggle (2004) 6-7.

Aristotle in discussing the virtue of "friendship" (φιλία) states that "discontent" (δυσκολία) and "flattery" (κολακεία) are respectively the deficiency and the excess in relation to it (*NE* Book 2, 1108a26-30), and the "Flatterer" (ὁ κόλαξ) is the second character sketched in Theophrastus' collection (*Char*. 2 Diggle). Theophrastus also includes both the "Dissembler" (ὁ εἴρων, *Char*. 1 Diggle) and the "Braggart" (ὁ ἀλαζών, *Char*. 23 Diggle), and for Aristotle, "dissimulation" (εἰρωνεία) and "boastfulness" (ἀλαζονεία) are respectively the deficiency and excess that correspond to "truthfulness" (ἀλήθεια, *NE* Book 2, 1108a19-23). The exaggerated descriptions that comprise the *Characters* can be interpreted as artistic reflections of the excesses of such a type of person: the style of the sketches vividly conveys the idea of excess. As such, the exaggerated nature of Theophrastus' sketches can be a strategy for moral exhortation in addition to its potential entertainment value.

Yet the entertainment value of such sketches should not be overlooked. I have only provided a small selection of the material for each of the character types I have mentioned, and all of the sketches are composed of numerous similarly brief (and often disconnected) descriptions of behaviors that together produce a vivid picture. Each descriptive sentence, however, could be a joke on its own, such that one could lead into each sentence for the Flatterer by saying, "You might be a flatterer if…"[121] As a result of the undeniably amusing quality of the work, some scholars have suggested that the *Characters* amounted to stock material that orators or comic playwrights could draw on to make their works more humorous.[122] Although this

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[121] Cf. the comedian Jeff Foxworthy's signature joke set-up "You might be a redneck if…", which is followed by a description of outlandish behavior stereotypically associated with a predominantly white, rural, impoverished segment of the American population.

[122] Cf. Diggle (2004) 13-14. Diggle himself, following Pasquali (1918), thinks it is just as plausible that the *Characters* were conceived as lively and entertaining vignettes that Theophrastus would perform complete with imitative gestures during his lectures in order to lighten the otherwise serious content (15-16).

interpretation has not won universal acceptance, the influence that this mode of writing had on the tradition of school rhetoric is captured in some of the rhetorical treatises. In P. Rutilius Lupus' first-century AD translation of a work on rhetorical figures by Cicero's rhetoric teacher Gorgias, under the figure of Χαρακτηρισμός (2.7, Halm 16-17) there is a Latin translation of a character sketch of a drunkard attributed to Lycon, who, following Theophrastus' successor Strato, was the head of the Lyceum from 270/268-226/224 BC.[123] Insofar as this character description originated with the head of the Lyceum, we catch a glimpse of the direct influence that the Peripatetic school had on the practice of caricature in rhetorical training. And it does seem clear that an idea close to the modern term caricature lies behind the figure of Χαρακτηρισμός, as in the definition Rutilius notes that with this figure the orator "disfigures" (*deformat*) the virtues and vices of those whom he speaks about (Χαρακτηρισμός. *Quem ad modum pictor coloribus figuras describit, sic orator hoc schemate aut vitia aut virtutes eorum, de quibus loquitur, deformat*, 2.7, Halm 16). Lycon's/Rutilius' sketch is more developed than those of Theophrastus, as it attempts to sketch a complete day in the life of the drunkard, from when he wakes up around noon and is unable to look continually at the light, to when he, being supported by two, is led straight from the bedroom into the dining room, to the disorder of the dinner party attended by guests just as drunk as he is, to when he finally passes out alone in his *triclinium* after which his drinking cup on its own accord falls from his hand. Although Rutilius notes in his definition that with Χαρακτηρισμός one can disfigure either the virtues or the vices of someone, this sole illustration for the figure suggest that, like Theophrastus' *Characters*, more fun was to be had with vices.

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[123] For Strato's life and works, see Diog. Laert. 5.58-64, *BNP* Straton [2].

The same is true of the lengthier and even more elaborate character sketch of a boaster of false wealth that the *auctor* of the *Rhetorica ad Herennium* provides as an illustration for the figure *notatio* (*Rhet. Her.* 4.63-65).[124] As the *auctor* defines it, through *notatio*, one aims to represent the *natura* of an individual: *Notatio est cum alicuius natura certis describitur signis, quae, sicuti notae quae naturae sunt adtributa*, "Characterizing is when the nature of someone is described through specific tokens, which, just like some distinctive features, have been attributed to his nature" (*Rhet. Her.* 4.63).[125] Here again, the illustrative example is more carefully composed than what we find in Theophrastus. Rather than a string of disconnected images, the *auctor* produces a short narrative that covers the man's actions, this time over the course of more than a single day, vividly relating the lengths to which he goes in order to give a false impression of his wealth. He addresses his lone slave now by one name and now by another and attempts to give the impression that he is but one of many. This slave, who is well acquainted with the nature of his master (*iam bene eri naturam norit*), plays along, and when asked for a sum to be counted before night, responds, "You ought to send many if you want the count to be completed today" (*Rhet. Her.* 4.63). The boaster then by chance meets people that he had invited while traveling abroad sumptuously, and although he is very confounded by the event of their arrival, he does not does not desist from the error of his nature (*tamen a vitio naturae non recedit*, 4.63).

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[124] This *ostentator pecuniae gloriosus* (reading Kayser's (1854) emendation of *ostentatorem pecuniosi* of the *mss.*) corresponds to Theophrastus' ὁ ἀλαζών (*Char.* 23 Diggle).

[125] Commentators on the *Rhetorica ad Herennium* note that *notatio* corresponds to ἠθοποιία, while *effictio*, the previous figure that the *auctor* discusses, corresponds to χαρακτηρισμός (Caplan [1954] ad 4.63, Calboli [1969] 418-22, Achard [1989] ad 4.63). For the *auctor*, *effictio* is a brief, recognizable physical description of an individual (*Effictio est cum exprimitur atque effingitur verbis corporis cuiuspiam forma quoad satis sit ad intellegendum*, 4.63), which accords with how the first-century BC Greek grammarian Tryphon defines χαρακτηρισμός in his Περὶ τρόπων (2.6, 3.201 Spengel). Rutilius' (and by extension, Cicero's teacher Gorgias') understanding of χαρακτηρισμός, however, has much greater resemblance to the *auctor's* treatment of *notatio* than to *effictio,* and Polybius Sardianus, in his Περὶ σχηματισμοῦ, defines χαρακτηρισμός as "the sketch of a specific soul" (Χαρακτηρισμός ἐστιν ὑποτύπωσις ἰδιώματος ψυχῆς, 3.108 Spengel) and quotes *Il.* 11.653-54, where Patroclus describes Achilles' character, not his physical appearance. There seems, then, to have been differing interpretations of these terms in antiquity.

As he tells his companions that his villas have burned down, he leads them to a house in which a dinner party is set to take place that day, declares that he lives there, inspects the silver and the dining room, and tells them to return in the afternoon. The visitors come at the appointed hour, discover that it is not the man's house, and depart amid mockery (4.63-64). Upon seeing the man the next day, they explain what happened and level accusations. He declares that they must have come to the wrong house, and contrary to the interests of his health, he had waited for them until late in the night. He then leads them to his own home, claims that along with the statelier dwelling, he has lent out his silver and slaves to a friend for a marriage ceremony, and asks that they be content with Samian ware (4.64). In defining and illustrating this figure, the *auctor* repeatedly focuses on its ability to convey a person's nature (*natura*), which seems to correspond to χαρακτήρ, as it is viewed as the distinguishing feature of the individual.[126] In summing up the use of *notatio*, the *auctor* again emphasizes that it can vividly portray the nature of an individual, but also notes that it gives great pleasure, and associates it almost exclusively with describing people of unenviable character (4.65):

> Huiusmodi notationes, quae describunt quod consentaneum sit unius cuiusque naturae, vehementer habent magnam delectationem, totam enim naturam cuiuspiam ponunt ante oculos, aut gloriosi, ut nos exempli causa coeperamus, aut invidi aut tumidi aut avari, ambitiosi, amatoris, luxuriosi, furis, quadruplatoris; denique cuiusvis studium protrahi potest in medium tali notatione.

> Characterizations of this sort, which describe what is suited to the nature of each individual, certainly produce great delight, for they place before the eyes the full nature of an individual, whether of a boaster, as I described in my example, or of a person who is envious, or arrogant, or avaricious, or someone who is ambitious, or a lover, or a profligate, or a thief, or an informer. In short, the way of life of anyone you wish can be drawn out into the open through such characterization.

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[126] At the conclusion of the example, the *auctor* asks what good it will do to narrate more details, since the man's nature is such that he can scarcely relate in a year all that he does through his ostentatious boasting in a single day (4.64): *Quid ego quae deinde efficiat narrem? Eiusmodi est hominis natura ut quae singulis diebus efficiat gloria atque ostentatione ea vix annuo sermone enarrare possim.*

In invective in general, accuracy and fine-grained analysis are subordinated to familiar images and character types that the speaker believes will trigger a targeted emotional response in the audience. Along the lines that a description such as *notatio* produces pleasure, we could add that it directs the focus of the audience or reader specifically to those details which will expose the subject to the greatest amount of ridicule, which, as was discussed in the previous chapter, is an important element of invective.

As I discussed in Part II, the Peripatetic interpretation of ethics that is a component of Theophrastus' *Characters* also fundamentally informs the theory of types of style, since the faulty types of style are the result of an excess of the qualities that make up the good types. For example, whereas the grand style makes use of impressive words and sonorous phrases, in the tumid style the diction is not impressive but inflated, and the phrases are not sonorous but long-winded. Again, while the plain style achieves simplicity and elegance, the arid style is bare and emaciated. An element of caricature is evident in the specimens of the faulty styles that the authors produce as illustrative examples, as they are exaggerated to a fault and exhibit obvious aberrations from good style as illustrated by the proper types. For the critics who produce these caricatures of style, the faulty examples are evidence not simply of inadequate control of style, but of the poor taste and judgment of the author. Indeed, they appear to be examples of *cacozelia* in practice, and the faulty and perverse style of the writing is indicative of the faulty and perverse character of the author.

In *On Style*, Demetrius illustrates each of the four faulty types of style (ψυχρός "frigid," κακόζηλος "affected," ξηρός "arid," and ἄχαρις "unpleasant") with brief examples and occasional comments. Demetrius introduces the concept of the faulty styles in transitioning from the first type of style that he discusses, the grand style (μεγαλοπρεπής), to the corresponding

faulty type, the frigid (ψυχρός), and explicitly relates it to the Peripatetic understanding of ethics:

"Just as some bad things lie beside the refined, as rashness lies beside courage, and shame beside

reverence, in the same way also in style faulty types lie next to the good types" (Ὥσπερ δὲ

παράκειται φαῦλά τινα ἀστείοις τισίν, οἶον θάρρει μὲν τὸ θράσος, ἡ δ' αἰσχύνη τῇ αἰδοῖ, τὸν

αὐτὸν τρόπον καὶ τῆς ἑρμηνείας τοῖς χαρακτῆρσιν παράκεινται διημαρτημένοι τινές, *De Eloc.*

114).[127] The relevance of Peripatetic ethics appears again, as Demetrius proceeds to quote

Theophrastus' definition of τὸ ψυχρόν along with an illustrative example: ὁρίζεται δὲ τὸ ψυχρὸν

Θεόφραστος οὕτως· ψυχρόν ἐστι τὸ ὑπερβάλλον τὴν οἰκείαν ἀπαγγελίαν, οἶον ἀπυνδάκωτος οὐ

τραπεζοῦται κύλιξ, ἀντὶ τοῦ ἀπύθμενος ἐπὶ τραπέζης κύλιξ οὐ τίθεται. τὸ γὰρ πρᾶγμα σμικρὸν ὂν

οὐ δέχεται ὄγκον τοσοῦτον λέξεως, "Theophrastus defines frigidity thus: 'Frigidity is exceeding

the proper description. For example, "The unbottomed cup is not tabled," instead of "The cup

without a bottom is not placed on the table." For the unimportant subject does not support such

weight of style.'"[128] For Theophrastus, frigidity is that which exceeds propriety of description,

and in the example, the poetic compound ἀπυνδάκωτος and the unusual use of τραπεζόω (which,

according to *LSJ* and *GE* s.v., is usually used of making offerings to a god) resemble the kinds of

faults that Seneca rebukes Maecenas for. Later in his treatment of frigidity, Demetrius claims

that on the whole frigidity is similar to boastfulness: just as the boaster declares that things not

belonging to him are his, so the writer encompassing trivial subjects with bombast resembles one

boasting in small matters (Καὶ καθόλου ὁποῖόν τί ἐστιν ἡ ἀλαζονεία, τοιοῦτον καὶ ἡ ψυχρότης· ὅ

τε γὰρ ἀλαζὼν τὰ μὴ προσόντα αὐτῷ αὐχεῖ ὅμως ὡς προσόντα, ὅ τε μικροῖς πράγμασιν

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[127] Cf. Demetrius *De Eloc.* 119.

[128] Theophr. Frag. 686 Fortenbaugh. For parodies of overblown poetry styles in English, cf. Jonson's *Poetaster* (1601), a product of the "War of the Theaters" waged between rival Elizabethan playwrights, and Gilbert and Sullivan's *Patience* (1881).

περιβάλλων ὄγκον καὶ αὐτὸς ἐν μικροῖς ἀλαζονευομένῳ ἔοικεν, *De Eloc*. 119). Here again,

Demetrius signals a connection between style and character, and compares style to one of the

character types that Theophrastus included in his *Characters* that overlaps with one of Aristotle's

ethical vices.

In setting off the frigid example by rewriting it in a more normal style, Theophrastus

explicitly shows just how disfigured it is. In another example that Demetrius himself provides,

the critic's point is likewise aided by comparison. To illustrate frigidity in thought, Demetrius

quotes an excerpt from an unknown writer on the mountainous boulder that Polyphemus the

Cyclops heaved at Odysseus' ship as he and his crew were fleeing: ἢ γὰρ ἐν διανοίᾳ, καθάπερ

ἐπὶ τοῦ Κύκλωπος λιθοβολοῦντος τὴν ναῦν τοῦ Ὀδυσσέως ἔφη τις· φερομένου τοῦ λίθου αἶγες

ἐνέμοντο ἐν αὐτῷ. ἐκ γὰρ τοῦ ὑπερβεβλημένου τῆς διανοίας καὶ ἀδυνάτου ἡ ψυχρότης, "For

one, <frigidity can be> in the thought, as when describing the Cyclops throwing a rock at

Odysseus' ship someone said, 'As the stone was flying goats were grazing on it'" (*De Eloc*.

115). The reader presumably would recall the famous scene from the *Odyssey*, and the detail

that goats were still pasturing on the part of the mountain that the Cyclops had broken off and

thrown seems far-fetched, to say the least.[129] Demetrius notes that frigidity results from the

hyperbolic and impossible thought, and indeed, isolated in Demetrius' text and subjected to his

critical evaluation, the line does appear ridiculous. How it functioned in its original context,

however, is not addressed. Demetrius later notes that some writers deliberately use grand

language in the treatment of slight subjects as a kind of play (120), and so it is clear that he is

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[129] It should be noted that in his discussion of τὸ κακόζηλον, Hermogenes uses the Cyclops episode in the *Odyssey*
to illustrate how a detail that by itself would defy belief and as such be instance of τὸ κακόζηλον (which for
Hermogenes is largely a result of elements that render the narrative ἄπιστα ["incredible"]) can be set up by the
writer beforehand and thus made plausible (2.257-58 Spengel).

sensitive to the uses of registers of style in learned and sophisticated ways. But just as context is ignored or obscured in invective in order for the speaker to score a point in regard to a specific detail, so style can be more easily critiqued when words are removed from their original context and the reader is forced to reinterpret what the critic has rewritten. The character of the original work in its entirety is effaced in favor of a sound bite that focuses on and magnifies a single feature and thus distorts the whole. In some respects, the phenomenon I describe here seems to be an unavoidable aspect of all literary criticism that quotes selectively from larger works; but when critics select a small fragment of writing expressly to pillory it, the character of the original work is contorted and an unmistakable resemblance between the criticism of style and invective discourse emerges.

I discussed above how the *auctor* of the *Rhetorica ad Herennium* describes the three faulty styles, noting that he articulates the errors inherent in them through the language of the body.[130] For his illustrative examples of the faulty styles, the *auctor* does not introduce excerpts from other writers, but, holding to his general practice for all of his examples for style, composes passages of his own.[131] His examples for the faulty styles correspond in subject matter to the examples that he has written for the good types of style, and so facilitate direct comparison. The example provided for the grand style (*figura gravis*)—which, as the *auctor* defines it, uses the most ornate words that are appropriate for the subject, weighty thoughts, and figures of thought and speech so as to give distinction to the style—comes from the *peroratio* of a speech in which the speaker amplifies the magnitude of the crime of treason (4.12). The speaker seems intent on

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[130] Ethics and the Body in the Theory of Types of Style.

[131] At the beginning of the fourth and final book which is devoted entirely to style, the *auctor* defends this apparently somewhat controversial practice (*Rhet. Her.* 4.1-10, esp. 7-10). Cf. Caplan (1954) xxx-xxxii for some discussion of the honesty of the *auctor*'s claim that he has composed the examples.

emotionally rousing the jurors in order to persuade them to inflict the harshest punishment possible on the accused, and to this end pulls out all the stops in a vivid description and impassioned condemnation of treason.[132] The example for the swollen style (*figura sufflata*) is also against a traitor, but rather than producing pathos, it is bloated with unusual words and strange images: *Nam qui perduellionibus venditat patriam non satis subplicii dederit si praeceps in Neptunias depultus erit lacunas. Poenite igitur istum qui montis belli fabricatus est, campos sustulit pacis*, "For he who has sold his country to treason-shoppers, he has not paid a sufficient price if he will be cast headlong into the Neptunian hollows. Therefore, punish him who has formed mountains of war, who has overturned the fields of peace" (4.15). For the most obviously bizarre elements in this short passage, one can point to the unusual use of a plural of the abstract noun *perduellio* (which normally means treason, but here signifies the foreign enemy), the poetic *Neptuniae lacunae*, and the highly affected contrast between mountains of war and fields of peace. The overall quality of this style is strained and sophomoric, and the worst affectations could qualify as specimens of *cacozelia*.

In summarizing how writers fall into this style, the *auctor* states that they are misled by the appearance of grandeur and are not able to perceive the tumidity of their style (*In hoc genus plerique cum declinantur et ab eo quo profecti sunt aberrarunt, specie gravitatis falluntur nec perspicere possunt orationis tumorem*, *Rhet. Her.* 4.15), which thus emphasizes their lack of judgment and taste. In allowing the reader to examine the passage in the grand style side-by-side with the passage in the swollen style, the *auctor* presents the latter as a distorted and grotesque image of the former. This is true also of the other two types of style and their faulty counterparts, which again share the same subject matter and so allow the reader to apprehend

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[132] For a close stylistic analysis of this passage, see Marouzeau (1921) 155-56, whose findings are reported by Caplan (1954) ad *Rhet. Her.* 4.12.

most clearly how one treatment of the subject is correct while the other is askew (*Rhet. Her.* 4.4.13-16). At the conclusion of his treatment of the types of style, the *auctor* states that ornaments affect the worth of each of the three types: if they are used judiciously, they give distinction to the style; if they are crowded together, they produce style that is awry (*Omne genus orationis, et grave et mediocre et adtenuatum, dignitate adficiunt exornationes, de quibus post loquemur; quae si rarae disponentur, distinctam sicuti coloribus, si crebrae conlocabuntur, obliquam reddunt orationem*, *Rhet. Her.* 4.16). Here we encounter the all-important notion of decorum again, as striving immoderately and indecorously for effect causes one to veer from the right path. The *auctor* describes such faulty style as *obliqua oratio*, and this phrase nicely captures the cartoonishly bad styles that he includes as examples and which other speakers and writers censure in their works. It suggests that something about the author is "off," and just as in Freud's triangular theory of jokes which plays such an important part in invective humor, it unites the reader with the critic against the author.[133]

The *Rhetorica ad Herennium* is a textbook for how to make successful speeches, and the caricaturing of style that we encounter in it is an academic affair, insofar as the *auctor* holds his own examples up to ridicule. When employed in actual speeches, however, such criticism had real consequences, as it was intended to amuse the audience and undermine the credibility of the speaker's opponent in the eyes of the audience. In the introduction, I examined Cato's speech against Caelius, in which Cato makes Caelius out to look like a ridiculous figure, most of all in the detail that no one even really listens to Caelius' voluminous outpouring of words. In a more famous anecdote of a speaker's notoriously bad style, Cicero relates how even the defendant himself could not bear to listen to his advocate's speech. With the *Pro Cluentio* (66 BC), Cicero

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[133] Cf. Freud (1960), Richlin (1992) 60-61.

secured the acquittal of A. Cluentius Habitus on a charge of poisoning.[134] In the speech, Cicero

reviews some previous trials that were closely connected to the present case, and in one of these,

C. Fabricius stood trial for attempting to administer poison to Cluentius. According to Cicero,

Fabricius had a nefarious reputation to begin with, but after his freedman was caught with poison

in his hands and was subsequently convicted by the same pool of jurors that Fabricius now stood

before, the only advocates that Fabricius could retain for his defense were the Caepasii brothers,

who, Cicero suggests, would gladly take up any case offered them (57). At Fabricius' trial, the

prosecutor gave a short speech, figuring that the case was effectively already judged. The elder

Caepasius, however, began with a long and elevated exordium; Cicero says that people at first

were listening attentively, and while this gave some hope to Fabricius and his accomplice,

Oppianicus, they did not realize that it was not the eloquence of the speaker that was moving the

jurors, but the shamelessness of the defence (*defensionis impudentia*, 58). When Caepasius

proceeded to speak about the actual case, he added new wounds to it, and so although he was

pleading earnestly, he seemed to be colluding with the prosecution (58). The affair reached the

height of folly, however, in the peroration (58-59):

> Itaque cum callidissime se dicere putaret et cum illa verba gravissima ex intimo
> artificio deprompsisset, 'Respicite, iudices, hominum fortunas, respicite dubios
> variosque casus, respicite C. Fabrici senectutem' – cum hoc 'respicite' ornandae
> orationis causa saepe dixisset, respexit ipse: at C. Fabricius a subselliis demisso
> capite discesserat. Hic iudices ridere, stomachari atque acerbe ferre patronus
> causam sibi eripi et se cetera de illo loco 'Respicite, iudices,' non posse dicere; nec
> quicquam propius est factum quam ut illum persequeretur et collo obtorto ad
> subsellia reduceret, ut reliqua posset perorare.

> And thus when he was thinking that he was speaking very skillfully and when he
> had delivered forth those weightiest words drawn from the depths of his artistic

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[134] In this trial (Alexander 198), Cluentius was prosecuted under the *Lex Cornelia de sicariis et veneficis*. As
Quintilian tells us, Cicero boasted that in this case he had thrown dust into the eyes of the jurors (*Item orator, cum
falso utitur pro uero, scit esse falsum eoque se pro uero uti: non ergo falsam habet ipse opinionem, sed fallit alium.
Nec Cicero, cum se tenebras offudisse iudicibus in causa Cluenti gloriatus est, nihil ipse vidit*, Quint. *Inst.* 2.17.20-
21).

knowledge—"Look back upon, jurors, the fortunes of men, look back upon the uncertain and inconstant events that are brought about by chance, look back upon the old age of Gaius Fabricius"—when he had often said "Look back upon" for the sake of ornamenting his speech, he himself looked back, and lo!, Gaius Fabricius had slipped away from the bench hanging his head. At this point the jurors laughed, but Caepasius became angry and bore it grievously that his case was taken away from him and that he was not able to say the other "Look back upon, jurors" that he had planned for this passage. It quite nearly was the case that he pursued Fabricius and wrenching his neck led him back to the bench in order that he could finish his peroration.

In this passage, Cicero's principal objective is to cast Fabricius and, by extension, Oppianicus in a bad light because it will help his present defense of Cluentius. But in this anecdote he also entertains the jury by artfully telling a story in which another orator appears positively ridiculous. As Cicero presents it, Caepasius did not apprehend what was stylistically appropriate for the case and was more concerned with displaying his abilities as a speaker than helping his client. The high stylized repetition and tricolon that Cicero quotes suggests that Caepasius was hoping to inspire great pathos, but instead he became a joke, as he strove to say grand things in a context for which they were out of place.[135] Moreover, Caepasius' lack of stylistic decorum is paralleled in his desire to finish his speech even though his own client had given up on him. Here Cicero's ridicule of Caepasius' stylistic faults and character are closely intertwined.

In Cicero's narrative, Caepasius becomes a caricature of an orator, as the ludicrous elements of his performance are emphasized, perhaps even exaggerated. Cicero's stylistic critique of Caepasius, nevertheless, is of a different character from Seneca's critique of Maecenas. While both Cicero and Seneca suggest that their targets' stylistic faults exist alongside other faults of a similar type, Seneca attempts to present Maecenas' style as bad absolutely, apart from any context. But in removing the quotations from their proper context,

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[135] With Caepasius' failed tricolon, cf. the examples of *cacozelia* that Seneca the Elder quotes, discussed above.

Seneca necessarily obscures the picture at the same time that he arrogates power to himself as a high-minded, morally oriented arbiter of style.

Yet Seneca himself was not without critics, and readers of Quintilian must find some irony in Seneca's vehement criticisms of Maecenas' style. Writing in retirement around 94 AD, almost 30 years after Seneca's death in 65, Quintilian traces many of the decadences in contemporary oratory that he encountered in his teaching career to the influence of Seneca. In *Inst. Orat.* 10.1, Quintilian provides a famous reading list for aspiring orators, naming and commenting on the best Greek and Latin authors in each literary genre. Although systematically organized, this canon ends with a surprise, as Quintilian gives special attention to one author who has been conspicuously absent despite achieving success in a wide range of genres: Seneca. Quintilian claims that he intentionally put off writing about Seneca in each of the genres on account of the false opinion that he condemned Seneca and even considered him an enemy (*damnare eum et invisum quoque habere sum creditus*), an opinion, Quintilian claims, that became current when he himself was trying to improve the standards of eloquence: *Quod accidit mihi dum corruptum et omnibus vitiis fractum dicendi genus revocare ad severiora iudicia contendo: tum autem solus hic fere in manibus adulescentium fuit*, "This happened to me while I was trying to recall a type of speaking that was corrupt and broken by all kinds of faults to severer standards. But at that time Seneca almost alone was in the hands of the young men" (10.1.125-26). According to Quintilian, his objective was not for the youth to neglect Seneca entirely; still, he would not permit him to be preferred to better authors, whom Seneca, on the other hand, did not hold back from criticizing, conscious that he was not able to please those who liked them (10.1.126).

Quintilian's own review of Seneca is mixed. He notes that in Seneca's philosophical writings there are many brilliant thoughts (*sententiae*) and much that should be read for the sake of moral improvement (*gratia morum legenda*), "but there is much that is corrupt in his expression, and this is all the more dangerous because his expressions abound with sweet faults" (*sed in eloquendo corrupta pleraque, atque eo perniciosissima quod abundant dulcibus vitiis*, 10.1.129). These "sweet faults" (*dulcia vitia*) recall the dangers of the seductive, unmanly *ornamentum* that Quintilian cautioned his reader against at the beginning of *Inst. Orat.* 8.3.[136] As he continues, Quintilian notes some ways in which Seneca could have been better: *Velles eum suo ingenio dixisse, alieno iudicio: nam si aliqua contempsisset, si prava*[137] *non concupisset, si non omnia sua amasset, si rerum pondera minutissimis sententiis non fregisset, consensu potius eruditorum quam puerorum amore comprobaretur*, "You would wish that he had spoken with his own ability but another's judgment. For if he had looked down on some things, if he had not desired the perverse, if he had not loved everything that was his own, if he had not broken up the weightiness of his subjects with puny *sententiae*, he would be embraced by the common opinion of learned men rather than by the love of boys" (*Inst. Orat.* 10.1.130). In Quintilian's criticism here, there are notes of ill-conceived desire and love, both in Seneca's own desiring (*concupisset*) and loving (*amasset*), and in the boys' love (*puerorum amore*) for Seneca .

Furthermore, as we saw above, *fractus* ("broken"), as a descriptor of style (and particularly the *compositio* or rhythm of style), conveys effeminacy, and so among Seneca's faults is that he rendered his style unmanly by reducing its natural gravity (*rerum pondera*). Ultimately, for

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[136] See the section above, *Cacozelia: omnium in eloquentia vitiorum pessimum.*

[137] *Prava* is an emendation by Sarpe (1815) for the transmitted *parum*, which Winterbottom (1970) prints in his OCT edition between obeli; another proposal is *parum <recte>* (Woefflin [1890]).

Quintilian, Seneca lacked the judgment and self-restraint necessary to be a great writer. His self-indulgent style is immature, puerile, and just too sexy, which is perhaps a large reason why the youthful, whose own desires have not been tempered by experience and judgment, are so enamored of him.[138]

But while Quintilian is certainly critical of Seneca himself, those who follow him present the greatest threat to decent standards of style (*Inst. Orat.* 10.1.126-7):

> Amabant autem eum magis quam imitabantur, tantumque ab illo defluebant quantum ille ab antiquis descenderat. Foret enim optandum pares ac saltem proximos illi viro fieri. Sed placebat propter sola vitia, et ad ea se quisque dirigebat effingenda quae poterat: deinde cum se iactaret eodem modo dicere, Senecam infamabat.

> But they were loving him more than they were imitating him. And they were sinking down from him as much as he had sunk down from the older writers. For it would be desirable that they would become his equals or at least follow closely after him. But he pleased them on account of his faults alone, and each was directing himself to fashion these as he was able. Then when each would boast that he was speaking in the same way, he would bring Seneca himself into ill repute.

Here Quintilian speaks of misguided imitation. In focusing on Seneca's faults, the youth do not produce good style but rather a grotesque imitation. Quintilian unfortunately does not quote any of these substandard Senecans, but his comments recall Seneca's own remarks in *Ep*. 114 on L. Arruntius, the author of a history of the Punic War whom Seneca labels a "Sallustian" (*Sallustianus*, *Ep*. 114.17; see Part I above). Whereas Sallust liked to use a unique expression on occasion, Arruntius fell in love with the tic (*hoc Arruntius amare coepit*) and included it on every page of his own work in manifold variations. For Seneca, Sallust came upon these expressions unexpectedly while Arruntius sought them out, with the result being "what happens

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[138] For a writer's self-indulgence, cf. Quintilian's judgment of Ovid (*Inst*. 10.1.88): *Lascivus quidem in herois quoque Ovidius et nimium amator ingenii sui, laudandus tamen partibus.*

when someone takes a fault as a model."[139] Seneca goes on to note that the kind of stylistic

decadence that is rooted in imitation is different from that which is born out of an author's

ingenium, and so less relevant to the philosophical purpose of his letter, in which he seeks to

demonstrate a clear connection between decadent style and decadent character.[140] In Quintilian's

criticism of Seneca, both are in play, as Seneca's faults seem to be due to his nature, and then the

youth imitate these. Furthermore, they neatly work together to lower the standards of speaking,

and in a highly compressed form in his criticism of Seneca, Quintilian presents a narrative of

oratorical decline: Seneca himself was worse than those who preceded him, and those who

imitate Seneca are worse than Seneca.

Along with many first century AD authors, Quintilian was interested in the decline of

eloquence.[141] Besides the *Institutio Oratoria*, the other work which he is known to have written,

De Causis Corruptae Eloquentiae ("On the Causes of Corrupted Eloquence"), examined this

very topic. Indeed, as Quintilian notes while musing on his allegedly hostile attitude towards

Seneca, he was intent on reforming the standards and tastes of oratory, and through his years of

teaching, the lesser work *De causis*, and his magnum opus, *Institutio Oratoria*, he aimed to

reverse the perceived decline through a return to a more classicizing and moral approach to

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[139] Sen. *Ep*. 114.17-18: *Est apud Sallustium "exercitum argento fecit," id est, pecunia paravit. Hoc Arruntius amare coepit; posuit illud omnibus paginis. Dicit quodam loco "fugam nostris fecere," alio loco "Hiero rex Syracusanorum bellum fecit," et alio loco "quae audita Panhormitanos dedere Romanis fecere." Gustum tibi dare volui: totus his contexitur liber. Quae apud Sallustium rara fuerunt apud hunc crebra sunt et paene continua, nec sine causa; ille enim in haec incidebat, at hic illa quaerebat. Vides autem quid sequatur ubi alicui vitium pro exemplo est.*

[140] Sen. *Ep*. 114.20: *Haec ergo et eiusmodi vitia, quae alicui inpressit imitatio, non sunt indicia luxuriae nec animi corrupti; propria enim esse debent et ex ipso nata ex quibus tu aestimes alicuius adfectus: iracundi hominis iracunda oratio est, commoti nimis incitata, delicati tenera et fluxa.*

[141] Sen. *Controv*. 1.Praef.6; Per. 1 explores this topic in a more restricted sense as it relates to poetry and satire in particular. This programmatic satire illustrates how the decline of eloquence theme is congenital to the satirist's hostile position vis-à-vis his society in general. This topic has generated a lot of scholarship.

rhetoric and oratory that took Cicero as the principal theoretician and oratorical model. In this chapter, I have argued that style was interpreted as being closely connected to personal character and as such it was a dynamic topic for invective; Quintilian's work should be seen as responding to these ideas, as his principal concern seems to have been to reform morals in the course of reforming rhetorical education and style.

IV. Conclusion: The Threat to *Eloquentia* and Some Broader Implications of Style

Quintilian experienced considerable professional success, and he composed the *Institutio Oratoria* after retiring from his twenty-year-long occupation of the first official, state-funded chair of rhetoric at Rome. Scholars have called attention to Quintilian's general optimism for the future of oratory, but, as we have seen in his comments on the dangers of *ornamentum* and in his critique of Seneca, Quintilian also could bristle at the dangers that bad taste and judgment presented. Quintilian, however, treats this theme most colorfully in the extended Preface to Book 8. In this elaborate interlude, Quintilian summarizes what he has discussed in Books 2-7 (*Inst. Orat.* 8.Praef.6-12), and prepares for the significant topic he is about to take up, *elocutio* ("style"; *partem operis, ut inter omnis oratores convenit, difficillimam*, "the most difficult part of the work, as all orators agree," *Inst. Orat.* 8.Praef.13). He emphasizes the importance of this new topic, but also cautions against bestowing excessive care on words and neglecting the subject. In the course of this Preface, Quintilian not only compares style to the body, as seen above, but also personifies *eloquentia* as a female. Such a personification is common to other texts as well, and, as I will argue, it is a variation on the theme that style is indicative of an individual's character. In the conclusion to this chapter, I will examine these texts, which, besides personifying *eloquentia*, illustrate how the criticism of bad style could have sociological and political implications in addition to ethical meanings we have been examining.

In the second half of the Preface to Book 8 of the *Institutio Oratoria* (13-33), Quintilian dilates on the importance of style, referring at the beginning of this section to Cicero's claim that invention and arrangement belong to an intelligent man, but style (*eloquentia*) belongs to an orator (*Et M. Tullius inventionem quidem ac dispositionem prudentis hominis putat, eloquentiam oratoris, ideoque praecipue circa praecepta partis huius laboravit, Inst. Orat.* 8.Praef.14).[142] For Quintilian, style is the principal subject of teaching, it demands a lifetime of practice, by it most of all one orator stands out from another, and by it one type of speaking is made better than another (8.Praef.16). On the last point, Quintilian claims that neither the Asians (or orators corrupt in any other way) nor the so-called "Drys" (*aridi*) failed on account of invention or arrangement, but because the former lacked judgment and measure in their style (*in eloquendo*), while the latter lacked strength, and accordingly, it appears that both the fault and the virtue of speaking are found in style (*Neque enim Asiani aut quocumque alio genere corrupti res non viderunt aut eas non conlocaverunt, neque quos aridos vocamus stulti aut in causis caeci fuerunt, sed his iudicium in eloquendo ac modus, illis vires defuerunt, ut appareat in hoc et vitium et virtutem esse dicendi, Inst. Orat.* 8.Praef.17). Quintilian here refers to the Asianist-Atticist controversy that raged in the first-century BC to make his point that style, that is, aesthetic taste, is the most refined and controversial aspect of oratory. Quintilian's comment that the shortcomings of both are located "in style" (*in eloquendo*) anticipates the point that he will make later in Book 8 that *cacozelon* exists entirely in style (*Est autem totum in elocutione, Inst. Orat.* 8.3.57). Style, then, which enables an orator to achieve the most eminent success, is also the source of the worst errors in eloquence.

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[142] Quintilian does not cite chapter and verse, but Cicero makes a very similar claim at *Orat.* 44.

Accordingly, Quintilian advises his reader not to be overly concerned with words, which he claims come about from an interest in beauty (*Inst. Orat.* 8.Praef.18-20):

idque faciunt gratia decoris, qui est in dicendo mea quidem opinione pulcherrimus, sed cum sequitur, non cum adfectatur. Corpora sana et integri sanguinis et exercitatione firmata ex isdem his speciem accipiunt ex quibus vires, namque et colorata et adstricta et lacertis expressa sunt: sed eadem si quis vulsa atque fucata muliebriter comat, foedissima sint ipso formae labore. Et cultus concessus atque magnificus addit hominibus, ut Graeco versu testatum est, auctoritatem: at muliebris et luxuriosus non corpus exornat, sed detegit mentem. Similiter illa translucida et versicolor quorundam elocutio res ipsas effeminat quae illo verborum habitu vestiuntur. curam ergo verborum, rerum volo esse sollicitudinem.

And they do this [i.e. neglect the subject but devote diligent attention to the words] for the sake of beauty, which in oratory, in my opinion, is a very fine thing, but only when it follows naturally, not when it is sought out. Bodies that are healthy, vigorous, and strong from exercise take on their good looks from the same elements from which their strength is derived. For they have a healthy glow, are thin, and muscularly toned. But if someone should care for the same bodies in a womanly way, depilating and painting them with cosmetics, they would be utterly disgusting on account of the effort put into beauty. Now acceptable and noble attention to appearance lends authority to men, as we know from the Greek verse; but womanly and luxurious care does not adorn the body but rather exposes the mind. Similarly, that diaphanous and multicolored style of some speakers effeminizes what they speak about, which is clothed with that dress of words. I desire attention to words, but great concern for the subject.

Quintilian formulates a close relationship between body and dress and eloquence, opposing nature, strength, and health to artifice, womanishness, and luxury. A major point for him is his contrast of natural beauty with beauty that is artificially produced. Particularly interesting in light of the *talis oratio, qualis vita* interpretation of style is Quintilian's claim that womanly and luxurious *cultus* does not make the body look better but rather lays bare the mind. This is similar to Seneca's argument that Maecenas' decadent style reveals that his character was disturbed by excessive good fortune, and both draw on the larger discourse of ancient physiognomics. After noting that for the most part the best words are united to the subject and

are ornamented by their own splendor,[143] Quintilian again speaks against giving too much

attention to style, but in this instance *eloquentia* is personified and feminized: *Maiore animo*

adgredienda eloquentia est, quae si toto corpore valet, unguis polire et capillum reponere non

existimabit ad curam suam pertinere, "*Eloquentia* must be approached with greater care, and if

she is healthy throughout her whole body, she will not think that it is a concern of hers to polish

her nails or style her hair" (*Inst. Orat.* 8.Praef.22). As a healthy, naturally beautiful woman,

eloquentia will have no interest in cosmetic enrichment. Here some of the tensions that crop up

in Quintilian's discussion of *ornamentum* are even more palpable. A central concern is that

style, as a thing of beauty, is an ever lurking threat to seduce, mislead, and corrupt. Just as the

Roman male exercised dominion over the domestic space and select males exercised dominion

over the political and geographic spaces, so Quintilian, the male critic, must control (female)

eloquence. By restricting the degree to which *eloquentia* can be ornamented—in his thought,

keeping her wholesome and chaste—Quintilian limits the subversive potential her beauty

possesses. This connection between eloquence and power and control is evident in the two

varieties of *cultus* that Quintilian discusses: the acceptable and dignified *cultus* produces

auctoritas, a source of power; the womanly and luxurious *cultus*, on the other hand, makes one

vulnerable by exposing the mind as vicious.

Although Quintilian leaves personified *eloquentia* behind, the ideas I have been exploring

are developed in the remainder of the Preface. In more specifically stylistic terms, Quintilian

states that the best words are those that are least hidden and are similar to those that are simple

and that have their origin in truth itself (8.Praef.23). We avoid speaking correctly, however, on

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[143] Quint. *Inst. Orat.* 8.Praef.21: *Nam plerumque optima rebus cohaerent et cernuntur suo lumine.* Cf. the maxim on style attributed to Cato the Elder: *rem tene, verba sequentur*, Iul. Vict. Halm 374=Sblendorio Cugusi *Ad Marcum Filium* 19.

account of our love for words (*amor verborum*), and so use many when one will do, and employ all kinds of tropes and figures instead of the proper words (8.Praef.24). The suspicion of sexual desire with its potential to destabilize the established order that lies behind Quintilian's strictures on limiting the ornament of *eloquentia* appears here in more conspicuous form as a "love for words*,*" which, as we saw with the youths' fascination with Seneca, seems to be at the root of the problem. Although the best words are those naturally connected to the subject, this *amor verborum* leads orators astray to search high and low for words, to borrow figures and metaphors from the worst of poets (*corruptissimus poetarum*), and to consider themselves clever (*ingeniosi*) if a genius (*ingenium*) is required to understand them (*Inst. Praef.* 8.Praef.25). In a sarcastic turn, Quintilian elaborates on the revolt against nature that the love of words causes, noting that whereas Cicero thought that the greatest fault of all in speaking was to be averse to popular and customary language (*a vulgari genere orationis atque a consuetudine communis sensus abhorrere*), we consider him rude and ignorant (*durus atque ineruditus*, 8.Praef.25-26): "*We know better, for whom everything that nature dictates is foul, who seek not to ornament our oratory but to pimp it out, just as if there were any virtue in words that do not cohere with the subject!*" (*nos melius, quibus sordet omne quod natura dictavit, qui non ornamenta quaerimus sed lenocinia, quasi vero sit ulla verborum nisi rei cohaerentium virtus*, *Inst. Orat.* 8.Praef.26). And so here we come face-to-face with a deep-seated anxiety of Quintilian's: *eloquentia* has become a prostitute, which results in the loss of manly virtue (*virtus*) and an absence of meaning. For Quintilian, beauty is fine, as long as it is subjected to (manly) reason.

At the end of the Preface, Quintilian reiterates his position that while *elocutio* is of the utmost importance, we must not choose words for their own sake, but choose those that best fit our thoughts and affect the judges in the way that we wish (*Inst. Orat.* 8.Praef.32). While here

Quintilian stresses the practical utility in exercising discrimination in style, for his final word in the Preface he returns again to aesthetic standards and the dangers of pleasure: *Ea debent praestare sine dubio et admirabilem et iucundam orationem, verum admirabilem non sic quo modo prodigia miramur, et iucundam non deformi voluptate sed cum laude ac dignitate coniuncta*, "Without doubt, our words ought to produce oratory that is admirable and pleasing, but admirable not in the way that we admire monsters, and pleasing not by deformed pleasure, but by pleasure that is joined with praise and dignity" (*Inst. Orat.* 8.Praef.33). An excessive love for words is here equated to the admiration of monsters and perverted pleasure. This recalls the passages from Books 2 and 5 discussed above, in which Quintilian compares the appreciation of faulty speeches and decadent declamation to the taste of those corrupted by luxury for bodies that are misshapen and mutilated. Coming in the wake of his personification of *eloquentia* as a wholesome woman and his admonitions against meretricious rhetoric, however, his comments here at the end of the Preface seem to be closely keyed to restricting the range of the quasi-sexual desire for style. The prostitute woman becomes a monster, and the associated deformed pleasure lacks praise and dignity. Quintilian's views on style, then, are articulated through a normative Roman social framework in which the male must exercise restraint against the dangerous seductive powers of feminine sexuality.

Over 100 years before Quintilian wrote his *Institutio Oratoria*, Dionysius of Halicarnassus was himself working as professional rhetorician at Rome. While Dionysius seems to have been primarily concerned with Greek authors in his rhetorical writings, he shared with Quintilian a classicizing taste, looking to writers of the past for contemporary stylistic standards, and was optimistic about the future of eloquence. But these do not exhaust the similarities between the two. In *On the Ancient Orators* (Περὶ τῶν ἀρχαίων ῥητόρων), the preface to his

essays on individual fourth-century BC Greek orators, Dionysius also criticizes Asiatic oratory and personifies rhetoric as a woman. But whereas Quintilian only makes a passing reference to the Asiatic-Atticist controversy, it is a principal focus of Dionysius' preface. Attic rhetoric is compared to the freeborn, sensible wife, while Asiatic rhetoric is likened to a senseless prostitute, eager for ruin, who think she is worthy to rule over the entire household, terrifying and treating the wife like excrement.[144] Through this simile, Dionysius is presenting a history of Greek rhetoric, vividly describing how the good, philosophical, Attic rhetoric that flourished in the fifth and fourth centuries BC was gradually displaced after the death of Alexander the Great by the corrupt Asiatic rhetoric that had been imported to Greece from, in Dionysius own words, "some pits of Asia" (ἔκ τινων βαράθρων τῆς Ἀσίας). The present era (ὁ καθ᾽ ἡμᾶς χρόνος), however—aided, of course, by Dionysius's own good offices—is witnessing a return to classic Attic style, and has enabled the ancient, sensible rhetoric to recover her rightful honor, while the new, senseless rhetoric has been prevented from enjoying a reputation that does not belong to her and luxuriating in the goods of another.[145]

Like Quintilian in the Preface to Book 8, Dionysius associates good style with sociological norms: the rightful wife should hold power in the house over the foreign concubine, and Attic style should enjoy preeminence over decadent Asiatic style. Beyond this, however, Dionysius himself thinks that the "cause" (αἰτία) and "origin" (ἀρχή) of this return to upright

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[144] D.H. *Or.* 1: ὥσπερ γὰρ ἐν ἐκείναις ἡ μὲν ἐλευθέρα καὶ σώφρων γαμετὴ κάθηται μηδενὸς οὖσα τῶν αὑτῆς κυρία, ἑταίρα δέ τις ἄφρων ἐπ᾽ ὀλέθρῳ τοῦ βίου παροῦσα πάσης ἀξιοῖ τῆς οὐσίας ἄρχειν, σκυβαλίζουσα καὶ δεδιττομένη τὴν ἑτέραν· τὸν αὐτὸν τρόπον ἐν πάσῃ πόλει καὶ οὐδεμιᾶς ἧττον ἐν ταῖς εὐπαιδεύτοις (τουτὶ γὰρ ἁπάντων τῶν κακῶν ἔσχατον) ἡ μὲν Ἀττικὴ μοῦσα καὶ ἀρχαία καὶ αὐτόχθων ἄτιμον εἰλήφει σχῆμα, τῶν ἑαυτῆς ἐκπεσοῦσα ἀγαθῶν, ἡ δὲ ἔκ τινων βαράθρων τῆς Ἀσίας ἐχθὲς καὶ πρῴην ἀφικομένη, Μυσὴ ἢ Φρυγία τις ἢ Καρικόν τι κακόν, Ἑλληνίδας ἠξίου διοικεῖν πόλεις ἀπελάσασα τῶν κοινῶν τὴν ἑτέραν, ἡ ἀμαθὴς τὴν φιλόσοφον καὶ ἡ μαινομένη τὴν σώφρονα.

[145] D.H. *Or.* 2: ἀπέδωκε τῇ μὲν ἀρχαίᾳ καὶ σώφρονι ῥητορικῇ τὴν δικαίαν τιμήν, ἣν καὶ πρότερον εἶχε καλῶς, ἀπολαβεῖν, τῇ δὲ νέᾳ καὶ ἀνοήτῳ παύσασθαι δόξαν οὐ προσήκουσαν καρπουμένῃ καὶ ἐν ἀλλοτρίοις ἀγαθοῖς τρυφώσῃ.

oratorical standards is Rome's imperium (ἡ πάντων κρατοῦσα Ῥώμη) with its sensible political system, which has seen an efflorescence of historical, oratorical, and philosophical works, among other productions (*Or.* 3). Thus Dionysius links good stylistic taste with political stability. Although it is left unexpressed, his position here suggests that the opposite is also true: bad style is a result of political instability.[146] But as it is, given the remarkably swift correction of taste that Roman hegemony has occasioned, Dionysius would not be surprised if the zeal for the senseless Asiatic rhetoric does not last longer than a single generation.[147]

Another writer who associated good oratory with political stability was Cicero. But whereas both Quintilian and Dionysius are generally optimistic for the future of oratory, in the work in which Cicero himself personifies eloquence, the *Brutus*, he is profoundly pessimistic. Written in the early months of 46 BC, the *Brutus* was the first work that Cicero produced after returning to Rome, having left the capital at the beginning of the Civil War in 49 BC, and the first work of the writing spree from 46-44 BC during which he produced a number of rhetorical treatises and the bulk of his philosophical works in addition to several speeches and over four hundred letters. The *Brutus*, a dialogue which takes its name from Caesar's future assassin M. Junius Brutus, was written in the midst of the Asianist-Atticist controversy on style in which Cicero played a major role, criticized as he was by the so-called Atticists, a group of Cicero's younger contemporaries led by C. Licinius Macer Calvus, for being an Asianist. Although Cicero does not appear to place Brutus into this group unequivocally, he nevertheless seems to

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[146] Contrast the thesis expounded by Maternus in Tacitus' *Dialogus de oratoribus* (written ca. 102 AD, with a dramatic date of 75 AD), where he attributes the decline in Roman oratory, which reached its acme in the tumultuous final years of the Republic, to the political stability of the Principate (36-41).

[147] D.H. *Or.* 3: καὶ οὐκ ἂν θαυμάσαιμι τηλικαύτης μεταβολῆς ἐν τούτῳ τῷ βραχεῖ χρόνῳ γεγενημένης, εἰ μηκέτι χωρήσει προσωτέρω μιᾶς γενεᾶς ὁ ζῆλος ἐκεῖνος τῶν ἀνοήτων λόγων· τὸ γὰρ ἐκ παντὸς εἰς ἐλάχιστον συναχθὲν ῥᾴδιον ἐξ ὀλίγου μηδὲ εἶναι.

have had Atticist leanings.[148] Accordingly, some parts of the work are highly polemical, and

Cicero attacks the oratory of Calvus and the other "Neo-Atticists" in acrimonious terms (e.g.

284-91). But the work is also a defense of eloquence itself, and at its close, Cicero calls on

Brutus—and by extension, every reader—to protect *orba eloquentia* ("orphaned eloquence"),

personified here as a virgin advanced to marriageable age (*adulta virgo*), by keeping her at home

(*domi teneamus*) and safeguarding her chastity by warding off the assault of her lovers

(*amatorum impetu*), lowborn and impudent suitors (*ignoti atque impudentes proci*).[149] But

whereas the dangers facing her in both Quintilian's and Dionysius' works were primarily of an

aesthetic nature, for Cicero they are political first and foremost, as the Civil War and Caesar's

dictatorship have caused the forum to be deserted and driven *eloquentia* from her rightful abode

(cf. e.g. 328-29).

Two great ironies characterize the *Brutus*. First, the work is ostensibly about the

development of Roman oratory, as Cicero writes a history of the great Roman orators, ending

with a copious (and unembarrassed) eulogy of his own unprecedented achievement (303-24).

The genesis of the work, however, lies in the fact that Cicero was unburdened by the usual

commitments of his highly demanding political and judicial activities due to the unusual political

situation. Instead of practicing oratory in the forum or senate house, he was at home researching

and writing about it. Thus the "extratextual," historical context of the work makes the text itself

a powerful statement, shot through with pathos, on the decline of eloquence. Secondly,

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[148] In his next major rhetorical treatise, the *Orator*, which is also addressed to Brutus, Cicero defends his own style and attempts to persuade Brutus of his own judgment on the best kind of orator (which happens to be an orator very much in Ciceronian mode).

[149] Cic. *Brut*. 330: *Nos autem, Brute, quoniam post Hortensi clarissimi oratoris mortem orbae eloquentiae quasi tutores relicti sumus, domi teneamus eam saeptam liberali custodia, et hos ignotos atque impudentes procos repudiemus tueamurque ut adultam virginem caste et ab amatorum impetu quantum possumus prohibeamus.*

throughout the work, the interlocutors, Cicero, Brutus, and Atticus, repeatedly claim that at this mournful time they are not going to talk about politics (the dialogue is set at the time of its composition, early 46 BC, when Caesar was pursuing and eventually defeating some of the remnant Pompeian supporters who had regrouped in Africa), and, as Atticus claims, their meeting at Cicero's house to have a conversation is a means to divert their minds from the political situation (11). And yet, the end point of their conversation, which connects the silence of *eloquentia* to the contemporary political turmoil, as well as their declared reluctance to talk about politics, are themselves intensively political.

In the following chapter, I turn my attention to the major rhetorical treatise that Cicero wrote a few months after the *Brutus*, the *Orator*. In this work, Cicero's approach is less historical and more polemical, and he undertakes an even more entrenched defense of his own oratorical aesthetics in the course of which he vehemently attacks those of his Atticist opponents. Nevertheless, in the *Orator* as well, Cicero's aesthetic ideals and polemics of style are fiercely political, at a time when politics made ethical issues deadly.

CHAPTER THREE
THE POLITICS OF STYLE AND THE STYLE OF POLITICS:
RHETORICAL THEORY AND POLITICAL PRACTICE IN CICERO'S *ORATOR*

Upon returning to Rome in late 47 BC after being away from the city for nearly three years in connection with Caesar's Civil War, Cicero found himself in a position of comparative political powerlessness enforced upon him by the dictatorship of Caesar. In response, as a letter to Varro from the close of 47 or beginning of 46 shows, Cicero directed his energies to study and took comfort in his renewed acquaintance with his books (*Fam.* 9.1.2=SB 175): *scito enim me, postea quam in urbem venerim, redisse cum veteribus amicis, id est cum libris nostris, in gratiam,* "know that I, after I got back to the city, fell back into agreeable relations with old friends, that is to say my books." This letter marks the beginning of a period of intense literary activity that Cicero would sustain for the next two and a half years. During this period he wrote two of his three major works on rhetoric (the *Brutus* and the *Orator*, both 46 BC), and the lion's share of his philosophical works, which of all Cicero's vast output has perhaps exerted the greatest influence on subsequent literary and intellectual history.

Nevertheless, as I will argue, Cicero never fully released himself from politics during this period of literary retirement, as his political sentiments found expression in his literary works. In this chapter, I focus on the political dimensions of Cicero's last major rhetorical treatise, the *Orator*, the most polemical of Cicero's rhetorical works.[1] In the *Orator*, written in the fall of 46, Cicero wages a battle in defense of his own stylistic ideals in oratory and attacks those of his so-called Neo-Atticist adversaries. Yet the fight that Cicero undertakes is not restricted to style in itself. For Cicero, oratorical style is closely intertwined with ethics and especially politics, and

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[1] Cf. MacKendrick (1989) 102 on Cicero's three major rhetorical works: "In the trilogy *De Oratore*, *Brutus*, and the *Orator*, the first part is didactice, the second historical, the third polemic."

in his polemics of style Cicero not only critiques his opponents' politically ineffective speaking style but also makes a veiled attack on the the current political circumstances of Caesar's dictatorship. In the *Orator*, we observe Cicero embracing literature as a means of political activity.

Yet Cicero's position in 46 BC was not an unfamiliar one for him. After rising (at least in his own view) to be the leading figure in Roman politics in the late 60s BC, Cicero could not vie with the combined strength of the *Triumviri* Julius Caesar, Pompey the Great, and M. Crassus, and his political career reached a nadir in March 58 when the tribune P. Clodius Pulcher, with the apparent approval of the triumvirs, passed legislation that resulted in Cicero's exile. Although Cicero was restored to Rome in September of 57 and attempted to recover some of his former political clout, after the conference at Luca in April of 56 he was pressured to cooperate with the triumvirs, vouching for and even defending in court his former enemies.[2]

Cicero's about-face in this regard did not pass unnoticed, and in a lengthy letter (*Fam.* 1.9 [SB 20]) written in December 54 to P. Cornelius Lentulus Spinther, who, as consul in 57, was instrumental in realizing Cicero's return from exile, Cicero answers questions about his surprising—as it must have seemed to his friend—recent political actions.[3] In the letter, Cicero provides a retrospective of his career since his return from exile, commenting on his achievements and setbacks and presenting his experiences as a defense of and justification for his

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[2] Some of Cicero's oratorical work in service of the triumvirs during this period survives: *De Provinciis Consularibus* (56 BC), *Pro Balbo* (56 BC), *Pro Rabirio Postumo* (54 BC). Other, lost speeches (*Pro Vatinio*, *Pro Gabinio* [54 BC]) were delivered on behalf of men whom Cicero had recently attacked openly and bitterly in speeches that have survived (e.g. *Post Reditum in Senatu* [57 BC], *In Vatinium* [56 BC]). For the lost *Pro Vatinio* and *Pro Gabinio*, see Crawford (1984) 181 n. 10, 188-97. Cf. Kennedy (1972) 200-2.

[3] From Cicero's letter (*Fam.* 1.9.3-4, 19, 21 [SB 20]), it is apparent that Lentulus demanded an explanation from Cicero for why he defended Vatinius, among other things.

cooperation with the triumvirs.[4] With its descriptions of personal entreaties and obligations

accrued in return for favors done, the letter makes it strikingly clear how important personal

relationships were for Cicero, and perhaps in late Republican politics in general. Nevertheless,

Cicero does offer some theory to support his actions, although this mainly amounts to his belief

that one should change with the times (*<neque> permanendum in una sententia conversis rebus*

ac bonorum voluntatibus mutatis, sed temporibus adsentiendum, 1.9.21), and that a permanent

occupation of one position has never been praised in those who are distinguished for governing

the state (*numquam enim <in> praestantibus re publica gubernanda viris laudata est in una*

sententia perpetua permansio, 1.9.21).[5]

   But rather than serve fully as a tool of the triumvirs, Cicero opted to withdraw from open

political participation as best he could. In an earlier letter from 55 to the same Lentulus, Cicero

claims that he takes some relief in the prospect of devoting himself to literary work: *Me quidem*

etiam illa res consolatur, quod ego is sum, cui vel maxime concedant omnes, ut vel ea defendam,

quae Pompeius velit, vel taceam vel etiam, id quod mihi maxime libet, ad nostra me studia

referam litterarum: quod profecto faciam, si mihi per eiusdem amicitiam licebit (*Ad Fam.*

1.8.3=SB 19). Near the end of the longer, later letter, in response to Lentulus' alleged request

that Cicero send him what he has written since Lentulus departed for his proconsulship in Cilicia

in 56, Cicero makes passing mention of some speeches (*quaedam orationes*), but notes that he

has unyoked himself from oratory and has returned to the "gentler muses" which now bring him

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[4] It was Cicero's activities in this period, strikingly evident, for instance, in the fulsome and obsequious letter sent to Crassus in 54 (*Fam.* 5.8=SB 25) that prompted Theodor Mommsen to brand Cicero as the *Mundstück des Servilismus*, "mouthpiece of servility" ([1875] 3.326).

[5] Cicero elaborates on this point through ship of state imagery, claiming that it is stupid for a pilot who finds himself in a storm to hold to his original course when faced with danger rather than to change his tack and thereby reach his destination (*Fam.* 1.9.21). For ship of state imagery in this passage and Republican Roman literature in general, see Fantham (1972) 23, 119, 126-27, 136, 158.

much pleasure just as they have since the first days of his youth (*nam ab orationibus diiungo me fere referoque ad mansuetiores Musas, quae me nunc maxime, sicut iam a prima adolescentia delectarunt*). Cicero goes on to discuss some of these products of the *mansuetiores Musae*, describing in some detail the first mature literary work of his that survives, *De Oratore*, published 55 BC, as well as a poem in three books, *De Temporibus Meis*, that has been lost (*Ad Fam*. 1.9.23).

Certainly Cicero wishes the reader to make a connection between Cicero's own political situation in the mid 50s BC and that which the characters in the dialogue finds themselves in, and thus uses the historical framework of the dialogue and the characters in it to voice his political discontent. Literary escape becomes a form of political protest. After the publication of *De Oratore* in 55, Cicero would compose his first two major philosophical works, *De Republica* (54-51 BC) and *De Legibus* (c. 52-51 BC), both of which even more clearly show Cicero using his literary otium to deal with political questions.[6]

Cicero's literary production in this period was interrupted by his proconsulship of Cilicia, for which he set out in the spring of 51 BC, and the outbreak of full-scale civil war in January 49 shortly after Cicero returned to Italy from the east. In 49, Cicero departed from Rome with the other supporters of the Republican cause and was in Greece among the supporters of Pompey in the early summer of 48, although he withdrew from Pompey's camp before the battle at Pharsalia in August. In November 48 Cicero landed at Brundisium, where he would spend nearly a year waiting in grief and suspense for Caesar to grant him pardon. This arrived in September of 47, and Cicero thereupon proceeded to Rome to pick up the pieces of his life.

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[6] For a chronology of Cicero's rhetorical and philosophical works, see Powell (1995) xiii-xvii.

Although he was no longer pleading in the forum or delivering *sententiae* on the senate floor or addressing the assemblies, oratory was an important part of Cicero's life while at Rome in 46. Rather than speaking in public, he spoke at home, practicing declamation. As a letter to L. Papirius Paetus from July 46 shows, Cicero oversaw the declamations of younger men including P. Cornelius Dolabella and A. Hirtius, high-ranking pronounced Caesarians, whom Cicero referred to as his *discipuli*: *Hirtium ego et Dolabellam dicendi discipulos habeo, cenandi magistros; puto enim te audisse, si forte ad vos omnia perferuntur, illos apud me declamitare, me apud illos cenitare*, "For me Hirtius and Dolabella are my students in oratory but my instructors in dining. For I think that you have heard (if perhaps you are keeping up with everything) that they have grown accustomed to declaiming at my house and I to dining at theirs" (*Fam*. 9.16.7= SB 190).[7]

Despite the jocular tone that Cicero often maintains in his correspondence with Paetus, who, consistent with his Epicurean tendencies, emerges from Cicero's letters as a cheerful *bon vivant*, a letter to him shortly afterwards hints at Cicero's misgivings that declamation has become a surrogate for his former oratorical and political activities (*Fam*. 9.18.1, 4=SB 191):

> Cum essem otiosus in Tusculano, propterea quod discipulos obviam miseram, ut eadem me quam maxime conciliarent familiari suo, accepi tuas litteras plenissimas suavitatis, ex quibus intellexi probari tibi meum consilium, quod, ut Dionysius tyrannus, cum Syracusis pulsus esset, Corinthi dicitur ludum aperuisse, sic ego sublatis iudiciis amisso regno forensi ludum quasi habere coeperim. …
> Potes mulo isto, quem tibi reliquum dicis esse, quoniam cantherium comedisti, Romam pervehi. Sella tibi erit in ludo tamquam hypodidascalo proxima; eam pulvinus sequetur.

> When I found some leisure at Tusculum—for I had sent my students to meet their friend, so that they would win for me as much favor as possible—I received your

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[7] Cicero was still engaged in this kind activity over two years later, as a letter to Atticus from April 22, 44 BC reveals: *Haud amo vel hos designatos qui etiam declamare me coegerunt, ut ne apud aquas quidem acquiescere liceret*, "In no way do I appreciate those consuls-to-come, who still forced me to declaim, so that I was not allowed to relax even at the beach" (*Att*. 14.2.2=SB 366). The "consuls-to-come" are Hirtius and C. Vibius Pansa, whom Caesar appointed to hold the consulship in 43.

letter filled full of charm. From it I learned that you approve of my resolution, namely, that, as Dionysius the tyrant, when he was driven out of Syracuse, is said to have opened a school in Corinth, so I, now that trials are abolished and my forensic court is dismissed, have begun to run a school, as it were. … You can ride to Rome with that mule of yours, which, you say, you are left with now that you have devoured your gelding. In the school there will be a seat for you beside me as if you were my teaching assistant; you will find a cushion on this seat.

In this letter Cicero compares himself to the fourth-century BC Sicilian tyrant Dionysius II who allegedly set up a school in Corinth after he was expelled from Syracuse. Whereas Dionysius was removed from power and lived the final years of his life as an exile, Cicero presents himself as a political exile in Rome itself. Another letter from July 46 BC to the eques P. Volumnius Eutrapelus finds Cicero striking a similar theme, although in this instance the plaintive tones are more pronounced (*Fam*. 7.33.1=SB 192):

> Quod declamationibus nostris cares, damni nihil facis; quod Hirtio invideres, nisi eum amares, non erat causa invidendi, nisi forte ipsius eloquentiae magis quam, quod me audiret, invideres; nos enim plane, mi suavissime Volumni, aut nihil sumus aut nobis quidem ipsis displicemus, gregalibus illis, quibus te plaudente vigebamus, amissis, ut etiam, si quando aliquid dignum nostro nomine emisimus, ingemiscamus, quod haec "pinnigero, non armigero in corpore tela exerceantur," ut ait Philoctetes apud Attium, "abiecta gloria."

> As for not being present at my declamations, you are incurring no loss. As for envying Hirtius if you were not so friendly with him, there was no cause for envy, unless perhaps you were envious more of his own eloquence than that he heard me speaking. For by all means, my dear Volumnius, I am nothing, or indeed I am displeased with myself, now that those companions have been lost, among whom I flourished amidst your applause. Now even if I ever do produce something worthy of my reputation, I groan, since these "weapons are trained against a winged, not an armored body," as Philoctetes says in Accius, "and my glory is cast away."

Whereas Cicero turned to a story from Greek history to explain his position in the previous letter, here he finds a parallel in Greek myth of Philoctetes as refracted through the tradition of Roman tragedy. In this case, Cicero turns to literature to express his pain and frustration at being at being distant from the action. Furthermore, in this passage Cicero connects his practice of

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declamation to the loss of his old friends, not a few whom, we can imagine, perished in the Civil War, and one significant lexical element common to this passage and the letter to Paetus is *amissus* ("lost").[8] Indeed, as I will discuss more below, a poignant sense of loss pervades Cicero's correspondence from 46 as well as the works of literature that he produced during the year to fill the void that had been created by the Civil War.

The majority of the first literary compositions which he published during this period of renewed literary activity were works on rhetoric.[9] By the spring of 46 he had completed the *Brutus*, a dialogue on the history of eminent orators. Shortly afterwards he composed *De Optimo Genere Oratorum*, a short preface to the proposed translations of Aeschines' *In Ctesiphontem* and Demosthenes' *De Corona*.[10] The translations of these speeches, if they were ever completed, have not survived. Finally, by the end of the year he completed the *Orator*, a treatise in which, at the alleged request of his dedicatee, M. Junius Brutus, he gives his judgment on ideal eloquence. Cicero was evidently satisfied with the work. In a letter perhaps from January 45, Cicero would claim that he had put into the *Orator* everything that he knows on the subject,[11] and in the list of his canonical philosophical or literary works that he inserted into the preface of

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[8] *Fam*. 9.18.1 to Paetus: *sic ego sublatis iudiciis <u>amisso</u> regno forensi ludum quasi habere coeperim*; *Fam*. 7.33.1 to Volumnius: *aut nihil sumus aut nobis quidem ipsis displicemus, gregalibus illis, quibus te plaudente vigebamus, <u>amissis</u>*.

[9] There is another a parallel here, then, with his work of the 50s, when his first undertaking, *De Oratore*, treated oratory, after which he proceeded to more philosophical works (*De Republica*, *De Legibus*).

[10] Although most scholars assign *De Optimo Genere Oratorum* to 46, some prefer an earlier date in the later 50s. Cf. Powell (1995) xiv, Marinone (1997) 191-2. But Demosthenes figures centrally in the *Brutus* and *Orator*, and in the latter work he occupies an especially significant place in Cicero's refutation of the Neo-Atticists. Indeed, Wooten (1977), (1983) has argued that Demosthenes, who was not comparably singled out for his peerless excellence in *De Oratore*, assumed an elevated position of importance for Cicero expressly due to the controversy with his Neo-Atticist critics.

[11] *Fam*. 6.18.4=SB 218.

Book 2 of *De Divinatione*, written in the winter of 44, Cicero placed the *Brutus* and *Orator* alongside the earlier three-book *De Oratore*, styling the pentad his five books on rhetoric.[12]

The correspondence of Cicero from late 47 and 46 BC constitutes a fascinating study.[13] In the roughly 65 surviving *Ad Familiares* letters from that year, Cicero dons many masks, ranging from witty banter with the apolitical Epicurean L. Papirius Paetus (e.g. *Fam.* 9.20) to painting the gloomy political situation in grave and somber tones in a consolatory letter to Pompeian exile Nigidius Figulus (*Fam.* 4.13).[14] One thread that runs consistently through Cicero's correspondence of this year, however, is the threat to freedom of speech that Caesar's position has created. Writing to Paetus in mid-July, Cicero discusses how Caesar, through his associates, monitors Cicero's speech (*Fam.* 9.16.3):

> ut enim olim arbitrabar esse meum libere loqui, cuius opera esset in civitate libertas, sic ea nunc amissa nihil loqui, quod offendat aut illius aut eorum, qui ab illo diliguntur, voluntatem.

> For as I once judged that it was my duty to speak freely, I by whose effort liberty existed in the state, so now that this liberty has been lost, it is my duty to say nothing that might offend the will of either that man or of those who are esteemed by him.

In a letter dated to September addressed to M. Claudius Marcellus (cos. 51 BC), Caesar's longtime enemy who was famously pardoned by him in the senate, an act that occasioned Cicero's extraordinary speech of thanks to Caesar, *Pro Marcello*, Cicero writes (*Fam.* 4.9.2):

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[12] *Div.* 2.1.4: *Cumque Aristoteles itemque Theophrastus, excellentes viri cum subtilitate tum copia, cum philosophia dicendi etiam praecepta coniunxerint, nostri quoque oratorii libri in eundem librorum numerum reverendi videntur: ita tres erunt de oratore, quartus Brutus, quintus Orator.* Accordingly, Cicero excludes from his canon his youthful treatise *De Inventione* (ca. 91-88 BC), written when Cicero was a teenager and very different in style and character from his later rhetorical works.

[13] For Cicero's letters, besides Shackleton Bailey's monumental editions with commentary, see Griffin (1995), Beard (2002), Gunderson (2007), Hall (2009), White (2010), Wilcox (2012), McConnell (2014), De Giorgio (2015).

[14] For a study of Cicero's correspondence to Varro and Paetus from this year (found in *Ad Familiares* Book 9), see Leach (1999).

at tibi ipsi dicendum erit aliquid, quod non sentias, aut faciendum, quod non probes. primum tempori cedere, id est necessitati parere, semper sapientis est habitum. deinde non habet, ut nunc quidem est, id viti res. dicere fortasse, quae sentias, non licet, tacere plane licet. omnia enim delata ad unum sunt. is utitur consilio ne suorum quidem, sed suo.

But you yourself will have to say something which you do not think, or do something which you do not approve of. First of all, to yield to the times, that is, to comply with necessity, is always the habit of a wise man. Secondly, the matter, as it now stands, does not necessitate this error. Perhaps it is not permitted to say what you think, nevertheless it certainly is permitted to be silent. For all matters have been conferred upon one man, and he makes use not even of his intimates' counsel, but of his own.

Cicero's advice to Marcellus to yield to the times (*primum tempori cedere, id est necessitati parere, semper sapientis est habitum*) echoes his explanation for his own behavior in the letter from 54 BC to Lentulus Spinther quoted above (*Fam*. 1.9.21).

The discontent that is evident in Cicero's private correspondence also was expressed in his writings for the public. During the summer he composed his lost eulogy of Cato the Younger, who earlier, in April of 46, had dramatically taken his own life after the Caesarian victory over the principal remnant of the republican resistance at the battle of Thapsus.[15] In a letter to Atticus perhaps from May of 46, we get a sense of the anxiety and difficulties that the sensitive nature of this subject caused for Cicero (*Att*. 12.4.2=SB 240):

sed de Catone πρόβλημα Ἀρχιμήδειον est. non adsequor ut scribam quod tui convivae non modo libenter sed etiam aequo animo legere possint; quin etiam si a sententiis eius dictis, si ab omni voluntate consiliisque quae de re publica habuit recedam ψιλῶςque velim gravitatem constantiamque eius laudare, hoc ipsum tamen istis odiosum ἄκουσμα sit.

But the *Cato* is an Archimedian problem: I do not understand how I will write what your dining buddies can read, I won't say pleasurably, but even with composure. Indeed, even if I were to leave off from the statements he made, and his entire disposition and thoughts about the state, and I were merely to wish to

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[15] For hair-raising accounts of Cato's suicide, see *B. Afr*. 88, Cic. *Tusc*. 1.74, Plu. *Cat. Min*. 70, App. *BC* 2.99, Dio Cass. 43.11.2-6.

praise his dignity and steadfastness, nevertheless this itself would be an odious sound to them.[16]

The rhetorical works have their political dimensions as well, albeit less overtly expressed. By its formal similarity to a funeral oration, the *Brutus* can be read in its entirety as a lamentation for eloquence, the death of which coincided with the demise of republican institutions.[17] At the close of the work, Cicero says that he hopes Brutus (both of them are characters in the dialogue) is able to renew and increase the memory of his great ancestors, by which statement he could be referring to the tyrannicides L. Junius Brutus and C. Servilius Ahala.[18]

In examining the *Orator* in its historical and political contexts, in this chapter I draw out its political subtext. The *Orator*, again, is the last of Cicero's major rhetorical works and in the treatise Cicero states that he began it after he had finished his eulogy of Cato.[19] Although definite dates cannot be given to these works, the *Cato* was probably finished in the summer, and the completion of the *Orator* can be dated to the first or second intercalary month of 46 (October or November of the true year).[20] Structurally, the treatise has points of resemblance to a speech,[21] which showcases how oratory and invective were refracted into a different literary form that was more suited to the present time. Addressing the work to Brutus, Cicero states at the opening that he is writing it to satisfy Brutus' frequent request that he give his opinion on ideal eloquence. Although Cicero does deal with the traditional five parts of oratory, he devotes

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[16] But cf. Cicero's satisfaction upon completion of the work in July or August: *Att.* 12.5.2=SB 242.

[17] Haenni (1905) 52 ("Ciceros "Brutus" ist in gewissem Sinne die grosse politische Grabrede auf die eloquentia Romana"), Gowing (2000) 58-59; Dugan (2005) 173-76.

[18] *Brut.* 331. On this passage see Dugan (2005) 244-46, who writes "Cicero is engaging in the sort of double-speak that will characterize the political discourse under the empire" (245).

[19] *Orat.* 35.

[20] Cf. Marinone (1997) 192.

[21] Cf. the analysis of MacKendrick (1989) 94-102.

an overwhelming amount of the work (70 percent) to *elocutio*, style.[22] While, as I noted in the

previous chapter, this disproportionate attention to style is not unusual in Roman works on

rhetoric, it is highly unusual that a vast part of the section on style deals extensively with prose

rhythm. This is due to the fact that prose rhythm was a particularly important topic in the

polemical Roman Atticist-Asianist controversy, the *raison d'être* of the *Orator*.

Although recent scholars have done admirable work on the *Orator*, no one has yet fully

articulated the political stance which Cicero adopts in the work, nor how the Atticist-Asianist

controversy, central to the work, plays into it. The latter topic on its own, however, has

generated a massive amount of scholarship.[23] In late nineteenth-century Germany, debates raged

over the true nature of Atticism, with some of the biggest names in German philology weighing

in on the issue.[24] In some ways, however, these hotly contested debates were fundamentally

misguided: the ancient controversy was by nature highly polemical, and the chief source for it (or

at least the Roman version of it), Cicero, was deeply enmeshed in it. Although in 1900

Wilamowitz-Möllendorff soundly argued that Asianism was never an actual school or stylistic

ideal but rather a pejorative label used in polemic,[25] A.D. Leeman in 1963 still claimed that

Hortensius "introduced Asianism in Rome" and that Cicero emulated his rival's Asianic

tendencies before learning the errors of his ways and adopting a more restrained Attic style.[26]

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[22] May (2007) 259; the other four parts are invention, arrangement, delivery, and memory.

[23] Wilamowitz-Möllendorff (1900), Douglas (1955), (1973), Leeman (1963) 136-67, Lebek (1970) 83-114, Calboli (1975), Gelzer (1979), Bowersock (1979) 59-65, Wisse (1995), Hidber (1996) 25-44, Dugan (2001), De Jonge (2008) 9-20, Aubert (2010).

[24] German scholarship: see Wisse (1995) for a useful summary of the issues and positions taken. According to De Jonge (2008) 12 n. 45, Goudriaan (1989), a Dutch dissertation submitted to the University of Amsterdam, offers an overview of these debates at greater length (595-677), but this study is inaccessible to me.

[25] Wilamowitz-Möllendorff (1900).

[26] Leeman (1963) 95. It must be conceded that some of this narrative is derived from Cicero's autobiographical account of his own development as an orator in the *Brutus* (303-24). But in this account, Cicero never articulates his

The debates over Atticism have continued in a similar spirit,[27] but barring any new substantial textual discoveries, the search for the historical origins and characteristics of Atticism and Asianism will inevitably be a frustrated enterprise and meet with limited success due to the polemical nature of the sources that do exist. In any case, more interesting than such questions of historicity are the cultural and political resonances of the ancient controversy.[28] In a move in a better direction, for example, Dugan (2001) argued that the controversy was fundamentally about masculinity. I contend, however, that as Cicero presents it, principally at stake in the controversy is the political power and effectiveness of oratory. Although gender polemics do play a role in Cicero's assault on the Neo-Atticists, the paramount issues are the place of oratory in the political sphere and the relationship of oratory and the orator to oppressive, even tyrannical government. Masculinity becomes a metaphor, or a tool to talk about the more political topics.

As in many of his literary works that have a political edge, Cicero presents the *Orator* as a quiet work of otium removed from the din of Roman politics. Accordingly, the political thread woven into the work, although standing out clearly at points, often runs beneath the surface, and

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stylistic tendencies through the simplistic terms "Asianist" or "Atticist," and, as a product of the controversy, it should be approached with some caution as an objective and historically reliable account. To Leeman's credit, he does acknowledge the polemical nature of the Neo-Atticist controversy in a later chapter ([1963] 136-67).

[27] Wisse (1995) argued that Atticism originated among Roman authors around 60 BC and that Dionysius developed his Greek version of Atticism from the Roman writers. Hidber (1996), writing an introduction, translation, and commentary on Dionysius of Halicarnassus' preface to his essays on the ancient orators, took the more traditional view that both Roman authors and Dionysius adopted the terms of the debate from an earlier Greek movement. In his 1998 BMCR review of Hidber (1996), Wisse begins his assessment of Hidber's interpretation of Atticism by declaring, "There are grave problems to this account." For his part, Wisse does acknowledge his (personal) reasons for being critical of Hidber's interpretation of Atticism: "If I find H.'s discussion disappointing, it should be said that I am not completely impartial, having gone on record as holding a different view." All the same, in concluding his review, Wisse states, "Despite some strong points, then, H.'s book as a whole is disappointing. Perhaps the project was **too ambitious** for the time he could spend on it. The significant problems offered by Dionysius' **four page** *Preface* are both more knotty and more numerous than meet the eye" [my emphasis]. It should be noted that BMCR published two reviews of Hidber's book sequentially, the other by Tim Whitmarsh (1998), who is also critical of Hidber's discussion, but for different—and seemingly less tendentious—reasons. More recently, Wisse (2013) 178-79 reiterated his position on Atticism, and in support of it (178 n. 60) referenced De Jonge (2008)'s discussion of Atticism in a book on Dionysius of Halicarnassus that itself largely adopts the views of Wisse (1995)!

[28] Cf. Whitmarsh (1998) in his review of Hidber (1996): "It would be better, I submit, to consider Atticism to have been an ever-negotiable concept, malleable according to the predilections and ambitions of the writer in question."

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as such can be called a subtext. Perhaps it is for this reason that the rich political resonances of the *Orator* have still not been thoroughly appreciated. John Dugan, in a 2005 book that is one of the cornerstones of scholarship on Cicero's *rhetorica*, writes, "In the *Orator*, Cicero seeks to control and guide his reception not as a political agent or speaker in performance, but as a textual entity."[29] Although Dugan is correct in drawing attention to Cicero's fascination with his own textual existence, he does not take sufficient account of the importance the treatise gives to the historical and political circumstances that conditioned Cicero's writing. Joy Connolly is closer to the mark when she writes, "*Orator's* vehement purpose is to describe the orator who is best capable of exploiting the power of the performance, and thereby transforms the scattered selves of his listeners into a unified collective."[30] She says that in the presence of "mind-altering eloquence…the individual is violently snatched out of himself only to find himself a part of the aesthetic and political collective."[31] Although Connolly astutely describes how the *Orator* emphasizes the transformative political power of eloquence, she nevertheless does not fully explore how in this treatise Cicero moves the customary wrangling from the forum inside to the writer's desk. In the current political situation, Cicero has opted to transform political performance from speech into writing: in this moment, political opposition comes not from the mouth but from the stylus. Indeed, given how much emphasis the treatise puts on the popular power of oratory that does appeal to and excite people at large, the fact that Cicero is not now speaking but writing increases the irony of the work and heightens its political implications.[32]

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[29] Dugan (2005) 251.

[30] Connolly (2007) 223.

[31] Connolly (2007) 234.

[32] Near the beginning of the *Orator*, Cicero talks briefly about epideictic oratory, but associates it with the parade, the palaestra, and the school, whereas his real concern in the work is to talk about the kind of oratory that is used in the battles that take place in the forum (42). As an academic work and the product of his otium, however, the

In its exploration of the political subtext of the *Orator*, the remainder of this chapter consists of two main parts. In the first, I deal with some of the political implications of the discussion of style in the treatise. As noted, the *Orator*, as well as Cicero's other rhetorical treatises of 46, is entrenched in the Roman Atticist-Asianist controversy of the first century BC. For Cicero, however, the debate was about far more than aesthetic concerns. According to Cicero, the aesthetic program of the Neo-Atticists—including Brutus—, who polemically called Cicero's style Asianist, robs them of the full force of eloquence. Once I have established that Cicero has constructed the Neo-Atticists as antithetical to his own ideal of eloquence, I look in detail at one crucial aspect of Cicero's true Attic orators which the neo-Atticists neglect, namely strength (*vis*). Cicero elevates this aspect to principal importance, both by stressing it as one of the essential characteristics of the orators whom he holds in highest esteem, and by closely associating it with the grand type of style, which is the style that is most able to arouse the audience's emotions and stir them to action.[33] This, for Cicero, is the greatest achievement of an orator. Accordingly, by emphasizing the great popular appeal of eloquence in his rhetorical works, Cicero draws attention to the potential political power of oratory: it is a weapon, and he wants Brutus to pick it up.

In the second part of the chapter, then, I examine the passages in the *Orator* in which Cicero looks up from his appointed task to address his dedicatee, Brutus, and the other anticipated readers of the treatise. It is in these passages that the political stance of Cicero becomes most clearly evident. Although in the parts of the treatise that discuss eloquence itself Cicero gives the greatest emphasis to oratory that can move listeners with force and garner the

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Orator in some ways has more in common with epideictic oratory than the forensic and deliberative oratory that Cicero focuses on in the treatise.

[33] For the types of style, cf. above Ch. 2.

speaker political power, in the passages that address his readers Cicero demonstrates that he is adept at adapting himself to the new political situation of Caesar's dictatorship and participating in the political game as it now stands.[34] As forensic and deliberative oratory are no longer available means to gain political position and power for oneself and to voice one's political ideas, Cicero turns to writing. The subtle and multivalent critique of Caesar's regime evident in the *Orator* can thus be seen as a precursor to the practice of opposing authority through veiled language which would become a hallmark of Imperial Roman literature.[35] My interpretation of the *Orator*, then, fits into a scholarly movement that seeks to identify continuity between Cicero and writers of the Principate.[36]

I. The Politics of Style

1. Defining Atticism

Near the beginning of the *Orator*, after Cicero addresses his opening remarks to Brutus and declares that in this work he is inquiring into the ideal eloquent man even if such a one has never before existed (*Orat.* 1-19), Cicero offers his initial treatment in the work of the doctrine of the three styles of oratory, the plain, the middle, and the grand (*Orat.* 20-22). Cicero's

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[34] Cf. again *Fam*. 1.9 to Lentulus discussed above.

[35] Since the 1990s, Ciceronian scholars have set out to shed light on the political nature of Cicero's "retirement" works and some have argued that in them Cicero was engaging with the despotism of Caesar. Cf. Strasburger (1990), Wassmann (1996), and Monteleone (2003) on the corpus as a whole; Dugan (2005) and Connolly (2007) on the *rhetorica*; Baraz (2012) on the *philosophica* and Gildenhard (2007a) especially on the *Tusculan Disputations*. The practice of reading subversive tendencies in Cicero's *philosophica* has also been challenged: Hall (2009) writes "Cicero was not in the habit of thinking in terms of doublespeak or of composing subtly subversive literature…the practice of actively undermining those in authority through veiled language was not one that senators in the republic had been obliged to cultivate" (108-9). Cf. also Hall (2005), a review of Monteleone (2003). Such a reading of Cicero is possible, however, and if Cicero is to be associated with the end of the Republic, it is fair also to see him as the beginning of the Principate.

[36] Studies that explore the influence of Cicero on imperial authors include Winterbottom (1982), Roller (1997), Kaster (1998), Richlin (1999).

discussion of the three styles is important in the Asianist-Atticist controversy, for Cicero claims that the Neo-Atticists maintain that he alone who speaks in the plain style speaks in the Attic manner.[37] Of course, in Cicero's estimation, his Neo-Atticist opponents err in thinking this, and it is his objective in the work to apprise them of the truth. Cicero believes that the ideal orator should have control over all three styles, and he relates the styles to the three duties of the orator: the plain style is used to prove, the middle to please, and the grand to persuade.[38] In having command over all three styles, Cicero's ideal orator will be aspiring to the example of Demosthenes, who not only made use of the three styles, but surpassed all his rivals in each.[39] As for the Romans, Cicero says that he himself was the first who brought into Rome the varied kind of oratory which made use of all these styles,[40] and argues that even in his youth, when he was more prone to youthful exuberance, he adhered to the variety of style which he is advocating in the present treatise.[41] In addition to mastering the three styles, the orator needs to have the all-important sense of propriety (*decorum*) to know when and how it is best to employ each style.[42]

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[37] Speaking of the orator of the plain style: *Ac primum informandus est ille nobis quem solum quidam vocant Atticum* (*Orat.* 75).

[38] *Orat.* 69: *Probare necessitatis est, delectare suavitatis, flectere victoriae: nam id unum ex omnibus ad obtinendas causas potest plurimum. Sed quot officia oratoris, tot sunt genera dicendi: subtile in probando, modicum in delectando, vehemens in flectendo; in quo uno vis omnis oratoris est.* Douglas (1957) argues that the correspondence of the three styles of oratory to the three duties of the orator, an idea that first appears in the *Orator*, is a "Ciceronian contribution to rhetorical theory." The three *officia oratoris* themselves were earlier discussed by Cicero in *De Oratore* (2.115, 128).

[39] *Orat.* 23: *Hoc [Demosthene] nec gravior exstitit quisquam nec callidior nec temperatior.* Cf. also *Orat.* 104, 110-11.

[40] *Orat.* 106: *Ieiunas igitur huius multiplicis et aequabiliter in omnia genera fusae orationis auris civitatis accepimus, easque nos primi, quicumque eramus et quantulumcumque dicebamus, ad huius generis [dicendi] audiendi incredibilia studia convertimus.*

[41] *Orat.* 108: *Nemo enim orator tam multa ne in Graeco quidem otio scripsit quam multa sunt nostra, eaque hanc ipsam habent quam probo varietatem.*

[42] *Orat.* 70: *Magni igitur iudici, summae etiam facultatis esse debebit moderator ille et quasi temperator huius tripertitae varietatis; nam et iudicabit quid cuique opus sit et poterit quocumque modo postulabit causa dicere. Sed est eloquentiae sicut reliquarum rerum fundamentum sapientia. Vt enim in vita sic in oratione nihil est difficilius quam quid deceat videre.* Πρέπον *appellant hoc Graeci, nos dicamus sane decorum; de quo praeclare et multa*

After his remarks on propriety, Cicero turns to discuss the three styles in greater detail. He begins with the plain style, which he claims the Neo-Atticists identify as the one, true Attic style.[43] According to Cicero, the plain style is soft (*summissus*) and lowly (*humilis*), and imitates the normal manner of speaking (*consuetudinem imitans*). It is free from rhythm and loose (*solutum*), but not wandering (*vagum*), and makes use of hiatus in a not unpleasing manner. All conspicuous ornamentation (*insignis ornatus*) will be left to the side, although the style will still be pleasing in its elegance (*elegantia*) and cleanness (*munditia*). The orator in the plain style will speak with pure Latinity, will not overly indulge in coining words and making use of metaphors, and will make only moderate use of the figures of speech and thought. It is of prime concern for him not to embellish his language to the point at which he appears to be openly grasping after a pleasing effect. He should maintain a level, subdued voice, moderate the movement of his body, and effect many things with his facial expressions. Finally, he will make use of both wit (*facetia*) and ridicule (*dicacitas*).[44] Of the three kinds of style, Cicero describes the plain style at the greatest length, presumably in order to demonstrate to his Neo-Atticist readers that he is well acquainted with its virtues and limitations. Indeed, although Cicero clearly appreciates this style, it is apparent from the work that for him the grand style is the most pivotal for a great orator's success.

As for Atticism, however, Cicero thinks that the issue revolves not around style, which is largely a result of ornamentation and embellishment, but rather purity of diction and faultless

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praecipiuntur et res est cognitione dignissima; huius ignoratione non modo in vita sed saepissime et in poematis et in oratione peccatur. With Cicero's statement *Vt enim in vita sic in oratione nihil est difficilius quam quid deceat videre*, cf., as was discussed in the previous chapter, the concept of the correspondence between style and character as well as the importance that decorum plays in this.

[43] *Orat.* 75 (quoted above).

[44] *Orat.* 76-90.

taste. Cicero offers his clearest take on what actually constitutes proper Atticism when he first

takes up the topic in a passage near the outset of the *Orator* (24-32). He begins by drawing the

attention to the significance of the ears of the listeners, a point that will have importance

throughout the work (*Orat*. 24-25):

> Semper oratorum eloquentiae moderatrix fuit auditorum prudentia. Omnes enim
> qui probari volunt voluntatem eorum qui audiunt intuentur ad eamque et ad eorum
> arbitrium et nutum totos se fingunt et accommodant. Itaque Caria et Phrygia et
> Mysia, quod minime politae minimeque elegantes sunt, asciverunt aptum suis
> auribus opimum quoddam et tamquam adipale dictionis genus, quod eorum vicini
> non ita lato interiecto mari Rhodii numquam probaverunt, Graecia autem multo
> minus, Athenienses vero funditus repudiaverunt, quorum semper fuit prudens
> sincerumque iudicium, nihil ut possent nisi incorruptum audire et elegans. eorum
> religioni cum serviret orator, nullum verbum insolens, nullum odiosum ponere
> audebat.

> But the guide of the eloquence of orators has always been the good sense of the
> listeners. For all those who wish to find approval look to the will of those who
> listen, and to it and their judgment and command they fashion and fit themselves
> entirely. And so Caria, Phrygia, and Mysia, because they are the least polished
> and the the least elegant of places, adopted a rich and greasy kind of speaking that
> was fitting to their ears, which their Rhodian neighbors, who are separated from
> them by a sea that is by no means very wide, never approved. And while Greece
> approved it even less, the Athenians cast it out completely. For their judgment
> was always sensible and sound, such that they were not able to hear anything but
> what was without corruption and tasteful. When an orator put himself in service
> to their scrupulousness, he did not dare to use any word that was unusual or
> disagreeable.

In this passage, Cicero espouses the belief that a speaking style is the product of the environment

in which it is arises. This view is complementary to the concept discussed in detail in the

previous chapter, namely that language is a product (and thus can function as an index) of

character *(talis oratio, qualis vita)*. In *Ep*. 114, Seneca discusses this idea in connection both

with historical ages (a widespread style can provide an indication of the character of an age) and

a particular individual (Maecenas spoke and wrote in a way that matched his dress and

deportment, all of which revealed that he was effeminate). Here in the *Orator*, Cicero fits the

idea to a geographical framework, with the most eastern locals (i.e. the most Asiatic) being the most naturally decadent. The Asiatic style, described in disparaging terms, is set up as the foil against which the good Attic is placed. The ears of the Athenians were the most refined, and so an Attic orator is someone who demonstrates taste and discrimination in speaking. Cicero restates this shortly afterwards: *Ad Atticorum igitur auris teretes et religiosas qui se accommodant, ei sunt existimandi Attice dicere*, "Therefore, those who fit themselves to the polished and scrupulous ears of the Athenians should be judged to speak in an Attic manner" (*Orat.* 28). Once again, we see that speaking in an Attic way means fitting oneself to Attic ears. A critical point to be drawn from all of this is that effective eloquence should be suited to the people; insofar as it allows a speaker to connect with the people, it becomes a means for him to obtain popular power.

As Cicero goes on to make clear, the most egregious critical error of the Neo-Atticists is that they do not realize that Attic tastefulness can be found in a variety of oratorical styles, not just in the thin and unadorned style of the Neo-Atticists that was fashioned in large part after their principal Greek model, Lysias (*Orat.* 28-29):

> Quorum genera plura sunt; hi unum modo quale sit suspicantur. Putant enim qui horride inculteque dicat, modo id eleganter enucleateque faciat, eum solum Attice dicere. Errant, quod solum; quod Attice, non falluntur. Istorum enim iudicio, si solum illud est Atticum, ne Pericles quidem dixit Attice, cui primae sine controversia deferebantur; qui si tenui genere uteretur, numquam ab Aristophane poeta fulgere tonare permiscere Graeciam dictus esset. Dicat igitur Attice venustissimus ille scriptor ac politissimus Lysias—quis enim id possit negare?—, dum intellegamus hoc esse Atticum in Lysia, non quod tenuis sit atque inornatus, sed quod nihil habeat insolens aut ineptum; ornate vero et graviter et copiose dicere aut Atticorum sit aut ne sit Aeschines neve Demosthenes Atticus.

> There are many kinds of [Atticism]; they suppose that there is only one kind. For they think that he who speaks roughly and without ornament, provided that he does so tastefully and plainly, alone speaks in the Attic way. They err in thinking that it is the only Attic manner, but that it is Attic they are not deceived. For by the judgment of these men, if that style alone is Attic, not even Pericles spoke in

an Attic manner, to whom the first place was being granted without controversy. And if he spoke in a meager style, the poet Aristophanes never would have said that he blazes, thunders, and confounds Greece. Therefore, let that most charming and polished writer Lysias speak in the Attic way—for who would deny this?—provided that we understand that what is Attic in him is not that he is meager and unadorned, but that he says nothing unusual or devoid of sense. But to speak ornately, vehemently, and copiously is also characteristic of Attic orators or neither Aeschines nor Demosthenes is Attic.

It is noteworthy that Cicero, within his general complaint that the Neo-Atticists do not appreciate variety of style, repeatedly emphasizes that it is Attic to speak in a full and forceful manner,[45] and to make this point, he repeatedly adduces Pericles, Aeschines, and Demosthenes as examples. In this passage, these three figures surround Lysias, who, although he was a very famous and successful speaker, did not exercise the political influence that the other three did. Although Cicero does not make this point explicitly here, a historical understanding of the careers and oratory of these Athenians would lead politically-minded readers to infer that politically significant oratory is expressed in a more ornate and vehement style. When selecting models, therefore, it seems that for Cicero it is essential to take into account not only the words that survive on the page, but also the individual's historical significance. For Cicero, oratory is in large part a politically agonistic experience, and so an orator needs to pay particular heed to styles that can help him wage political battles.

To conclude this passage on Atticism, Cicero discusses two more models that some contemporary Neo-Atticists adopt in a misguided manner, Thucydides and Xenophon. For the imitators of Thucydides, Cicero shows little besides contempt: *Ecce autem aliqui se Thucydidios esse profitentur: novum quoddam imperitorum et inauditum genus*, "But behold, some people

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[45] This interpretation is also voiced in Cicero's near contemporary work *De Optimo Genere Oratorum* (12): "But let the critics leave off from saying that those who speak in a plain style alone speak in the Attic manner, which is, as it were, sober and pure; a style which is grand, ornate, and copious with the same purity is also characteristic of Attic orators" (*id vero desinant dicere, qui subtiliter dicant, eos solos Attice dicere, id est quasi sicce et integre. Et ample et ornate et copiose cum eadem integritate Atticorum est*). The similarity in diction between the two works could be evidence that they were written close together. On the date of *De Optimo Genere Oratorum*, see above.

profess themselves to be Thucydideans, a certain new and unheard-of type of blockheads" (*Orat.* 30). Cicero concedes that Thucydides is a very skilled narrator of events and battles, but nothing is able to be derived from him for forensic or public use (*sed nihil ab eo transferri potest ad forensem usum et publicum*, *Orat.* 30).[46] The speeches contain so many obscure and shrouded thoughts that they are scarcely intelligible, which is the greatest fault in civic oratory (*ipsae illae contiones ita multas habent obscuras abditasque sententias vix ut intellegantur; quod est in oratione civili vitium vel maximum*, *Orat.* 30). And ultimately, Cicero notes, the self-professed Thucydideans do not imitate the weight of Thucydides' words and thoughts (*neque verborum neque sententiarum gravitas*), but only produce "maimed and gaping" results.[47] Cicero here again points to the weight or vehemence (*gravitas*) that go overlooked by these Neo-Atticists as a forensic necessity. As for Xenophon as an oratorical model, Cicero notes that his style is sweet, but unsuited to oratorical combat: *Nactus sum etiam qui Xenophontis similem esse se cuperet, cuius sermo est ille quidem melle dulcior, sed a forensi strepitu remotissimus*, "I even have encountered someone who desired to be similar to Xenophon, whose way of speaking is sweeter than honey, but far removed from the din of the Forum" (*Orat.* 32).

Atticism is in essence a classicizing artistic movement, founded upon looking back to earlier, canonical models and imitating them.[48] The Neo-Atticists, however, go astray as a result of misguided or mistaken imitation: on the one hand, they choose poor models; on the other, they do not optimally imitate the models they choose. A common thread running through all of the

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[46] Cf. *Orat.* 31: *Quis porro umquam Graecorum rhetorum a Thucydide quicquam duxit? "At laudatus est ab omnibus." Fateor; sed ita ut rerum explicator prudens severus gravis; non ut in iudiciis versaret causas, sed ut in historiis bella narraret.*

[47] *Orat.* 32: *Huius tamen nemo neque verborum neque sententiarum gravitatem imitatur, sed cum mutila quaedam et hiantia locuti sunt, quae vel sine magistro facere potuerunt, germanos se putant esse Thucydidas.*

[48] Cf. Gelzer (1979), Bowersock (1979).

instances that Cicero discusses in this important passage on Atticism, however, is that the Neo-Atticists arrive at a style that is ill-suited to the violent nature of oratory because it lacks strength or vehemence (*vis*).

2. The Strength of Eloquence

Strength (*vis*), the quality of oratory that for Cicero is most appropriate to the grand style,[49] seems to have had a special importance for both Cicero and his Neo-Atticist opponents, the figurehead of whom was M. Licinius Macer Calvus. In his detailed examination of the Asianism-Atticism controversy, A. D. Leeman claims that both sides "reproached each other with lack of force—that oratorical force which Cicero found in fullness and exuberance, Calvus in restraint and directness"; looking at passages from other writers of the period, Leeman argues convincingly that Cicero misrepresented the Neo-Atticists.[50] Indeed, a close examination of Cicero's tendentious and polemical presentation of the controversy reveals much about his thoughts on the political value of oratory. Moreover and more specifically, the attention that Cicero gives to *vis* in the work contributes significantly to its politically subversive character. By describing Calvus, the leader of the aesthetic movement with which he was at war, as lacking the requisite vigor to rouse the minds and emotions of the audience, Cicero sets up that group, whose oratory he finds feeble, as antithetical to himself. He in turn gives special emphasis to his own excellence in exciting the passions of the audience, the ability for doing which, Cicero claims, arises from his genuine sympathy. Pathos is obviously a crucial component for Cicero's conception of ideal eloquence, and on multiple occasions in his rhetorical works Cicero states

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[49] Variously called *grandiloquum* (*Orat.* 20), *gravis* (*Orat.* 23, 100, 101, 112), and *vehemens* (*Orat.* 69). Cf. Douglas (1966) xliii-xliv for an index of words associated with the grand style in the *Brutus*.

[50] Leeman (1963) 141; 136-55.

that the greatest achievement of the orator is to move and persuade the audience. Cicero finds this ability in the speakers of the past whom he praises most and in Demosthenes in particular, often describing their oratory as being strong, forceful, and capable of firing the zeal of their listeners. According to Cicero, when the orator accomplishes this in the Forum or before a deliberative body, he wins great popularity for himself and shows the full political power of eloquence. Although the Civil War had shown that control of the state was won on the battlefield, in Cicero's treatise oratory emerges as an alternative means for galvanizing the population and acquiring political power. Thus Cicero figures in the pages of the *Orator* as a rival to Caesar, a matter that becomes all the more pointed by the fact that in emphasizing the potentially violent qualities of oratory, Cicero presents it as a weapon that can be used in defense of the state. In the year 46, this was a defiant claim.

The significance of lack of force in oratory is already an issue in the *Brutus*, where Cicero first wades into the controversy with the Neo-Atticists. Two of the final orators Cicero discusses in his history are C. Scribonius Curio the younger and Calvus, both of whom, Cicero notes, would have achieved great praise for their eloquence if they had lived longer. In the *Brutus*, Cicero often pairs together orators of whom one is more vehement and the other more restrained in style, and this is thought to reflect an underlying theory of two styles of oratory, the plain and the grand.[51] In this instance, Curio is more forceful while Calvus is more subdued. After dealing with Curio, who Cicero claims had much natural talent although he did not cultivate it through *industria*, Cicero turns to Calvus, of whom is not entirely critical, but rather praises some aspects of his oratory. Nevertheless, Cicero says that although Calvus spoke

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[51] Cf. *Brut*. 201, Hendrickson (1905), Douglas (1966) xxxiv-xxxv.

learnedly and accurately, he was so attentive to speaking carefully that he choked the life out of

his oratory (*Brut*. 283):

> Sed ad Calvum—is enim nobis erat propositus—revertamur; qui orator fuit cum
> litteris eruditior quam Curio tum etiam accuratius quoddam dicendi et exquisitius
> adferebat genus; quod quamquam scienter eleganterque tractabat, nimium tamen
> inquirens in se atque ipse sese observans metuensque, ne vitiosum colligeret,
> etiam verum sanguinem deperdebat. itaque eius oratio nimia religione attenuata
> doctis et attente audientibus erat illustris, a multitudine autem et a foro, cui nata
> eloquentia est, devorabatur.

> But let us return to Calvus, for we proposed to discuss him. As an orator he not
> only was more learned with respect to scholarship than Curio but offered a style
> of speaking that was more exact and carefully chosen. And although he was
> handling it skillfully and elegantly, still, by examining and observing himself too
> much and fearing that he would make an error, he gave up the true lifeblood. And
> so his oratory, weak due to too scrupulous an adherence to style, was celebrated
> by the connoisseurs who listened attentively, but was gobbled down
> indiscriminately by the multitude and the Forum, for whom eloquence was born.

Most important here is the congenital relationship which Cicero formulates between eloquence

and the public. Eloquence exists not for the learned few but the multitude, and its proper setting

is civic life. In order to appeal to the public venues for which it was born, eloquence needs to be

lively and full-blooded. Cicero's use of *verum sanguinem* is particularly interesting, as he

describes the quality of strength in oratory in terms fit for a living organism. By starving himself

as result of his painstaking scrupulousness, Calvus denies his oratory the sustenance it needs to

thrive. For Cicero, however, eloquence ought to be a strong and thriving part of the public

community, of whose strengths an orator makes good use. In a letter from December of 46,

Cicero writes to C. Trebonius about Calvus' style and discusses it in warmer terms than he did in

the *Brutus*. Yet although Cicero here again emphasizes Calvus' intellect and erudition, and

claims that Calvus achieved the style which he approved of, nevertheless this style lacked

strength: *acute movebatur; genus quoddam sequebatur, in quo iudicio lapsus, quo valebat,*

tamen assequebatur, quod probaret; multae erant et reconditae litterae, vis non erat: ad eam

igitur adhortabar, "He was intelligently motivated. He has adhering to a certain style into which he fell by judgment in which he was strong, nevertheless he was pursuing what he approved of. His writings were many and recondite, but strength is missing. Therefore I was exhorting him to it" (*Fam*. 15.21.4). This appears to be Cicero's principal complaint about Calvus' oratory, and perhaps the statement of it here carries greater weight since it comes from a private letter which Cicero says he does not expect to circulate; perhaps he was being unusually candid.[52]

In the *Brutus*, Brutus follows up Cicero's assessment of Calvus with an interjection that prompts Cicero to elaborate on what speaking in the Attic way really is (*Brut*. 284-85):

> Tum Brutus: Atticum se, inquit, Calvus noster dici oratorem volebat: inde erat ista exilitas quam ille de industria consequebatur.

> Dicebat, inquam, ita; sed et ipse errabat et alios etiam errare cogebat. nam si quis eos, qui nec inepte dicunt nec odiose nec putide, Attice putat dicere, is recte nisi Atticum probat neminem. insulsitatem enim et insolentiam tamquam insaniam quandam orationis odit, sanitatem autem et integritatem quasi religionem et verecundiam oratoris probat. haec omnium debet oratorum eadem esse sententia. Sin autem ieiunitatem et siccitatem et inopiam, dum modo sit polita, dum urbana, dum elegans, in Attico genere ponit, hoc recte dumtaxat; sed quia sunt in Atticis alia aliis meliora, videat ne ignoret et gradus et dissimilitudines et vim et varietatem Atticorum.

> Then Brutus said, "Our friend Calvus wanted to be called 'Attic,' and for this reason he deliberately strove for that meagerness of style that you have described."

> "He was of that opinion," I said, "but in this regard he himself was erring and he was even leading others into error. For if someone thinks that those orators who speak neither foolishly nor distastefully nor offensively speak in an Attic manner, then he rightly approves of no one unless he is Attic. For in this way he detests tastelessness and affectation as if they were insanity in speaking, but he welcomes healthiness and soundness as if they were a moral obligation and the source of a sense of shame for an orator. This opinion ought to be the same for all orators. But if he attributes meagerness, dryness, and poverty to the Atticist type, provided that it is polished, urbane, and elegant, he does so rightly only to an extent; but since there are some better aspects in some Attic orators and other better aspects

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[52] *Fam*. 15.21.4: *primum enim ego illas Calvo litteras misi non plus quam has, quas nunc legis, existimans exituras; aliter enim scribimus, quod eos solos, quibus mittimus, aliter, quod multos lecturos putamus.*

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in others, let him see to it that he does not overlook the levels, the differences, the force, and the variety of the Attic orators."

As Brutus suggests, Calvus' *exilitas* was deliberately affected. According to Cicero, the Neo-Atticists, by taking up a narrower definition of Atticism than his own and by giving undue attention to refining their style, restrict themselves to one style and overlook other more important (*meliora*) aspects of the Attic orators. Moreover, the Neo-Atticists' chosen style, as it is lacking in embellishment and strength, is jejune and feeble. The fact that Cicero pairs Calvus with Curio is significant. On the one hand, placing these two men, who both died prematurely, near the end of the historical catalog emphasizes the sense of loss that runs through the *Brutus*.[53] On the other, Cicero's focus on the lack of life and force in Calvus' oratory is accentuated by placing Curio with his more vehement style next to him as a foil. At the end of this passage, Cicero lists four qualities of Attic orators that should not be overlooked, but these appear to be only two, in effect: variety and strength (*vis*). That variety is an aspect of Cicero's ideal seems to be expressed in his demand throughout that the orator be capable of speaking well in all three styles of oratory. The emphasis on strength, however, is in many ways bound up with his conception that the grand style is the most effective of the three styles.

 In beginning his description of the grand style, Cicero says (*Orat.* 97),

Tertius est ille amplus copiosus gravis ornatus, in quo profecto vis maxima est.
Hic est enim, cuius ornatum dicendi et copiam admiratae gentes eloquentiam in civitatibus plurimum valere passae sunt
…
Huius eloquentiae est tractare animos, huius omni modo permovere. Haec modo perfringit, modo inrepit in sensus; inserit novas opiniones, evellit insitas.

The speaker in the third style is ample, full, majestic, and ornate, in which certainly the greatest strength lies. For he is the one whose splendor of speaking

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[53] The cause or date of the death of Calvus, born in 82, is unknown, although the silence of contemporary sources about him after 54 suggest that he died shortly afterwards (*BNP* Licinius I 31). Curio, who was born before 84, died in 49 fighting on Caesar's side in Africa during the Civil War (*BNP* Scribonius I 4, Damon (2016) xlvii).

and copiousness people admired, and so allowed eloquence to be the strongest
player in the state… It is characteristic of this eloquence to move hearts and
minds and to change them in every way. It now bursts in, and now creeps into the
senses; it inserts new opinions and snatches out the ones that were there before.

Here we have the grand style described in all its vehemence, and we come to an idea of the vast

power which Cicero attributes to eloquence. The greatest strength (*vis maxima*) is found in this

style of oratory, and although it has a violent and penetrating character, because of it oratory

occupies pride of place in civic communities. The superiority of the grand style over the

others—inherently present in the fact that it is the third and culminating member of the three-fold

division—is evident elsewhere in the *Orator* as well. When Cicero discusses the relation of the

three styles of oratory to the three duties of the orator (to prove, to delight, and to persuade), the

grand style corresponds to persuasion, as mentioned above.[54] Of these three duties, Cicero says,

"To prove is a necessity, to delight is pleasure, and to persuade is victory, for it is the one thing

out of all which has the most power in winning trials" (*Probare necessitatis est, delectare

suavitatis, flectere victoriae: nam id unum ex omnibus ad obtinendas causas potest plurimum.*,

Orat. 69). Shortly afterwards, he claims that persuasion (which belongs to the grand style) alone

holds all the strength (*vis*) of the orator.[55]

Cicero states that the grand style is to be used in weighty affairs,[56] and it is evident that

this style of speaking is the orator's most powerful weapon when the state is being threatened by

dangers. In a discussion of the variety of styles which his own speeches exhibit, Cicero says that

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[54] Defining Atticism.

[55] *Orat.* 69: *Sed quot officia oratoris, tot sunt genera dicendi: subtile in probando, modicum in delectando,
vehemens in flectendo; in quo uno vis omnis oratoris est.* Douglas (1957) argues that the correspondence of the
three duties of the orator to the three styles seen here is Cicero's own contribution to rhetorical theory. This then
gives even greater support to the argument that the grand style is uniquely important since, as Cicero says, to
persuade is victory.

[56] *Orat.* 100: *Is est enim eloquens, qui et humilia subtiliter et alta graviter et mediocria temperate potest dicere*;
Orat. 101: *Is erit igitur eloquens, ut idem illud iteremus, qui poterit parva summisse, modica temperate, magna
graviter dicere.*

in the *Pro Rabirio Perduellionis Reo*, chosen as a speech representative of the grand style, the entire law of upholding the majesty of the state was at stake, and so in that oration he burned with every kind of amplification.[57] The grand style is suited to times of crisis, because it is able to move people and rouse their emotions. When Cicero turns to discussing pathos, παθητικά, the strong emotions which the orator arouses in his audience, the grand style is the mode of speaking which is most suitable for this enterprise. He says that through the use of τὸ παθητικόν, which is vehement, fiery and passionate, cases are ripped away from his adversaries, and when it is borne along rapidly, it is not able to be stopped in any way.[58] Cicero claims that he has always had an ability to rouse the emotions of the audience, and that in many trials in which the defense consisted of more than just himself, the others often left it for him to give the peroration. He says that he has been successful in those situations in part not because of his talent, but because of the genuine pain which he feels [for the defendant].[59] He voices a similar sentiment shortly afterwards, which brings together some of the ideas which have been important in our discussion: *sed, ut supra dixi, nulla me ingeni sed magna vis animi inflammat, ut me ipse non teneam; nec umquam is qui audiret incenderetur, nisi ardens ad eum perveniret oratio*, "but, as I said above, no great strength of intellect sets me on fire, but rather a great strength of spirit, so that I cannot contain myself; nor would he who listens ever burn, if the oration did not come to him already aflame" (*Orat.* 132). As opposed to the extreme intellectual refinement which he judges to be a hallmark of the neo-Atticists, Cicero's greatest ability lies in the genuine emotion

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[57] *Orat.* 102: *Ius omne retinendae maiestatis Rabiri causa continebatur: ergo in ea omni genere amplificationis exarsimus.*

[58] *Orat.* 128: *hoc* [παθητικόν] *vehemens incensum incitatum, quo causae eripiuntur: quod cum rapide fertur, sustineri nullo pacto potest.*

[59] *Orat.* 130: *Quid ego de miserationibus loquar? Quibus eo sum usus pluribus quod, etiam si plures dicebamus, perorationem mihi tamen omnes relinquebant; in quo ut viderer excellere non ingenio sed dolore adsequebar.*

which he feels and which he is able to transmit to his listeners. This *vis* awakens his audiences'

passions and stirs them up, and as a result he is able to persuade them. And this is power.

Even in connection with prose rhythm, a careful discussion of which is reserved for the

last part of the *Orator* (as it was a particular point of contention in the controversy between

Asianism and Atticism), Cicero states that rhythm gives more vigor to oratory (*Orat.* 228):

> Hanc igitur, sive compositionem sive perfectionem sive numerum vocari placet,
> [et] adhibere necesse est, si ornate velis dicere, non solum, quod ait Aristoteles et
> Theophrastus, ne infinite feratur ut flumen oratio, quae non aut spiritu
> pronuntiantis aut interductu librari, sed numero coacta debet insistere, verum
> etiam quod multo maiorem habent apta vim quam soluta.

> Therefore, whether we call it arranging or finishing or rhythm, it is necessary to
> use it, if you wish to speak ornately, not only, as Aristotle and Theophrastus say,
> so that the period does not drift along infinitely like a river (as the speech ought to
> come to a close not because of the breathing of the speaker nor the transcriber's
> mark of punctuation, but because the rhythm compels it to), but also because
> prose tightened by rhythm has much greater force than that which is loose.

Here we see Cicero the rhetorician building upon the work of his predecessors, and his

contribution is concerned with strength (*vis*). Whereas the Peripatetics thought that rhythm

needed to be used in order for the period come to an end, Cicero goes further, claiming that

rhythm gives oratory greater force. Shortly afterwards he expresses a similar sentiment but does

so in a much more polemical context (*Orat.* 229):

> tantumque abest ut quod ei qui hoc aut magistrorum inopia aut ingeni tarditate aut
> laboris fuga non sunt adsecuti solent dicere—enervetur oratio compositione
> verborum—ut aliter in ea nec impetus ullus nec vis esse possit.

> And it is so far from being the case that oratory is enervated by rhythmical prose,
> as those people are accustomed to say, who either from the poverty of their
> instructors, or slowness of intellect, or aversion to hard work do not pursue this;
> that rather without this it is impossible for there to be any force or strength in it.

Cicero's depiction here of the inept writers who do not make use of prose rhythm is a reference

to the neo-Atticists, but in this passage he takes lower aim. Turning the tables on his critics who

say that his rhythmical oratory is enervated or emasculated (*enervetur*), Cicero claims that

oratory that is without rhythm lacks force (*impetus*) and strength (*vis*). Force and strength here

are opposed to *enervis*, and represent the dominant and masculine position. Cicero's language in

this passage is a specimen of the gendered polemics of the Asianist-Atticist controversy known

to us from later writers. As Tacitus tells us in the *Dialogus*, "Cicero got bad reviews from

Calvus as loose (*solutum*) and effeminate (*enervis*) but from Brutus, if I may use his own words,

as 'broken and loinless (*fractum atque elumbem*).'"[60] Quintilian also notes the attacks on Cicero,

reporting that in his writing he was detracted as broken (*fractus*) and almost softer than a man

(*viro molliorem*).[61] Addressing these Imperial writers, Amy Richlin has discussed the

connection in these passages of effeminacy with the East (both of which most writers usually

associated with the Asianist movement) and the ways in which these qualities were anxiously

viewed as a threat to the state.[62] Turning the tables on his critics who say that his rhythmical

oratory is enervated or emasculated (*enervetur*), Cicero claims that his oratory alone is virile and

red-blooded. Force and strength are opposed to *enervis* and represent the dominant and

masculine position. We see here that style, and one of its cardinal virtues for Cicero, *vis*,

becomes very politicized: those who lack strength are effeminized and cast as the "other." For

their attacks both sides in the controversy draw on the same essentialist categories that are

common in invective speeches, but define these categories in light of their own interests. Finer

details of stylistic analysis are either disregarded or leveled out to make way for broad swipes.

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[60] Tac. *Dial.* 18.5: *Ciceronem a Calvo quidem male audisse tamquam solutum et enervem, a Bruto autem, ut ipsius verbis utar, tamquam "fractum atque elumbem."*

[61] Quint. *Inst.* 12.10.12: *Quem [M. Tullium] tamen et suorum homines temporum incessere audebant ut tumidiorem et Asianum et redundantem et in repetitionibus nimium et in salibus aliquando frigidum et in compositione fractum, exultantem ac paene, quod procul absit, viro molliorem.*

[62] Richlin (1997) 106-8. On the relationship between masculinity and rhetoric see also Gleason (1995), Gunderson (2000), Richlin (2011).

In addition to this gendered polemic, however, in the context of the larger argument of Cicero's treatise the Neo-Atticists' lack of *vis* will also renders their eloquence ineffective, and so deprives the orator and by extension the Roman people of their political capital.[63]

Cicero not only criticizes those who lack strength, but puts forth positive exemplars. The orator whom he esteems before all in his rhetorical works is Demosthenes.[64] In the *De Optimo Genere Oratorum* Cicero claims that the best orators were those who lived at Athens, and of these Demosthenes was easily the leader.[65] He speaks similarly in the *Brutus* when he tells Brutus, "You would readily concede that the orator who is absolutely perfect and lacks nothing is Demosthenes" (*Nam plane quidem perfectum et quoi nihil admodum desit Demosthenem facile dixeris*, *Brut.* 35). Although in the *Orator* Cicero states that his ears are so eager and capacious and long for something so immense and infinite that not even Demosthenes fills them up,[66] he also states that Demosthenes, and in particular the passage of the *De Corona* in which he defends his political career, is the closest that any orator has ever come to the ideal of eloquence for which he is searching.[67] Demosthenes is presumably held in highest esteem by Cicero as a result

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[63] Cf. Connolly (2007) 223 on the orator's ability to transform "the scattered selves of his listeners into a unified collective."

[64] Wooten (1977) notes that Cicero's elevation of Demosthenes to supreme importance is a development in Cicero's rhetorical theory that is first found in the rhetorical works of 46 and occurred in response to the Atticist movement, insofar as Cicero needed a model and Demosthenes was "forced" upon him (39). In choosing him as a model, however, Cicero would come to understand how similar his own oratory was to Demosthenes', and would ultimately identify Demosthenes' political situation *vis-à-vis* Philip with his own (40).

[65] *Opt. Gen.* 13: *Graecorum oratorum praestantissimi sint ei qui fuerint Athenis, eorum autem princeps facile Demosthenes.*

[66] *Orat.* 104: *in quo tantum abest ut nostra miremur, et usque eo difficiles ac morosi sumus, ut nobis non satis faciat ipse Demosthenes; qui quamquam unus eminet inter omnis in omni genere dicendi, tamen non semper implet auris meas; ita sunt avidae et capaces et saepe aliquid immensum infinitumque desiderant.*

[67] *Orat.* 133: *verum haec vis, quam quaerimus, quanta sit suspicemur, quoniam exemplum non habemus, aut si exempla sequimur, a Demosthene sumamus et quidem perpetuae dictionis ex eo loco unde in Ctesiphontis iudicio de suis factis consiliis meritis in rem publicam adgressus est dicere. ea profecto oratio in eam formam quae est insita in mentibus nostris includi sic potest, ut maior eloquentia non requiratur.* Perhaps it should come as little surprise that Cicero finds the theme of self-praise most appealing.

of his excellence in all three styles of oratory. Nevertheless, Cicero claims that Demosthenes moved the shouts of approval and achieved the most in speaking when he engaged in passages of the grand style: *Clamores tamen tum movet et tum in dicendo plurimum efficit, cum gravitatis locis utitur* (*Orat*. 111). We should then look to Cicero's descriptions of the effect which Demosthenes' loftiest oratory had on his audience, and Cicero gives a short (and perhaps entirely imaginary) account of the reception of the *De Corona* by the Athenian assembly (*Orat*. 26):

> Itaque hic, quem praestitisse diximus ceteris, in illa pro Ctesiphonte oratione longe optima summissius a primo, deinde, dum de legibus disputat, pressius, post sensim incendens iudices, ut vidit ardentis, in reliquis exsultavit audacius.

> And so he, who I said surpassed all others, in that oration in defense of Ctesiphon which is by far the best, proceeded rather quietly at first, then, while he talked about the laws, more firmly, and afterwards, slowly inflaming the judges, as he saw that that they were on fire, in the remainder let himself go quite boldly.

Demosthenes' defense of his own political career, which Cicero singled out as being a specimen of exceptional oratory, occurs towards the end of the speech (*De Cor.* 297-305), and it is reasonable to conclude that Cicero is referring to the audience being aflame during that part. In the most purple passage from the best speech of the greatest orator, then, Cicero depicts Demosthenes as setting his listeners on fire. Far removed from the attenuated and bare oratory of the neo-Atticists, Cicero finds impassioned oratory which is capable of moving the audience to be the greatest achievement in the genre.

Beyond stylistics, however, there are resonances between Demosthenes' and Cicero's political careers. Both men tried to resist a free state from falling into the hands of a dictator, but ultimately their attempts ended in failure.[68] Nevertheless, they would both go on to present themselves as the saviors of their states who took the only honorable course of action in the face of tyranny. The outcome of Demosthenes' speech is legendary: he defeated his opponent

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[68] Cf. Wooten (1983).

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Aeschines soundly, receiving more than four-fifths of the votes. Consequently the latter was

penalized for frivolous prosecution, departed from Athens and lived out the remainder of his life

as a teacher of rhetoric in Rhodes and Ionia.[69] Although Demosthenes' political career was

ultimately a failure—Demosthenes led the Athenians to resist Philip at Chaeronea in 338 BC,

where they suffered a crushing defeat and were thence forth subjected to Macedonian rule—his

speech was a great success, and it can be surmised that part of Cicero's admiration for the *De*

Corona arose from the way Demosthenes was able to justify a policy that ended in disaster and

the loss of autonomy for Athens. Besides the sheer rhetorical mastery required to pull off such a

feat, the character that Demosthenes constructs for himself in the speech—a vigorous statesman

who is keenly aware of the glorious past of his city and devoted to realizing it in the present—

was probably especially attractive to Cicero.[70]

Cicero often makes recourse to the imagery of fire to describe the oratory of those who

speak in a passionate and forceful manner.[71] With Demosthenes, however, he goes a step further

and likens his oratory to thunderbolts. Near the end of the *Orator*, in the midst of his discussion

of prose rhythm, Cicero states that Demosthenes' thunderbolts (*fulmina*) would not have darted

as they did if they were not borne along propelled onward by rhythm.[72] Almost two years later,

in a letter to Atticus in which Cicero discusses Brutus' speech on the Capitoline after the

assassination of Caesar, Cicero says that he approves of the speech as Brutus delivered it, but

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[69] Plut. *Dem.* 24.2-3: [δικάζοντοι] τοῖς ἐλαύνουσι τὸν Δημοσθένη τότε πλεῖστον δυναμένοις καὶ μακεδονίζουσιν οὐ προήκαντο τὴν κατ᾽ αὐτοῦ ψῆφον, ἀλλ᾽ οὕτω λαμπρῶς ἀπέλυσαν ὥστε τὸ πέμπτον μέρος τῶν ψήφων Αἰσχίνην μὴ μεταλαβεῖν. ἐκεῖνος μὲν οὖν εὐθὺς ἐκ τῆς πόλεως ᾤχετ᾽ ἀπιών, καὶ περὶ Ῥόδον καὶ Ἰωνίαν σοφιστεύων κατεβίωσε.

[70] For a good analysis of how Demosthenes presented a compelling "version of the past" to the Athenian jurors in *De Corona*, see Yunis (2000) ("Politics as Literature: Demosthenes and the Burden of the Athenian Past"), quote from 114. Cf. Wooten (1983), especially 169-75 ("Conclusion: Their Finest Hour"), which includes a comparison of Winston Churchill's rhetoric during World War II to Demosthenes' and Cicero's.

[71] Apart from Demosthenes and Pericles, who will be discussed presently, the language of fire has a particularly prominent place in Cicero's description of Ser. Sulpicius Galba in the *Brutus* (86-93).

[72] *Orat.* 234: *cuius non tam vibrarent fulmina illa, nisi numeris contorta ferrentur.*

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that he himself would have written more ardently (*ardentius*). Later in the letter, fearing that

Atticus would live up to his name and not demand more than Brutus's own Atticized prose,

Cicero writes, "If you were to recall the thunderbolts of Demosthenes, you would understand that

it is possible to speak in the most Attic way and yet very vehemently" (*Sed si recordabere*

Δημοσθένους fulmina, tum intelleges posse et ἀττικώτατα <et> gravissime dici, *Att.* 15.1a.2).

For Cicero Demosthenes is akin to an immortal or a demigod, whose oratory has such power that

it can be compared to the weapons of Jupiter. Cicero emphasizes the god-like nature of

Demosthenes in the *De Optimo Genere Oratorum* as well when he says, "I think that nothing is

able to be thought more divine than that orator" (*Nihil enim illo oratore arbitror cogitari posse*

divinius, *Opt. Gen.* 17).

One other orator is associated with thunder and lightning in the *Orator*: Pericles. In

elaborating the troubles involved in reserving the name "Attic" for those orators alone who speak

in the plain style, Cicero says that by this measure not even Pericles was Attic. Moreover, "If he

had used a plain style, he would never have been said by the poet Aristophanes to flash, to

thunder, to embroil Greece."[73] Although Cicero's description of Pericles' tempestuous attributes

here are secondhand, he is citing Aristophanes with approval. Cicero does not seem to place

Pericles on the same level as the later and greater Attic orators, among whom Demosthenes was

preeminent. Nevertheless he does describe his speech as having the ability to rouse emotion and

move people, which for Cicero is characteristic of the orators who have attained the loftiest

levels. Earlier in the *De Oratore* Cicero gives a glowing account of Pericles. He says that his

strength (*vis*) of speaking was such that, although he would speak rather severely against the will

of the people on behalf of the country, nevertheless the fact that he spoke against the favorites of

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[73] *Orat.* 29: *si tenui genere uteretur, numquam ab Aristophane poeta fulgere tonare permiscere Graeciam dictus esset.* Cicero here is referring to Aristophanes' *Acharnians* 530-31.

the people seemed popular and pleasing to all.[74] The old comic poets said that charm dwelled on

his lips and so much strength was in him that he left stings in the minds of those who heard

him.[75] In a passage from *Brutus* Cicero states that Athens was delighted with his sweetness,

admired his richness and copiousness, and trembled before his strength (*vis*) of speaking and his

terror.[76] From these passages it is clear that Cicero sees Pericles as possessing a variety of style

which was similar to that of himself, Demosthenes, and his ideal orator. In all the instances in

which Cicero comments on Pericles' oratory in his rhetorical works, however, he always notes

its vigor and loftiness, while at times he makes no mention of its sweetness and richness.[77] At

any rate, in the *Brutus* after the description of Pericles cited above, Cicero says, "This age

therefore first brought forth a nearly perfect orator for the Athenians."[78]

Demosthenes and Pericles have other points of contact, though, besides their thunderous

styles and the high esteem in which Cicero held their styles. In the *Orator* as well as the *De

Oratore*, Cicero advocates encyclopedic learning for the ideal orator, and especially emphasizes

the value of the study of philosophy.[79] For Cicero, no one can speak eloquently on great and

varied subjects without philosophy, and Cicero claims that both Pericles and Demosthenes were

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[74] *De Orat.* 3.138: *Quid Pericles? De cuius vi dicendi sic accepimus, ut, cum contra voluntatem Atheniensium loqueretur pro salute patriae severius, tamen id ipsum, quod ille contra popularis homines diceret, populare omnibus et iucundum videretur.*

[75] *De Orat.* 3.138: *cuius in labris veteres comici, etiam cum illi male dicerent (quod tum Athenis fieri licebat), leporem habitasse dixerunt tantamque in eodem vim fuisse, ut in eorum mentibus, qui audissent, quasi aculeos quosdam relinqueret.* Cicero again refers to the stings (*aculei*) which Pericles left in the minds of those who heard him at *Brut.* 38: *de Pericle scripsit Eupolis, cum delectatione aculeos etiam relinqueret in animis eorum, a quibus esset auditus.*

[76] *Brut.* 44: *huius suavitate maxume hilaratae Athenae sunt, huius ubertatem et copiam admiratae eiusdem vim dicendi terroremque timuerunt.*

[77] *De Orat.* 2.93; *Orat.* 119.

[78] *Brut.* 45: *Haec igitur aetas prima Athenis oratorem prope perfectum tulit.*

[79] *Orat.* 11-17, 113-22; *De Orat.* 3.69-90.

educated by philosophers—Pericles by Anaxagoras and Demosthenes by Plato.[80] Later, in

regard to Pericles, Cicero suggests that his oratory was grander and loftier as a result of the

knowledge of natural science which he acquired from Anaxagoras.[81]

More importantly for Cicero, however, Demosthenes and Pericles are also both eminent

statesmen. It can be seen from the passages cited above that both men won the favor of the

people through their leading roles in civic life. In the *De Oratore*, Pericles is used as an

exemplum of the eloquent statesman in more than one place;[82] through Cicero's own reaction to

Demosthenes' defense of his public career in the *De Corona*, it is clear that he was persuaded by

Demosthenes' eloquence and sympathized with his stalwart service to Athens in the face of the

threat of Philip. In his study of the debt of Cicero's *Philippics* to Demosthenes, Cecil Wooten

remarks on the tendency in both orators to idealize the past, and to see a nobility which was

present in former generations but is no longer extant.[83] He says in particular that Demosthenes

was inspired by Pericles, and that Cicero looked back to a host of "earlier Romans and was

always prone to interpret each crisis in which he was involved in light of an earlier pattern."[84]

While this recourse to *exempla* is certainly not unique to Cicero, his emphasis on Pericles and

especially Demosthenes is striking. Cicero saw both Demosthenes and Pericles as ideal

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[80] *Orat.* 14-15: *Nam nec latius atque copiosius de magnis variisque rebus sine philosophia potest quisquam dicere— si quidem etiam in Phaedro Platonis hoc Periclem praestitisse ceteris dicit oratoribus Socrates, quod is Anaxagorae physici fuerit auditor; a quo censet eum, cum alia praeclara quaedam et magnifica didicisse tum uberem et fecundum fuisse gnarumque, quod est eloquentiae maximum, quibus orationis modis quaeque animorum partes pellerentur; quod idem de Demosthene existimari potest, cuius ex epistulis intellegi licet quam frequens fuerit Platonis auditor.*

[81] *Orat.* 119: *Volo enim prius habeat orator rem de qua dicat, dignam auribus eruditis, quam cogitet quibus verbis quidque dicat [aut quo modo]. Quem etiam, quo grandior sit et quodam modo excelsior, ut de Pericle dixi supra, ne physicorum quidem esse ignarum volo. Omnia profecto, cum se a caelestibus rebus referet ad humanas, excelsius magnificentiusque et dicet et sentiet.*

[82] *De Orat.* 1.216, 3.59.

[83] Wooten (1983) 169-70.

[84] Wooten (1983) 170.

statesmen, because they had each accumulated a stock of wisdom from their philosophical education and possessed the requisite eloquence to persuade the citizen body to the best course of action.

For Cicero, the role of orator-statesman as savior-of-the-state is the role that he creates for Pericles, Demosthenes, and also for himself. Cicero had an unending desire to be important, and he was looking to shore up his reputation and refashion his identity in the wake of the catastrophic events for him of 49-47 BC.[85] Never having forgotten his role as savior of the state in connection with his consulship and the suppression of the Catilinarian conspiracy, Cicero fell into a deep depression during the Civil War and its aftermath when it became clear that he and his talents were little valued by either side. It is still left to him in his literary works, however, to cast himself as the savior, and we see him aligning himself with these former orator-statesmen and attempting to create his own legacy.[86] We also see, however, that Cicero failed to acknowledge that history had moved beyond that paradigm of orator-statesman, and that from this point forward the real arms of Caesar, not the armed words of Cicero, would be the driving political force in Rome.

II. The Style of Politics

Now that I have shown how Cicero elevates the grand style to principal importance in the *Orator*, I will step back from considering what he specifically says about oratory and examine the passages in which, switching from a critical to a more political mode, he addresses Brutus, the dedicatee of the treatise, and some of his other anticipated readers. As noted above, the

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[85] A similar motivation perhaps lay behind the composition of the rhetorical and philosophical works (*De Oratore*, *De Republica*, *De Legibus*) that Cicero wrote in the latter half of the 50s after the Conference at Lucca in 56.

[86] Cf. Dugan (2005) for Cicero's self-fashioning over the course of his career, but especially in his rhetorical works.

treatise is framed as a letter to Brutus, and Cicero addresses Brutus at some length at the opening (1-3) and closing of the work (237-38), and in a bridge passage (33-35) before he embarks fully upon his exposition.[87] In addition, in an interlude (140-48) before proceeding to the most technical portion of the treatise, the detailed discussion of the aural or sonic qualities of language, Cicero pauses to respond to the anticipated objections of certain readers who he claims will think that it is beneath Cicero's dignity, as an elite, widely accomplished Roman, to expound at such length upon technical matters and to teach (*docere*) them.[88] It is precisely at these moments, when Cicero steps back from his endeavor of delineating the ideal orator to address Brutus and his other readers, that the political aims of the work become most apparent.

In these instances, Cicero adopts a defensive stance and is most concerned with justifying his decision to write. As the *Orator* significantly incorporates the structure of a speech, Cicero's defensive rhetoric in these passages is consonant with the form of the work. Furthermore, as I will argue, his defensive posture constitutes a significant component of the work's political import. In these addresses, Cicero repeatedly makes use of a trope popular among writers of handbooks: he claims that he was reluctant to undertake the present composition, requested of him repeatedly by his good friend, Brutus, lest, in writing about a difficult topic, his indiscretion and error in judgment be met with retaliation.   In his second address to Brutus (33-35), Cicero declares that he was similarly reluctant to compose his panegyric *Cato*, which he also claims he only wrote on account of Brutus's request. In any case, for Cicero, as well as for many writers of handbooks, the very existence of the texts themselves proves that the "reluctance" was ultimately not strong enough to prevent the authors from writing. Consequently, such introductions appear

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[87] The reader, however, is frequently reminded of the dedicatee, as Cicero also briefly addresses Brutus at many points throughout the work (*Orat.* 19, 40, 52, 54, 73, 100, 105, 110, 132, 136, 174, 227).

[88] For ancient Greek and Roman stigmas against teaching, see Marrou (1956) 33, 145-47, 267-68, 274-75, 284, Bonner (1977) 58-64, 71-72.

to be generic, rhetorical commonplaces, and they are geared more toward establishing at the beginning of the work the author's ethos—a crucial aspect of an exordium of a speech—and showcasing his relationship with his dedicatee than toward communicating a sincere sense of reluctance to write.

As for the *Orator* specifically, these successive rhetorical refusals play upon one another and their themes are developed through the course of the treatise. Although Cicero ostensibly and primarily attributes his reluctance in writing the *Orator* to intellectual reasons, I will argue that it is to a large extent also political. As I will show, the factors that induced this reluctance with regard to the *Cato* were decidedly political, and the second address to Brutus colors the one at the beginning as well as the subsequent addresses, giving the entire work a political hue. Cicero repeatedly questions his own discretion (*prudentia*) and judgment (*iudicium*) in writing the *Orator* and the *Cato*. The precise meanings of these terms, however, shift over the course of the work and this shiftiness does much to infuse the text with its political charge. Whereas at the outset intellectual or aesthetic and political discretion (*prudentia*) are quite clearly distinguished from one another, by the end of the treatise they overlap and the boundaries between them are blurred. Aesthetic concerns become political and vice versa. Although, as Cicero presents the situation, either intellectual or political discretion could have led him to stay silent, he shows himself eloquent enough to be able to shift skillfully between these two types of discretion and thus is not completely reduced to silence. Silence, however, like *prudentia*, is an elusive term in the *Orator*: Cicero himself breaks the silence that was imposed by the Civil War and Caesar's dictatorship on his oratorical career, which was centered on delivering speeches in public; yewt

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he does this through writing, a much more private activity in which words are, at least at first, seen rather than heard.[89]

The *Orator*, then, is in part an exercise in reinterpreting what speech and eloquence are and what roles they can play in contemporary Roman politics. As is the case with all of Cicero's literary works written during his periods of retirement from the political stage, the fact that Cicero is first delivering his work to the public through writing rather than speaking is itself a political statement. In the case of the *Orator*, it is especially significant that Cicero relates in epistolary form to Brutus a treatise about the political power that oratory can achieve, since in the treatise this power is said to be derived especially from the *auditory* attributes of oratory. In turn, the letter form of the *Orator* suggests the manner in which political affairs are now properly conducted: dispersed is the *corona* of spectators hanging on every word of the orator; in its place, a letter addressed to an individual of important standing.[90] There is thus a contrast between an oral form of expression (oratory) and a written one (a letter), and when the former medium is unavailable, Cicero demonstrates that even through the latter he can still relate his political views, exercise his influence, and accrue power for himself. In the *Orator*, therefore, Cicero demonstrates his own political shrewdness by his ability to adapt to the circumstances as needed. Just as in theory the ideal orator is able to excel in all three oratorical styles, so the

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[89] For the ancient Roman practice of reading (poetry) (aloud), see Parker (2009).

[90] For an analysis of another one of Cicero's literary works couched in the form of a letter, see Gibson and Morrison (2007), who argue that *De Officiis* (44 BC) nearly fits into a six-item list of "formal and contextual characteristics" of letters espoused by Trapp (2003) 1. The only criterion that it does not meet is that a letter is normally expected to be of relatively limited length. They suggest that rather than attempting to construct a more inclusive or exclusive definition of a letter, genre could be thought of as a "kind of spectrum" (13). They conclude that *De Officiis* as well as other texts "share several characteristics with letters, even if ultimately we don't find these sufficient to place the texts squarely within the category of the letter. But emphasizing these connections of letters to 'not quite epistolary' texts is also important. Letters are not the only 'code' for understanding texts which *do* qualify as letters" (14).

really *eloquens* man, that is, the political man, in his political performance is able to play any part that is required of him.

1. *Orat.* 1-2: The Preface

The *Orator* begins with one of these rhetorical refusals, as Cicero calls attention to the dilemma he was faced with on account of Brutus' requests that he take up the present topic (*Orat.* 1-2):

> utrum difficilius aut maius esset, negare tibi saepius idem roganti an efficere id quod rogares, diu multumque, Brute, dubitavi. nam et negare ei, quem unice diligerem cuique me carissimum esse sentirem, praesertim et iusta petenti et praeclara cupienti, durum admodum mihi videbatur, et suscipere tantam rem, quantam non modo facultate consequi difficile esset sed etiam cogitatione complecti, vix arbitrabar esse eius qui vereretur <u>reprehensionem doctorum atque prudentium</u>. quid enim est maius quam, cum tanta sit inter oratores bonos dissimilitudo, iudicare quae sit optima species et quasi figura dicendi? quod quoniam me saepius rogas, aggrediar non tam perficiendi spe quam experiendi voluntate; malo enim, cum studio tuo sim obsecutus, desiderari a te <u>prudentiam</u> meam quam, si id non fecerim, <u>benevolentiam</u>.

> I pondered long and earnestly whether it was more difficult and a greater task to refuse you, Brutus, when you asked for the same thing so many times, or to accomplish what you were asking. For it seemed excessively hard to me to refuse a man whom I esteem singularly and to whom I sense that I am very dear, especially when he seeks what is just and desires what is splendid. On the other hand, I scarcely think that it is proper to one who respects the <u>criticism of the learned and the wise</u>, to take up so great a task that it is difficult not only to arrive at it with ability, but even to embrace it in thought. For what greater task can there be, when there is such great difference among good orators, than to judge what is the best kind and form, as it were, of speaking? But since you ask me so often, I will comply, not so much with hope of carrying the task through as with willingness to try. For I prefer that, now that I have yielded to your desire, in your eyes my <u>judgment</u> be lacking, rather than my <u>goodwill</u>, if I had not done so.

Cicero's dilemma here is between, on the one hand, meeting Brutus' request, which he feels obliged to do as a friend, and thereby opening his intellectual reputation up to the possible criticism of the intellectual community (*reprehensionem doctorum atque prudentium*), and, on the other hand, protecting his reputation from criticism but in the process denying the request of

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a friend. As Cicero articulates it in the final sentence of this passage, the issue ultimately comes down to giving greater heed to *prudentia* or to *benevolentia*. For my purposes, this opening passage of the work is most interesting for initially establishing *prudens* and *prudentia* as concepts restricted to the intellectual sphere. The intellectual considerations which cause Cicero to hesitate are in part rooted in his philosophically inspired approach: in claiming that what he is trying to express is difficult even to be embraced in thought (*etiam cogitatione complecti*) and that he seeks to pass his judgment on what is the best kind and form of oratory (*iudicare quae sit optima species et quasi figura dicendi*), Cicero sets out to describe an ideal of eloquence and, through the terms *species* and *figura*, he draws on Plato's theory of Forms to articulate this.[91] Alternatively, as the treatise is in large part a polemical defense of his own stylistic ideals against those of the Neo-Atticists, the learned community here could be more narrowly defined as the camp of his opponents, and Cicero begins on such a cautious note in order to conciliate them. In any case, in this passage, *prudentia* signifies the judgment of the intellectual community, and *benevolentia* ultimately wins out. In acquiescing to Brutus' request, Cicero has chosen the politically significant virtue of *amicitia* over scholarly *prudentia* and curiously dissociates himself from the *docti et prudentes*.

2. *Orat.* 33-35: The *Cato*

In his second address to Brutus, Cicero continues to emphasize his *amicitia*, praising Brutus for embodying seemingly contradictory qualities, such as severity (*severitas*) and kindness (*comitas*, *Orat.* 34). He emphasizes that Cisalpine Gaul, the province that Brutus governed from 46-45 BC, alone in all the lands is not aflame with civil war. Moreover, despite

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[91] The Platonic resonances of the work are most apparent in a later introductory passage (*Orat.* 7-10), in which Cicero notes that the terms he is using are translations of the Greek ἰδέαι and references Plato by name (*Orat.* 10). Cf. also *Orat.* 18-19, 101.

his pressing official duties, Brutus never fails to write something or to encourage Cicero to do so

(*Orat*. 34). Such encomiastic remarks constitute a prelude to the second justification for writing,

in which Cicero looks back to another encomiastic text, the panegyric *Cato*, that he completed a

few months earlier in the summer of 46 BC. As Cicero presents it, the circumstances of the

origin of the *Cato* are similar to those of the *Orator*, as Cicero only took up the subject as a result

of Brutus' pressing request (*Orat.* 35):

> itaque hoc sum adgressus statim Catone absoluto, quem ipsum numquam
> attigissem <u>tempora timens inimica virtuti</u>, nisi tibi hortanti et illius memoriam
> mihi caram excitanti non parere <u>nefas</u> esse duxissem. sed <u>testificor</u> me a te
> rogatum et recusantem haec scribere esse ausum. volo enim mihi tecum commune
> esse <u>crimen</u>, ut, si sustinere tantam <u>quaestionem</u> non potuero, iniusti oneris
> impositi tua <u>culpa</u> sit, mea recepti; in quo tamen <u>iudici</u> nostri errorem laus tibi dati
> muneris compensabit.

> And thus I came to this work immediately after my *Cato* was finished, which
> itself I never would have touched, <u>fearing an age inimical to virtue</u>, unless I had
> thought that it was <u>an unspeakable transgression</u> not to comply with you when
> you were exhorting me and stimulating my dear memory of the man. But I <u>testify</u>
> that I only dared to write the work because I was asked by you and I was reluctant
> even so. For I wish you to share the <u>indictment</u> together with me, so that if I am
> not able to endure such a <u>trial</u>, the <u>fault</u> of imposing an unjust burden should be
> yours, and of accepting it mine. In the course of which undertaking, nevertheless,
> the praise of a service being rendered to you will compensate for my error in
> <u>judgment</u>.

In the opening of the *Orator* (*Or*. 1-2), the reader becomes privy to Cicero's doubts about writing

and they are primarily of an intellectual character: he fears that in tackling a difficult topic he

will provoke the censure of the learned. The anxieties that Cicero imagines he may encounter

from an unnamed, shadowy third person with respect to the *Cato*, however, are unmistakably

political. In 46 BC, Cato led the Republican forces in Africa against Caesar, and after their

defeat at Thapsus in April, Cato took one last, and very memorable, stand: rather than accepting

Caesar's pardon as many other vanquished opponents had, he gruesomely committed suicide.

Twice. For Cato secretly stabbed himself after dinner, but his wound was mended by those who

discovered him still alive. During the night, however, Cato tore off his bandages, reopened his wound, and extracted his own organs until he expired. For his contemporaries as well as for later generations, Cato became a martyr and exemplum for resistance to tyranny.[92]

It seems clear, then, that in his panegyric of Cato in which he lauded the defeated, Cicero had taken up a difficult—and potentially dangerous—subject. Accordingly, "an age inimical to virtue" (*tempora...inimica virtuti*) seems to be one in which, among other things, a despot's opponents cannot be openly praised. It is noteworthy that Tacitus echoes this line near the beginning of the *Agricola* (98 AD), his panegyrical biography of his father-in-law, Gnaeus Julius Agricola. Comparing his own age to earlier ones in which illustrious deeds were not only more common, but men would even record and publish their own accomplishments, Tacitus writes, *adeo virtutes isdem temporibus optime aestimantur, quibus facillime gignuntur. At nunc narraturo mihi vitam defuncti hominis <u>venia</u> opus fuit, quam non petissem incusaturus: <u>tam saeva et infesta virtutibus tempora</u>,* "Indeed, virtues are best appreciated in the same times in which they most easily arise. But now that I was about to narrate the life of a man who is deceased, I was in need of <u>pardon</u> which, if I were going to denounce him, I would not have sought: <u>so cruel and hostile are/were the times to virtues</u>" (Tac. *Agr.* 1.3-4).

Although the *Agricola*, the earliest of Tacitus' works, was published in 98 AD, Tacitus seems here to be referring to the oppressive conditions that characterized the final years of the emperor Domitian's reign (81-96 AD). Nevertheless, some temporal ambiguity is created in this passage through the adverb *nunc* and the verb tenses (or lack thereof). *Nunc* ("now") situates Tacitus' predicament in the present moment, but the perfect tense of *fuit* ("was") locates the need

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[92] In Joseph Addison's tragedy *Cato* (1713), Cato declares, "It is not now a time to talk of aught/ but chains, or conquest; liberty, or death"; these lines perhaps inspired Patrick Henry's famous declaration "Give me liberty or give me death!" at the Second Virginia Convention in 1775.

for pardon (*venia*) in the past. Even if the future participle *narraturo* is interpreted as having

concessive force (e.g. "Although I am now going to narrate the life of a deceased man, (in the

past) I needed pardon, which if I were going to attack I would not have sought"), the dependence

of *narraturo*, which *nunc* modifies, on *mihi*, which is part of the *opus fuit* construction,

confounds the two temporalities. What period or periods is Tacitus exactly talking about? How

can one tell the two times apart? Tacitus' final remark in this passage (*tam saeva et infesta*

virtutibus tempora) conspicuously lacks any verb to signify tense, and it is left to the reader to

decide whether to supply *sunt* ("are"), *fuerunt* ("were"), or both.[93] Oblique insinuations of this

kind are hallmarks of Tacitus' biting style: his criticisms are often veiled by ambiguity, couched

in reported speech, or attributed to rumor, all of which distances Tacitus the author from the

words in his texts.[94] I suggest that in the *Orator* one finds Cicero similarly using insinuation to

criticize in a clandestine manner, in this particular case offering his apology for writing the *Cato*,

which apology seems to be predominantly politically motivated, as a guideline for his apology

for writing the *Orator*.

Additional comparison of the opening of the *Agricola* with the second address to Brutus

in the *Orator* further enables the reader to see how the discourse of anxiety associated with

writing in the empire was pioneered by Cicero under Caesar's dictatorship. Of particular note is

the legal language Cicero deploys in discussing the composition of the *Cato*: he virtually puts

himself on trial and undertakes a preemptive defense. He testifies (*testificor*) that he has only

written the work at the behest of Brutus. He refers to the work as an indictment *(crimen)*

potentially to be brought against him. The *quaestio* here is the trial or investigation that Cicero

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[93] Cf. Ogilvie's (1967) and Woodman's (2014) notes *ad loc.* for some discussion of the difficulties in translating the verbs tenses in this passage.

[94] Cf. Ahl (1984) on "safe criticism."

will be subject to, and if he is not able to endure it, he wishes for Brutus to share the fault (*culpa*) along with himself. As in the opening of the work (*Orat*. 1-2), at *Orat*. 35 Cicero distances himself from sound judgment (*nostri iudici errorem*) but counteracts it with a deed of goodwill: the *munus* (an act of *amicitia*) he has performed for Brutus will win both of them praise and tip the scales in Cicero's favor. Of course, the judge presiding over this trial is never identified; but based on Caesar's ubiquitous and ominous presence in Cicero's letters from 46, in which his shadow looms over every page, and the fact that in 45 he published *Anticato*, a pamphlet written as a rejoinder to Cicero's *Cato*, it seems likely that Cicero is implying that Caesar and his henchmen are watching what he does. Although Caesar's literary response to Cicero in *Anticato* showed that Caesar was willing (and able) to play at Cicero's own game, in this passage Cicero is able to conjure an atmosphere of claustrophobic surveillance in which autocracy threatens freedom of expression.

For those living under a tyrannical emperor like Domitian or Nero, however, the imaginary trial and defense that Cicero constructs would become reality. Immediately following the passage from the *Agricola* just quoted, Tacitus details the dangers that awaited those who wrote works that included unwelcome praise (Tac. *Agr*. 2.1-2):

> Legimus, cum Aruleno Rustico Paetus Thrasea, Herennio Senecioni Priscus Helvidius laudati essent, capitale fuisse, neque in ipsos modo auctores, sed in libros quoque eorum saevitum, delegato triumviris ministerio ut monumenta clarissimorum ingeniorum in comitio ac foro urerentur. Scilicet illo igne vocem populi Romani et libertatem senatus et conscientiam generis humani aboleri arbitrabantur, expulsis insuper sapientiae professoribus atque omni bona arte in exilium acta, ne quid usquam honestum occurreret.

> We read that when Thrasea Paetus was praised by Arulenus Rusticus and Helvidius Priscus by Herennius Senecio, it was a capital crime; and that the ensuing savagery was directed not only against the authors themselves but also against their books, the responsibility being delegated to the public executioners' office to see that the monuments of the most conspicuous intellects should be publicly burned in the comitium and the forum. No doubt they judged that the

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voice of the Roman people and the liberty of the Senate and the moral conscience of the human race were consumed in that fire as well. And furthermore, the professors of wisdom were expelled and every good art was driven into exile in order that nothing honorable would be encountered anywhere.

As he goes on to relate, in wake of the persecution both of authors and books, silence resulted, although memory persisted in those who continued to live: *Memoriam quoque ipsam cum voce perdidissemus, si tam in nostra potestate esset oblivisci quam tacere*, "We would have lost memory itself along with our voice, if it were as much in our power to forget as to be silent" (*Agr*. 2.3). Although he admits to having been silent previously, in the *Agricola* Tacitus reveals and preserves in writing his memory, both of his deceased father-in-law and of the cruelties of the previous age.

Cicero, however, despite living in a hostile political climate in which he depicts praising an autocrat's enemies as dangerous, has not yet submitted completely to the silence which Tacitus attributes to the most recent tyranny. Instead, he finds a voice in his literary work to attack what he perceives to be contemporary injustice. The memory of Cato kindled by Brutus is what led Cicero to write and break his silence; in his judgment, to refuse Brutus' request by staying silent and not praising Cato would have been an unspeakable crime (*nefas*). Cicero thus presents the situation as a choice between the lesser of two crimes. Whereas the crime that he admits to and requests pardon for (writing his panegyric of Cato) is plainly articulated in Roman legal terminology, the fault that he refuses to commit is termed *nefas*, which encompasses more profound and religious implications.[95] Cicero here is making a subtle distinction between two different kinds of transgression, of which the one is political and the other more moral and philosophical. Cicero's plea for pardon, then, is in its own way an indictment of the times, as he

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[95] *OLD nefas* 1, 2.

suggests that the dangers and hostility he faces are out of alignment with greater and more universal notions of justice.

3. *Orat.* 140-48: Interlude in defense of teaching

Following this address to Brutus, Cicero sets out to fulfill his task of describing the ideal orator. He continues at full career, proceeding through the five parts of oratory but devoting the greatest part of the work to *elocutio* ("style"). After lengthy catalogs of both the figures of speech and of thought, Cicero states that in order to arrive at the praise which the ideal orator aspires to, these figures ought to be arranged, structured and tied to the words—that is to say, they need to be arranged in an artful and rhythmical manner.[96] This marks a turning point in the treatise, as Cicero will henceforth focus on the aural properties of oratory, including morphology, pronunciation, euphony, *concinnitas*, and, most importantly and on an unprecedented scale, prose rhythm.

Cicero's treatment of these technical subjects in the remainder of the work is at times extremely detailed and dry, and before taking up these topics, Cicero pauses and responds in an interlude (*Orat.* 140-48) to readers who he anticipates will object that in his discussion he will essentially be teaching rhetoric—and the minutiae of rhetoric at that—which for an elite Roman is neither a traditional nor a reputable activity. Cicero claims that he expects objections to come not only from the envious (*invidii*), but also from the promoters of his own success (*fautores laudum mearum*) who might view the enterprise as unworthy of Cicero's political achievements and stature: *qui non censerent eius viri esse, de cuius meritis senatus tanta iudicia fecisset comprobante populo Romano, quanta de nullo, de artificio dicendi litteris tam multa mandare,*

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[96] *Orat.* 140: *Sed haec nisi conlocata et quasi structa et nexa verbis ad eam laudem quam volumus aspirare non possunt.*

"[Those] who would judge it to be below the dignity of a man, whose achievements were extolled so greatly by the senate with Roman people also voicing their approval that he has no equal, to write so much about the artifices of speaking" (*Orat*. 140). The contrast here is between Cicero's political achievements (*merita*) and the technical writings on rhetoric (*de artificio dicendi litterae*) that now occupy his time, and to heighten this contrast, Cicero declares that the honors which have been granted to him from both the Senate and people are unparalleled,[97] and it is his unique renown that makes the undertaking so questionable.

The interlude, then, is in the first place a response to this problem, and in it Cicero argues for the value of teaching. In embracing his role as teacher, Cicero seems to have shifted his position from earlier in the treatise, where he had explicitly claimed that he was writing as a critic and not as a teacher (*Illud tamen quod iam ante diximus meminerimus, nihil nos praecipiendi causa esse dicturos atque ita potius acturos ut existimatores videamur loqui, non magistri*, *Orat*. 112). While scholars of an analyst inclination might attribute this inconsistency to the fact that the work is the composite result of several originally independent letters or essays that were compiled without rigorous editing, I contend that it conforms with the evasive maneuvering that is an important component of the authorial persona Cicero constructs in the text and that I have been highlighting in this chapter. As a result of this shiftiness, Cicero the author emerges as a protean figure and his intentions in writing the work take on different shapes each time they are enunciated. Nevertheless, each suggestion, however briefly it may come to the forefront as the leading voice, leaves an impression, although Cicero's rhetorical mastery in

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[97] As Cicero was writing at the end of 46 BC, this claim seems steeped either in irony or delusion, as in the summer of the same year Caesar, upon his return to Rome following the conclusion of the campaign in Africa against the forces led by Cato, had been, among other honors, given a forty-day festival in celebration of his victory, named dictator for ten years, and granted control over morals for three years (for the honors see Gelzer [1968] 278-79). But perhaps Cicero is implying that such extraordinary honors were not actually *granted* by the Senate and people of Rome.

managing the whole ensemble prevents the reader from pinning him down in any one place in the end.

Indeed, although this prelude is in some ways a progressive meditation on the high social value of teachers, Cicero's justification for teaching is at once an endeavor to find a platform for his words and a political message. Throughout the prelude, Cicero refuses to deny eloquence its civic importance, and Cicero's defense of eloquence is both an encomium of its virtues and an understated criticism of Caesar's regime, during which eloquence no longer thrives as it did earlier in Cicero's lifetime. In interpreting this highly political passage, therefore, it is crucial for the reader to have in mind the historical context in which the work was composed, a task that is facilitated by the attention Cicero pays to his past service to the state and his current lack of involvement at the outset of the interlude (*Orat.* 140), quoted above. As I have already noted, in 46 BC, as a result of the ongoing Civil War and Caesar's dictatorship, the Republican institutions that traditionally provided a venue for forensic and deliberative oratory—the courts, *contiones*, and senate meetings—played a diminished role in Roman politics.[98] Accordingly, a discussion that extols oratory in the copious manner that Cicero's does should be read as a critique of Caesar's recent actions and the government that he has imposed. Nevertheless, as it does throughout the treatise, the bitter but muted political critique here rumbles just below the surface, as Cicero never states outright that the Civil War and Caesar's extraordinary position have killed off oratory. Rather, the critique results from what is obliquely said and what is missing, and in this passage, as well as in the treatise as a whole, nothing missing is more apparent than Cicero himself. In this way, then, Cicero makes it appear that his devotion to technical writing is

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[98] Cicero's own published orations from this period, the so-called "Caesarian speeches," stand as a testament to this: they are all addressed directly to Caesar rather than to a larger representative body of the Roman people, such as a panel of jurors or the Senate. I discuss these speeches in more detail in the conclusion of this chapter.

executed in a similar spirit to his more explicitly political acts. A significant difference, however, is that Cicero talks about politics by talking about teaching. In this passage, in other words, Cicero practices the kind of oblique criticism that Frederick Ahl has defined as the "art of safe criticism."[99]

A close reading of this passage will allow its political character to come to the surface more clearly. Cicero repeatedly challenges the traditional upper-class Roman stigma attached to teaching oratory, which, he notes, does not apply in the case of jurisprudence. He begins by asking, who would disprove of leading others to eloquence when it has always held first place in our state in civil and peaceful matters while jurisprudence has come second (*Nam quis umquam dubitavit quin in re publica nostra primas eloquentia tenuerit semper urbanis pacatisque rebus, secundas iuris scientia?*, *Orat*. 141)? This is a loaded statement, of course, because, as Cicero will go on to describe in this passage in reference to his own situation, the state of oratory at Rome is at a low point. In furthering his comparison between oratory and the science of law, Cicero claims that eloquence brings in its train a great measure of gratitude, glory and protection, whereas jurisprudence consists of lessons in the intricacies of the law and often seeks aid from eloquence, and when eloquence fights back against jurisprudence, the latter can hardly defend its own territory and boundaries (*cum in altera gratiae, gloriae, praesidi plurimum esset, in altera praescriptionum cautionumque praeceptio, quae quidem ipsa auxilium ab eloquentia saepe peteret, ea vero repugnante vix suas regiones finisque defenderet*, *Orat*. 141). This is the first instance of an important element of this interlude, namely that Cicero enumerates value-laden words that translate into political currency for a Roman (in this case, most notably *gratia* ("gratitude") and *gloria* ("glory")) and assigns them to eloquence. In this manner he is

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[99] Ahl (1984).

underscoring the political value of oratory and oratorical training. Moreover, Cicero's language

here gives eloquence militaristic qualities, attributing to it both defensive (*praesidium*, *auxilium*)

and offensive (*ea vero repugnante vix suas regiones finisque defenderet*) capabilities.[100] In any

case, in highly extolling the benefits that eloquence can provide, Cicero raises, albeit not

explicitly, the question, why is oratory not at this point an integral part of the state?

Cicero goes on to ask, why it has always been honorable to teach civil law, while the

teaching of oratory has always been met with vituperation?[101] In this distinction, Cicero is not

referring to the traditional method by which elite Roman youths learned how to speak in the law

courts, the *tirocinium fori*, in which the young would accompany an experienced speaker in his

various activities and learn from observing him in practice.[102] Rather, Cicero means *teaching*

rhetoric—and specifically the technical aspects of it—*in school*. At stake here, then, are ideas of

class division and the question of loss of status, and these are mapped onto a dichotomy between

the public forum and the private schoolroom.[103] But, Cicero further questions, if eloquence

adorns not only those who are in possession of it, but even the whole state (*sin ea non modo eos*

ornat penes quos est, sed etiam iuvat universam rem publicam), "Why is it shameful to learn

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[100] Of course, military terminology is an integral part of the language used to signify to Roman oratorical activity. Cf. Fantham (1972) 155-58. Furthermore, the *patronus* who successfully defends his *cliens* would accrue *gratia*, making the *cliens* a debtor to him. Again, it can be read as an accusation against the current disordered state of Roman public life that in the present treatise, Cicero, the universally acclaimed *pater patriae* (or so Cicero would have it), now reduced to teaching oratory instead of practicing it, presents himself effectively as a *cliens* of Brutus, relying on his *praesidium* for his safety.

[101] *Orat*. 142: *Cur igitur ius civile docere semper pulchrum fuit hominumque clarissimorum discipulis floruerunt domus, ad dicendum si quis acuat aut adiuvet in eo iuventutem, vituperetur?*

[102] For the *tirocinium fori*, see Cic. *Cael*. 9, *Amic*. 1, Quint. *Inst*. 10.5.19, Tac. *Dial*. 1-2, 34, Plin. *Ep*. 8.14.2-8, *RE* s.v., Bonner (1977) 84-5, Richlin (1997) 92-3.

[103] The distinction between the closed school (for boys) and the open forum (for men) is present earlier in the *Orator* when Cicero excludes epideictic oratory from his discussion on the grounds that it is not the style of oratory that is suitable to the battles of the forum (*Orat*. 36-42). The importance of this distinction for the cultural and political meaning of invective oratory inform the next three chapters, which all deal with the production of oratory and the criticism of rhetorical style in spaces (e.g. the country villa, the declamation school, the private study) to some degree removed from the traditional agonistic settings of the law courts and political assemblies.

what it is honorable to know, or why is it not glorious to teach what it is most excellent to know?" (*cur aut discere turpe est quod scire honestum est aut quod posse pulcherrimum est id non gloriosum est docere? Orat.* 142). Similarly to what we saw just above, these questions have considerable import that goes beyond Cicero merely justifying his treatise on pedagogical principles. In posing them, Cicero again seeks to redefine and expand the scope of the Roman catchwords *honestus* and *gloriosus* that have traditional associations with political achievement, and in doing this he again emphasizes that his literary work has political significance.

Following these questions, Cicero puts forth three hypothetical objections to teaching oratory and responds to each. In rebuttal of the imagined response that the teaching of jurisprudence is well established whereas the instruction in eloquence is novel (*At alterum factitatum est, alterum novum, Orat.* 143), Cicero reasons that the change in the position of oratory in society now gives orators the opportunity to teach. While the nature of the work of jurisconsults allowed them to serve clients and instruct pupils simultaneously, the demands (formerly) made of orators left them with no time for instruction of students: "When orators were spending their time at home learning and putting together their cases, their time in the forum pleading them, and all the rest of their time in recovering their strength, what room did they have for instructing or teaching?" *cum domesticum tempus in cognoscendis componendisque causis, forense in agendis, reliquum in sese ipsis reficiendis omne consumerent, quem habebant instituendi aut docendi locum?* (*Orat.* 143). Cicero here provides the reader with a sketch of the lively and vigorous place which oratory occupied in the civic operations of the Republic; this picture, however, carries the bitter implication that this state of robust activity belongs to a previous time.

The second imagined objection is that teaching does not have any *dignitas* (*at dignitatem docere non habet*, *Orat*. 144). Cicero concedes that this is the case if it is conducted as if in a school, but when you could make people better, why should you not wish to teach?[104] Here again, Cicero attempts to assign to teaching, his new, traditionally non-elite endeavor, some share of a Roman aristocratic value. As I argued above regarding *gratia* and *gloria* and *honestus* and *gloriosus*, then, Cicero is seeking to redefine the possible ways that one should be able to acquire the social attributes that historically have resulted from more traditional modes of political activity.

Cicero's imaginary interlocutor's third objection is that whereas people will go so far as to make false claims to knowledge of jurisprudence, those who have studied eloquence nevertheless conceal their own abilities in it (*At ius profitentur etiam qui nesciunt; eloquentiam autem illi ipsi qui consecuti sunt tamen ea se valere dissimulant, Orat*. 145). Cicero claims that this is so "Because knowledge is pleasing to people, but a tongue is suspicious" (*Propterea quod prudentia hominibus grata est, lingua suspecta*, *Orat*. 145). Although Cicero goes on to question if it is even possible to conceal real eloquence and notes that he has always proudly displayed his own learning, nevertheless, by embracing the teaching of eloquence, which *lingua* here signifies, Cicero once again distinguishes his own activity from *prudentia*. I read *prudentia* in this instance as primarily indicating a body of knowledge, and it is certainly not the case that Cicero is denying that he possesses knowledge, jurisprudential or otherwise. But in Cicero's own words, the activity which he is endorsing in the present work is presented as traditionally being a target of suspicion. Moreover, as I interpret this passage, Cicero's rhetoric in some ways bears

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[104] *Orat*. 144: *Certe, si quasi in ludo; sed si monendo, si cohortando, si percontando, si communicando, si interdum etiam una legendo, audiendo, nescio cur non docendo etiam aliquid aliquando possis meliores facere, cur nolis? An quibus verbis sacrorum alienatio fiat docere honestum est, ut est, quibus ipsa sacra retineri defendique possint non honestum est?*

out the truth of this suspicion. For in discussing the changed place of oratory in Roman society

and in his justifications for becoming a teacher of rhetoric, he deploys his own considerable

linguistic dexterity to make a veiled criticism of the current political situation. It is a testament

to Cicero's brilliance that in the course of arguing for why eloquence and the teaching of it are

significant for the state, he simultaneously produces a demonstrative example that showcases his

own supple ability to communicate his political opinions.

To conclude the interlude, Cicero claims that even if all the justifications he has given for

his turn to "literature" were not valid, nevertheless the circumstances of his life alone should

grant him the license to do so (*Orat*. 148):

> Quod si ea quae dixi non ita essent, quis tamen se tam durum agrestemque
> praeberet qui hanc mihi non daret <u>veniam</u>, ut cum meae forenses artes et actiones
> publicae concidissent, non me aut desidiae, quod facere non possum, aut
> maestitiae, cui resisto, potius quam litteris dederem? Quae quidem me antea in
> iudicia atque in curiam deducebant, nunc oblectant domi; nec vero talibus modo
> rebus qualis hic liber continet, sed multo etiam gravioribus et maioribus; quae si
> erunt perfectae, profecto maximis rebus forensibus nostris et externis inclusae et
> domesticae litterae respondebunt. Sed ad institutam disputationem revertamur.

> But even if these things that I have stated were not so, who nevertheless would be
> so uncompromising and boorish that he would not grant me this <u>pardon</u>, that,
> since my forensic practices and public activities have fallen to ruins, I should give
> myself over, not to idleness, which I am unable to do, nor to grief, which I resist,
> but to literature? Which indeed before was impelling me into the courts and
> senate house, but now constitutes my amusement at home. And I mean not only
> the sort of material that this book contains, but even worthier and greater matters.
> And if these things are brought to completion, certainly my shut-in, private
> literature will rival my greatest external, forensic accomplishments. But let us
> return to the issue at hand.

Although Cicero punctuates this important section of the text by looking forward to equalling his

pubic, forensic achievement through his more private, literary endeavors, this passage is

nevertheless colored by pathos and pervaded by loss and sadness. Cicero continues his defense

of himself and his new life, but here, in his final attempt at persuasion in this interlude, he simply

asks for pardon (*venia*). This passage, then, resembles the element of *commiseratio* of a peroration, in which the miserable plight of the defendant is emphasized (and on occasions even theatrically displayed) and an appeal to pity is made.[105] Indeed, Cicero's rhetoric in this passage does much to paint a pathetic picture of a man who has been dislodged from any effective position of civic importance due to the hostile political situation. Insofar as his life and the activity that granted him his renown and, in his own estimation, saved the Republic are now in ruins, the grief that Cicero claims to resist here seems all too much a grim reality.

The gloominess of this passage is effected in large part by the comparison of the present to the past. Cicero, who at the beginning of this interlude noted the unparalleled honor he had received, here again alludes to his oratorical and political success in the course of suggesting that he must now in his retirement embark upon a domestic life centered on literature. Cicero brings the reader into his house to see him in his current fallen state, and the comparison of the past and the present maps onto the comparison between the public and the private. His simplified manner of juxtaposing these two spheres makes the contrast more pronounced: the public spaces of the courts (*iudicia*) and the senate house (*curia*) are opposed to the private home (*domus*); whereas literature and study once helped him make his career and serve the commonwealth, their purpose now is mere amusement (*oblectant*); and, as in the earlier passage in this interlude (*Orat.* 140), the most striking and developed antithesis in this passage contrasts forensic business, great and external, with shut-in, private literature.

For Cicero, however, the distinction between his political career and literature was never a very neat one. As Shane Butler has argued, writing was immensely important in the

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[105] Also called *conquestio, miseratio*. *Rhet. Her.* 2.50, Cic. *Inv.* 1.98, 106, *De Orat.* 2.125, 3.219, Quint. *Inst.* 10.1.107, Lausberg §§ 433, 439. For extravagant and theatrical descriptions of appeals to emotion, see *De Orat.* 2.194-96, *Orat.* 131. Cf. also Asconius *In Scaur.*, Kennedy (1972) 204.

establishment of Cicero's reputation and his rise to the heights of the Roman political world.[106]

He would revise and publish his speeches—and in the case of his prosecution of C. Verres, publish speeches that were never delivered—to serve as educational models,[107] advertisements of his oratorical brilliance, and monuments of his services to the state.[108] Cicero indeed would be well aware of the political power of writing, and the attention he draws here to his own public absence in his "private" writings allows him to make an undeniably public statement. Insofar as Cicero often successfully opposed his adversaries in his forensic efforts, it is suggested that he will be able to do the same by means of the literary work he has now taken up. Indeed, *respondebunt*, Cicero's final word in this digression before turning back to his main subject, hangs as a veiled threat, suggesting that he will find a way to answer. If his speeches, in which he contorted his enemies into the shapes that he chose, have attained the status of models for students, his current writings will have a similar effect. And my reading bears this out: although Caesar is not explicitly mentioned in the text, his presence looms over the whole as an tyrannical threat to liberty. The clear antithesis, then, that Cicero establishes between public activity and private literature produced under virtual house arrest is only an illusion. Nevertheless, in his rhetorical sleight of hand Cicero both presents himself as a victim of the times and firmly expresses his political dissent.

With this passage, too, the beginning of Tacitus' *Agricola* can be adduced as an informative intertext. The dark, mournful picture of the times that Cicero paints is reflected in

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[106] Butler (2002) 2-3.

[107] Cf. Cicero boasting in a letter to Quintus about how all the boys learn his speech against Piso (*In Pisonem*, 55 BC) carefully, while no one would read Piso's speech against Cicero if Cicero had not responded (*Q. fr.* 3.1.11): *Alterum est, de Calventii Marii oratione quod scribis: miror tibi placere me ad eam rescribere, praesertim cum illam nemo lecturus sit, si ego nihil rescripsero, meam in illum pueri omnes tamquam dictata perdiscant.*

[108] For some discussions of Cicero's publication of his speeches, see Crawford (1984) 3-7, Craig (2002) 515-7, Powell and Paterson (2004) 52-7, Manuwald (2007) 55-65.

Tacitus' description of the terrors of Domitian's reign, and Tacitus similarly uses the comparison of the more distant past to the recent past to highlight the "times savage and inimical to virtues" (*tam saeva et infesta virtutibus tempora*, *Agr*. 1). Most notably, however, Tacitus claims that in narrating the life of a dead man it was necessary for him to ask for pardon (*venia*); as we have seen, Cicero also requests *venia* from his anticipated critics for turning his attentions to "literature." Both authors, then, reflect on the pursuit of literary endeavors amid politically hostile times, and these reflections, which have the effect of presenting the authors as victims, take on the form of political critiques. Tacitean innuendo is one of the historian's most famous techniques, and deservedly so: Tacitus was a master of criticizing, insinuating, and discrediting in an oblique manner. Using Tacitus as a lens to read Cicero, however, reveals that some of Tacitus' most characteristic qualities can be detected in the ways that Cicero responded to the threats that he perceived were being leveled against Roman political liberty and his own personal dignity. Through such parallels one becomes aware of the ways in which Cicero, throughout his career but especially in the late work composed during the Civil War, invents strategies later developed by authors in the Principate to respond to their own oppressive circumstances.

To look back at the important interlude on teaching as a whole, Cicero, the great orator and politician, finds himself reduced to the role of teacher due to an unfriendly political situation. By alluding to his previous political achievements at both the beginning and end of the interlude, Cicero accentuates this point. Reminiscences of his former glory become a frame that overshadows his defense of his new occupation, and despite his strenuous justifications of his latest undertaking, the reader is not allowed to overlook what Cicero as *rhetor* means Rome is lacking. In saying that his own public career has fallen to ruins, Cicero, who famously identified

himself as the savior of the Republic,[109] is implying that the Republic has died. Insofar as

Demosthenes ultimately failed to preserve Athenian independence against the aggression of

Philip of Macedon, Demosthenes, in both his successes and his failures as a statesman, emerges a

political model for Cicero. And although Cicero in this respect surprisingly seems to be

undercutting his own legacy, his defensive posturing enables him to cast Caesar in the role of the

militaristic tyrant who is threatening Roman liberty. In this interlude, then, as well as in the

treatise as a whole, the overtones that arise from the actual statements produce the rich

resonances that make the *Orator* such a complex and ingenious work. Although somewhat

muffled by the medium, the trumpeting of the civic worth of oratory and the concomitant

opposition to Caesar's regime allow Cicero to continue his role as a protector of the Republic

and collapse the distinction between private and public spheres of activity which he ostensibly

establishes in the interlude.

4. *Orat*. 237-238: Cicero's closing words

Cicero's final statement of justification for writing the work, which he again articulates in

an address to Brutus, occurs in the passage which brings the treatise to a close (*Orat*. 237-38):

> habes meum de oratore, Brute, iudicium. quod aut sequere, si probaveris, aut tuo
> stabis, si aliud quoddam est tuum. in quo neque pugnabo tecum neque hoc meum,
> de quo tanto opere hoc libro asseveravi, umquam affirmabo esse verius quam
> tuum. potest enim non solum aliud mihi ac tibi, sed mihimet ipsi aliud alias videri.
> nec in hac modo re, quae ad volgi adsensum spectet et ad aurium voluptatem,
> quae duo sunt ad iudicandum levissima, sed ne in maximis quidem rebus
> quicquam adhuc inveni firmius, quod tenerem aut quo iudicium meum dirigerem,
> quam id quodcunque mihi quam simillimum veri videretur, cum ipsum illud
> verum tamen in occulto lateret. tu autem velim, si tibi ea quae disputata sunt
> minus probabuntur, ut aut maius opus institutum putes quam effici potuerit, aut,
> dum tibi roganti voluerim obsequi, verecundia negandi scribendi me
> imprudentiam suscepisse.

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[109] Cf. *Fam*. 9.16.3, quoted above.

You have my judgment regarding the orator, Brutus, which either you will follow, if you approve of it, or else you will stand by your own judgment, if it is different. In this matter I will not fight with you, nor will I ever declare that this judgment of mine, which I have described with so much effort in this book, is truer than yours. For not only can it seem different to me and to you, but it can even seem different to me myself at different times. And this principle holds not only for the present business, which looks to the opinion of the mob and the pleasure of the ears—which two things are the most unreliable for forming a judgment—but not even in the most important matters have I ever yet discovered anything which I could grasp or by which I could straighten my judgment more firm than that which seems to me most closely to resemble the truth, since the truth itself still lies in obscurity. But I wish, if the things which have been discussed do not quite meet your expectations, that you conclude that either a greater task was undertaken than could be executed, or that while I wished to obey you when you asked, because I was ashamed to refuse I took up the indiscretion of writing.

The philosophical underpinnings of Cicero's thought evident at the beginning of the work where Cicero famously invokes Plato's concept of the Forms (ἰδέαι) to explain the ideal of eloquence that he is trying to define (*Orat.* 7-10) appear again at the end, as in this passage Cicero draws on the philosophical school of academic scepticism to which he adhered.[110] Cicero here states that what he uses to form his judgments is only that which most closely resembles the truth to him, since the truth itself lies in obscurity. This turn at the end of the treatise to academic scepticism, in which truth is unattainable, actually contrasts with Cicero's reference to the Platonic Forms near the opening. There he states that he is not inquiring into the perfect orator, but rather looking for that ideal which nothing is able to surpass,[111] and goes on to say that Plato called such ideals ἰδέας.[112] As academic sceptics did not subscribe to the doctrine of Forms, which can enable one to ascertain something of the truth, Cicero seems to be juxtaposing two incompatible systems of thought. As Cicero advocates the study and appropriation of philosophy for oratory

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[110] On Cicero's academic scepticism, see Woolf (2015).

[111] *Orat.* 7: *Non enim quaero quis fuerit, sed quid sit illud, quo nihil esse possit praestantius.*

[112] *Orat.* 10: *Has rerum formas appellat ἰδέας ille non intellegendi solum sed etiam dicendi gravissimus auctor et magister Plato.*

in this treatise, it seems that here we see philosophy being used in the service of rhetoric. But perhaps this is all consonant with Cicero's scepticism, as he draws on different philosophical sources and shifts and changes his position as is needed.

For Cicero as an academic sceptic, truth is impossible to obtain, and this seems to be a doctrine that befits a man who has been forced to yield to political circumstances in which his own carefully constructed self-identity had little place. In the letter to Lentulus (*Fam.* 1.9) from 54 BC in which Cicero attempts to justify the change of his political position, he declares that his policy is to go with the times.[113] It is possible, then, to identify a connection between Cicero's philosophical beliefs and his politics during the First Triumvirate after the Conference of Lucca in 56 and during Caesar's dictatorship. This accords with a larger argument that I have been advancing in this chapter, namely that Cicero's intellectual and aesthetic activities undertaken during his periods of political retirement were to a significant extent political actions. In the *Orator* specifically, Cicero attacks the current political situation through the role of rhetorical critic. It is not appropriate, perhaps, to label this type of veiled criticism invective in the same way that his vehement attacks against the Neo-Atticists in the work are; it is, however, an example of how a discussion of oratorical style can be molded into a weapon and directed against political opponents.

To come to the very end of the *Orator*, in the concluding sentence Cicero once again frames the issue for writing the work in terms of a conflict between an act of *amicitia* and indiscretion in the eyes of the intellectual community. Nevertheless, when we come to this final justification, we should not lose sight of the other two that have preceded it. While in the first

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[113] Cf. McConnell (2014) 35-44, 55-61 for an analysis of some of the philosophical aspects of this letter, especially its relationship to the Platonic letters, and for a more general discussion of Cicero's interpretation of the place of philosophy in Roman politics in the 50s.

(*Orat.* 1-2), the possible error in judgment, which was offset by his act of *amicitia* to Brutus, was intellectual, in the second (*Orat.* 33-35), where Cicero referred to the *Cato*, the error was political. When Cicero returns to discuss his *imprudentia* in this concluding passage, then, is more than mere aesthetics at stake? Whereas at the beginning of the work (*Or.* 1-2) there was a neat distinction between good political judgment and good intellectual judgment, over the course of the treatise that distinction has become muddied. It must be remembered that this final passage comes at the end of a lengthy work in which Cicero laid great emphasis on the potential political power oratory can yield, which suggests that it could bring people into a collective body to resist a dictator whose regime did away with oratory as it existed in the Republic. Taking into account all that came before this defense, then, the "indiscretion" (*imprudentia*) Cicero means here may be political as well as intellectual:[114] the work could be read—as I read it—as a rallying cry that draws attention to what Rome is lacking under the Caesar's dictatorial regime. Nevertheless, Cicero emphasizes the *amicitia* he shares with a leading figure in the current political structure in Rome, Brutus, and this connection seems to be used by Cicero as a shield to cover the particular mode of political attack he has adopted at this time: polyphonic literary works.

III. Conclusion

Near the end of the treatise, just preceding the final address to Brutus analyzed above, Cicero sums up his discussion of ideal eloquence (*Orat.* 236):

> res se autem sic habet, ut brevissime dicam quod sentio: composite et apte sine sententiis dicere insania est, sententiose autem sine verborum et ordine et modo infantia, sed eius modi tamen infantia, ut ea qui utantur non stulti homines haberi possint, etiam plerumque prudentes. quo qui est contentus utatur. eloquens vero, qui non approbationes solum sed admirationes, clamores, plausus, si liceat,

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[114] Cf. Bartsch (1994) on "doublespeak."

> movere debet, omnibus oportet ita rebus excellat, ut ei turpe sit quicquam aut
> spectari aut audiri libentius.

> But the issue is like this, to say most concisely what I think: to speak in a well
> composed and ordered way without sense is insanity, but to speak with meaning
> but without order and measure of words is <u>speechlessness</u>, but <u>speechlessness</u> of
> such a kind, nevertheless, that those who make use of it could be considered not
> stupid but rather very <u>wise</u>. And if anybody is content with that, let him use it.
> But <u>the eloquent man</u>, who ought to move not only approval, but also <u>admiration,</u>
> <u>shouts and applause</u>, if it is allowed, ought to excel in all matters so that it is
> shameful to him for anything to be seen or heard with greater pleasure.

Here silence, *infantia*, is said to be the province of people who are prudent, a point worth

exploring further. Taking *prudentes* here in a purely intellectual sense referring to the highly

discriminating Atticists, with whose camp Cicero engages polemically in the *Orator*, we can

interpret the use of the word *infantia* in this passage to mean that they (the Atticists) fail to reach

the people with their oratory, and so as a result they are as good as speechless, although their

style is impeccable—or at least held to be so by other Atticists. When, on the other hand, we

interpret *prudentes* in a political sense, and then *infantia* in a manner that would later be

endorsed by Tacitus in the *Agricola*—namely, that apolitical oratory and the ensuing virtual

silence constitute a chosen safe path in order not to bring attention to oneself in a time inimical to

virtue[115]—then the *prudentia* at stake here is good, akin to *amicitia*, insofar as it provides a

means for avoiding political troubles. Nevertheless, the final image that Cicero paints of the

truly eloquent man, the *eloquens*, shows him winning admiration, shouts, and applause. The

plausus (applause) recall the stage, and it seems that for Cicero, whose political ascendancy as a

novus homo was in large part due to this oratorical skill, politics is much like a stage play. He

prides himself on his skill as a performer, and would be ashamed to be outdone by any other

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[115] Cf. the letter to Marcellus (*Fam*. 4.9.2) quoted in the introduction to this chapter in which Cicero advocates
silence.

spectacle. Although Caesar's dictatorship may have taken away his main stage, Cicero

nevertheless sought out another venue to play his part and to make his attack.

Careful reading shows that at key points in the *Orator* meanings shift and play upon one

another. While on first glance the treatise seems to be merely a work dealing with the aesthetics

of oratory, closer inspection reveals it to be no less political than one of the speeches that Cicero

quotes in it. In the first part of this chapter, I considered Cicero's description of the ideal orator,

who although adept at all three types of oratorical style, will be especially skilled at using

powerful and forceful oratory, that is, the grand style. This style allows the orator to rouse the

emotions of the audience and persuade them, and thus gives the orator the possibility of wielding

great political power. As a result of the Civil War, however, this ideal statesman-orator had

virtually no place to exercise his capabilities under Caesar's dictatorship, when political power

had been captured not in the dust of the Forum but in the dust of the battlefield. Accordingly, in

the second part, I argued that in the *Orator* Cicero simultaneously proves himself to be an

elusive political actor. Although he had been barred from his preferred venue for promoting his

political ends, he did not allow the novel political situation, the dictatorship of Caesar, to render

him silent, but adapted by transforming his medium of attacking political opponents from open

battles in spoken words to a veiled and subversive written critique.

It is illuminating to compare the political resonances of the *Orator* with Cicero's more

obvious political practices under Caesar in the years 46 and 45 BC. In the course of composing

the *Orator* towards the end of 46, Cicero spoke in public for one of the first times since 52 BC,

copiously praising Caesar in the *Pro Marcello* for pardoning his former implacable enemy, M.

Claudius Marcellus.[116] The *Pro Marcello* is an extraordinary speech in the Ciceronian corpus,

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[116] In her study of Cicero's lost and unpublished orations, Crawford (1984) includes five speeches from 52 BC that
postdate the *Pro Milone* (52), Cicero's last extant speech before the civil war broke out. Between 52 and 46, the

and from its eulogistic and encomiastic aspects one can fairly ask if it is evidence that Cicero had

fully bought into Caesar's regime. Nevertheless, there is a palpable strain of irony that runs

through several of Cicero's speeches written during the Civil War, and their contexts complicate

Cicero's words and create more layered meanings. For example, in all three of the so-called

Caesarian speeches in which Cicero directly addressed Caesar to express gratitude for his

clementia (*Pro Marcello*, 46 BC) or to plead before him as judge (*Pro Ligario*, 46 BC, *Pro rege

Deiotaro*, 45 BC), Cicero draws attention to the unfamiliar, indeed, unprecedented,

circumstances of delivery.[117] As a result, a resounding "clang" reverberates through these

speeches, and reading Cicero's contemporary letters alongside them only amplifies this. For

Cicero, these affairs are shot through with artificiality and pretense and there is a gulf between

appearance and reality. As Caesar has arrogated to himself legal powers in the manner of a king,

the system of justice is skewed and the world is topsy-turvy. This is evident even apart from

considerations of context, as the startling rhetoric in the speeches themselves shows. In the *Pro

Marcello*, for instance, Cicero claims that Caesar has brought about concord and unity by

decisive military victory and clear separation of himself from others (*Marc*. 12, 32). This is a

world in which illusions are meant to be believed. And as the fulsome praise abounding in these

speeches is only surface deep, it undermining the notion of a completely subservient Cicero.

Rather, one sees Cicero as a skilled politician who is able to adapt to the times, publicly playing

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year of the *Pro Marcello*, Crawford includes a customary speech (80) that Cicero addressed to Ariobarzanes III, king of Cappadocia, in his capacity as proconsul of Cilicia in 51 (235-37), and a speech (81) on behalf of C. Popillius Laenas, whom various later sources report was Cicero's assassin (238-40). Although Crawford (1984) 238 places this last speech before 48, she is rightfully cautious about its authenticity, noting that all the testimonia are "late and have an anecdotal air about them."

[117] Caesar personally pardoned Marcellus and allowed him to return from exile, exercising an authority that no single individual in the Republic would have been capable of. Q. Ligarius was on trial for a real charge (perhaps *perduellio*, treason; cf. Montague [1992] 561), but speaking in his defense Cicero does seek to prove his innocence as much as he asks Caesar for mercy and forgiveness. The case of King Deiotarus was conducted in Caesar's house instead of the usual public space of the Forum, a spatial reflection of Caesar's personal usurpation of civic functions.

courtier to Caesar the dictator but privately grieving that he and oratory have been sidelined and humiliated. The contemporary Caesarian speeches further illustrate Cicero's double-natured political position during this transitional period in Roman politics, a position that led him in the *Orator* to embrace simultaneously public spoken and private written political performance.

Just he had described his situation in 54 in his letter to Lentulus (*Fam.* 1.9), in late 46 Cicero was caught up in the changing of the times: while convinced from the example of his own career that oratory can lead a man to great political power, Cicero also must bitterly concede that circumstances have changed, and that his present speeches are not much more than a pretense following in the wake of a decision enacted by the dictator's will. Consequently, in the voluminous writing he produced from 46 to the fall of 44 BC, Cicero would turn most of all to his literary works to voice his opposition first to Caesar and then to Mark Antony. In the end, however, Cicero would return to oratory for the final act of his political career. In the *Philippics* (44-43 BC) directed against Antony, he would make one last effort on behalf of his beloved Republic, modeling both his style and his political position especially on Demosthenes, who in the *Orator* came the closest to Cicero's ideal statesman-orator.

Yet in the next chapter I take up the *Second Philippic*, which, although it is the longest and most famous of the fourteen surviving *Philippics*, was never actually delivered. Instead, Cicero presents the speech as a live response to Antony's own attack against him in a Senate meeting. As a fictional, "literary" speech, the *Second Philippic*, like the *Orator*, shares significant features with forms of verbal expression that would flourish in the Principate, most notably declamation. Furthermore, also like the *Orator*, and just as importantly, it constitutes a meditation on the value of oratory, both in general terms and more specifically as a mode of attacking and opposing autocratic government.

eloquio sed uterque perit orator, utrumque
largus et exundans leto dedit ingenii fons.
ingenio manus est et ceruix caesa, nec umquam
sanguine causidici maduerunt rostra pusilli.
'o fortunatam natam me consule Romam:'
Antoni gladios potuit contemnere si sic
omnia dixisset. ridenda poemata malo
quam te, conspicuae diuina Philippica famae,
uolueris a prima quae proxima.

But each orator [Demosthenes and Cicero] died on account of his eloquence:
A copious and abundant fount of talent brought each to death.
Cicero's hand and neck were slashed on account of his talent—
Two-bit lawyers never drenched the speaker's platform with their blood.
"O Rome, fortunate to be born when I was consul!"
He *would* have been able to look on the swords of Antony with contempt if
He had always spoken in this way. I prefer his ludicrous poems
To you, divine *Philippic* of illustrious fame—
The one which unrolls after the *First Philippic*.

Juvenal 10.118-26

From the time that he abandoned the Republican camp near Dyrrachium during the Civil

War in the summer of 48 BC, M. Tullius Cicero, once among the most powerful men in the

Roman Republic, was without direct political involvement on account of Julius Caesar's

domination of the state as dictator. Cicero in turn directed his energies to writing, and in a spurt

of amazing productivity from 46-44 BC he produced his late treatises on rhetoric and most of his

philosophical works. This retirement ended in the fall of 44 BC, when Cicero reemerged onto

the political scene to champion the cause of the Republic vigorously against Mark Antony, a

course of action that ultimately led to Cicero's death in the proscriptions of the second

triumvirate in December of 43 BC. The principal record of Cicero's political activity after his

reemergence is found in his *Philippics*, a group of fourteen speeches dated between September

44 and April 43 BC. These speeches present Cicero rallying the Senate and people of Rome

against Antony through a combination of attacks on the tyrannical behavior of Antony and

exhortations to liberty. Thirteen of the *Philippics* were delivered before the Senate or popular

assemblies in Rome, the sole exception being the *Second Philippic*. The *Second Philippic* stands

out from the others also by being by far the longest speech in the group, and commentators

generally think that it was published at some point during the fall of 44 BC as a "pamphlet in

oratorical form."[1]

As a pamphlet, however, it has had a lasting impact, not least because of its caustic and

disfiguring abuse of Antony.[2] Nevertheless, the invective in the *Second Philippic*, perhaps the

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[1] Shackleton Bailey (1986) 31; cf. also ix.

[2] The *Second Philippic* occupied a privileged position in the Roman school tradition in the centuries that followed Cicero's death. In Seneca the Elder's accounts of the *suasoriae* in which a speaker is tasked with advising Cicero on whether or not to ask for Antony's pardon (*Suasoriae* 6-7, late 30s CE), there are at least eight reminiscences of the *Second Philippic*, one of the *First Philippic*, and none of the twelve other *Philippics* (cf. Stroh [1983] 45-6). In *Controversiae* 7.2, in which Popillius is being tried for bad character (*accusatur de moribus*) for executing Cicero, who is said to have defended him in court, there are two reminiscences of the *Second Philippic*, and none of the other thirteen speeches. In the *Institutio Oratoria* (ca. 95 CE), Quintilian adduces as examples to illustrate his points more than twice as many passages from the *Second Philippic* as from the other thirteen *Philippics* combined. (The figures, taken from the index of Donald Russell's 2001 Loeb edition of Quintilian's *Institutio Oratoria*, are 19 and 9 respectively.) Quintilian's favorite passage from the speech—Cicero's description of Antony, in the office of Master of the Horse, vomiting in view of the Roman people (*Phil.* 2.63)— is cited 12 times to demonstrate to demonstrate amplification (*Inst. Orat.* 8.4.8, 10, 16), hyperbole (8.6.68), word order (9.4.23, 29), combination of words (9.4.44), the cretic clausula (9.4.107), use of pauses in delivery (11.3.39), and arousing the judge through delivery (11.3.167). Additionally, the *Second Philippic* was recognized as a special work outside of the schoolroom. As the epigraph of this chapter shows, the satirist Juvenal, writing around the 120s CE, hailed it as the "divine Philippic" (*divina Philippica*, 10.125), and could introduce it into the genre of verse satire as a cultural touchstone for both eloquence and resistance to tyranny. As Fritz Schöll wrote in the preface of his 1918 Teubner edition of the *Philippics*, the high esteem held for the *Second Philippic* in antiquity helped to secure for it a central position in modern Ciceronian studies: *Aestimatio 'divinae' Philippicae II per totam antiquitatem valens effecit, ut etiam inter philologos paedagogosque recentiores nulla saepius edita, explanata, discipulis proposita sit*, "The strong reputation of the 'divine' *Second Philippic* throughout the whole of antiquity has had the consequence that among more recent scholars and teachers no other *Philippic* has been edited, explicated, or offered to students more often" (1918: xvii). Nevertheless, in modern times the lofty praise of the speech has also been tempered with reservation. J. R. King, in his 1878 Oxford edition and commentary on all fourteen of the *Philippics*, wrote of the *Second Philippic*, "Though it is characterized in many parts by a coarseness which we feel to be intolerable to modern ears, yet the verdict of all ages pronounces this oration to be Cicero's masterpiece" (1878: 35). Perhaps contemporary readers will not be as offended as King's Victorian ears were. Less favorable is the memorable assessment of Ronald Syme, who declared that the *Second Philippic*, while "technically perfect," was "an exercise in petty rancour and impudent defamation like the invectives against Piso." For Syme, the speech was not a political oration because

most brutal and yet the most comprehensive invective in all of Cicero's speeches,[3] is also the

most ironic, because the conditions under which it was produced suggest that Cicero had come to

feel that invective between leading Roman senators was no longer the way to fight battles. In

this chapter, I argue that Cicero's striking criticism of Antony's oratorical ineptitude in the

Second Philippic ought to be read in light of Cicero's fictive presentation of the speech's

delivery. Such a reading uncovers a subtext that acknowledges the ironic disjunction between

the fictional world of Cicero's speech and the real threat of violence that he claims discouraged

him from delivering it. The irony, arising from the incongruity of Cicero's words with historical

reality, is a critical aspect of the *Second Philippic*, and it encourages the reader to reflect on the

status of oratory under the conditions that deterred the delivery of the speech, that is, the threat of

autocratic violence.

I. Background: Historical background to the *Second Philippic*

A review of the historical events leading up to the composition of the *Second Philippic*

will put the complexity and irony of the speech into sharper focus.[4] Since at least the Middle

Republic (264-133 BC), personal enmity between leading citizens had an important effect on the

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it was not delivered. Furthermore, insofar as they give the impression that Cicero was in sole control of policy, Syme claims "The survival of the *Philippics* imperils historical judgment" (1939: 146). As this survey shows, the speech has been admired by readers for over two millennia, whether because of or in spite of its notorious vituperation. For discussions of the cultural importance of Cicero in the ancient school tradition, see Kaster (1998), Richlin (1999). For a more general discussion of the reception of the *Philippics* in antiquity, see Manuwald (2007) 140-3.

[3] Craig (2004) 191 notes that the speech contains 15 of his 17 *loci* or *topoi* of invective, more than any other speech. Craig's 17 *topoi* of abuse, derived from his collation of *topoi* found in earlier studies (esp. Süss 1910 and Merrill 1975), are the following: 1) embarrassing family origin; 2) unworthiness of one's family; 3) physical appearance; 4) eccentricity of dress; 5) gluttony and drunkenness; 6) hypocrisy for appearing virtuous; 7) avarice, possibly linked with prodigality; 8) taking bribes; 9) pretentiousness; 10) sexual misconduct; 11) hostility to family; 12) cowardice in war; 13) squandering of one's patrimony/financial embarrassment; 14) aspiring to *regnum* or tyranny; 15) cruelty to citizens and allies; 16) plunder of private and public property; 17) oratorical ineptitude.

[4] For fuller historical narratives see Frisch (1946), Rawson (1975) 260-98.

course of Roman politics.[5] Beginning with the lynching of the populist politician Ti. Gracchus

and his supporters in 133 BC by a mob of conservative senators, however, the Late Republic

(133-31 BC) is notoriously marked by the numerous civil conflicts between elite Romans that

ended with Romans killing other Romans. Nevertheless, perhaps none of these conflicts were as

bloody or upset the constitution of the state as much as the Civil War, begun in 49 BC, that

Julius Caesar waged against his opponents who upheld the Republican interests of the state.[6]

Over the course of several victories between 48 and 45 BC, Caesar overcame the military forces

of his enemies and arrived at a position of unprecedented power and influence in the Republic.

This appropriation of power culminated in Caesar being named "dictator in perpetuity" (*dictator*

perpetuo) by the Senate in January or February 44 BC, which invested Caesar with supreme

control in all areas of Roman political life.[7] In Cicero's eyes, however, Caesar emerged from the

Civil War as a tyrant, and in letters written soon after Caesar's assassination on March 15, 44 BC

Cicero expressed the pleasure he took in the event.[8]

This initial comfort, however, soon gave way to disappointment and concern for safety:

Cicero came to regard Mark Antony, Caesar's follower and consular colleague in 44 BC, as

continuing the tyranny that Caesar had established.[9] For Cicero, Antony, who began keeping an

armed guard about him in May 44 BC,[10] came to be representative of the deadly civil violence

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[5] For a discussion of Roman personal enmity (*inimicitiae*) from 218-43 BC, see Epstein (1987).

[6] Certainly a backdrop to the speech is the urban violence that occurred in the 80s BC in the civil wars initiated by Sulla and Marius. While Sulla ultimately emerged victorious and brought about the deaths of thousands of his enemies through proscription, he relinquished his title of dictator and ended his life as a private citizen.

[7] Dio Cass. 44.8.4.

[8] *Att.* 14.4.2 (SB 358), 14.6.1 (SB 360).

[9] See Butler (2002) 108 for a discussion of Cicero's gradual reevaluation of the Ides of March.

[10] Frisch (1946) 83-5.

that at several points during the previous hundred years had threatened to destroy the Roman state that Cicero identified himself with and devoted himself to serving. Feeling increasingly unsafe and ineffectual in Rome, Cicero left the city for his country estates in Italy in the beginning of April 44 BC, and near the middle of July resolved to go abroad to Greece for the remainder of the year. Upon learning that some leading senators were beginning to show resistance to Antony, however, Cicero turned back in mid-journey and arrived in Rome on September 1.

Cicero did not attend a Senate meeting that Antony had summoned in the Temple of Concord on that day, stating that he was fatigued from his travels;[11] as Cicero would later claim, his absence angered Antony, who threatened to send men to destroy Cicero's house. On the following day, September 2, Antony's new consular colleague Dolabella assembled the Senate again, also in the Temple of Concord, although Antony himself was not present at this meeting. On this occasion Cicero delivered the speech that is now called the *First Philippic*, in which he explained his absence from and return to Rome and criticized Antony and Dolabella for their abuses of power. Cicero's speech constituted a direct challenge to Antony and his actions as consul since Caesar's assassination. In response Antony retired to a country villa to work with the rhetorician Sex. Clodius on preparing a reply.[12]

This came on September 19, when Antony, in another meeting of the Senate in the Temple of Concord, delivered a scathing attack on Cicero, accusing him of violating their friendship, questioning his extended absence from Rome during the year, and mocking his

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[11] Ramsey (2003) 81 notes that in not attending the meeting Cicero avoided the business for that day, namely, a vote on a thanksgiving for Caesar.

[12] For Sex. Clodius, a rhetorician from Sicily famous for teaching in both Latin and Greek, see Suet. *Rhet.* 29.

poetry.[13] Cicero, however, did not attend this meeting, stating in a letter written to Munatius Plancus on or shortly after September 19 that he feared for his safety due to the threat of violence posed by Antony and the armed guard Antony maintained in the Senate (*Fam.* 10.2.1=SB 341):

> Meum studium honori tuo pro necessitudine nostra non defuisset, si aut tuto in senatum aut honeste venire potuissem; sed nec sine periculo quisquam libere de re publica sentiens versari potest in summa impunitate gladiorum nec nostrae dignitatis videtur esse ibi sententiam de re publica dicere, ubi me et melius et proprius audiant armati quam senatores.

> On account of our friendship, my support for the decree in your honor would not have been lacking if I had been able either safely or honorably to enter the Senate. But neither can anyone who entertains free thoughts about the Republic be without danger amidst the free play of swords, nor does it seem to be worthy of my position to propose a course for the Republic in a place where armed men would hear me better, and stand nearer to me, than senators.

Cicero communicated similar sentiments around the same time to C. Cassius, the assassin of Caesar, who apparently sent word to Cicero that he approved of his *First Philippic* (*Fam.* 12.2.1=SB 344):

> Vehementer laetor tibi probari sententiam et orationem meam; qua si saepius uti liceret, nihil esset negotii libertatem et rem publicam reciperare; sed homo amens et perditus multoque nequior quam ille ipse, quem tu nequissimum occisum esse dixisti, caedis initium quaerit, nullamque aliam ob causam me auctorem fuisse Caesaris interficiendi criminatur, nisi ut in me veterani incitentur: quod ego periculum non extimesco, modo vestri facti gloriam cum mea laude communicet. Ita nec Pisoni, qui in eum primus invectus est nullo adsentiente, nec mihi, qui idem tricesimo post die feci, nec P. Servilio, qui me est consecutus, tuto in senatum venire licet; caedem enim gladiator quaerit eiusque initium a. d. XIII. Kal. Oct. a me se facturum putavit.

> I am very happy that my judgment and speech meet with your approval; if I were allowed to do that more often, there would be no trouble in recovering our freedom and the Republic. But a crazy and desperate man, far more wicked than he, whom you said was the wickedest man to be killed, is looking to start a massacre. For no other reason does he charge me with instigating the killing of Caesar than to incite the veterans against me. Yet, I do not greatly fear this danger, provided that he augments my reputation with the glory of your deed.

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[13] Antony's speech can be partly reconstructed from Cicero's response to it in the *Second Philippic* (*Phil.* 2.3-42a); cf. Frisch (1946) 133-5 for a reconstruction.

And so neither Piso, who first attacked him without any support, nor I, who did the same a month later, nor Publius Servilius, who followed after me, are permitted to enter the Senate in safety. For the gladiator is looking for a massacre and he thought that he'd find the beginning in me on September 19.

Even several months later, in March of 43, in a letter to Q. Cornificius, Cicero states that after the *First Philippic* Antony tried through his own speech on September 19 to draw Cicero into givign him an excuse to kill him (*Fam*. 12.25.4=SB 373): *Sic sum in Antonium invectus, ut ille non ferret omnemque suum vinulentum furorem in me unum effunderet meque tum elicere vellet ad caedis causam, tum temptaret insidiis*, "I inveighed against Antony in such a manner that he was unable to tolerate it, but he poured out all his drunken fury against me alone, at one time wishing to lure me into a just cause for slaughter, at another testing me with traps." Such claims about the murderous intentions of Antony were not restricted to his private correspondence. In the *Fifth Philippic*, delivered before the Senate on January 1, 43 and subsequently published, Cicero echoes some of the language in these earlier letters as he paints a picture of Antony preparing another mass proscription that was to begin with the slaughter of Cicero.[14]

Given this situation, it is not surprising that Cicero elected not to respond to Antony's invective in kind. Instead, over the next month he composed the *Second Philippic*, a rhetorical tour de force in which he defends his own actions and viciously attacks Antony's youth, public career, and character.[15] It is evident, however, that Cicero never delivered the *Second Philippic*;

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[14] *Phil*. 5.20: *Cum is dies, quo me adesse iusserat, venisset, tum vero agmine quadrato in aedem Concordiae venit atque in me absentem orationem ex ore impurissimo evomuit. Quo die si per amicos mihi cupienti in senatum venire licuisset, caedis initium fecisset a me; sic enim statuerat; cum autem semel gladium scelere imbuisset, nulla res ei finem caedendi nisi defatigatio et satietas attulisset. Etenim aderat Lucius frater, gladiator Asiaticus, qui myrmillo Mylasis depugnarat: sanguinem nostrum sitiebat, suum in illa gladiatoria pugna multum profuderat. Hic pecunias vestras aestimabat, possessiones notabat et urbanas et rusticas; huius mendicitas aviditate coniuncta in fortunas nostras imminebat; dividebat agros, quibus et quos volebat; nullus aditus erat privato, nulla aequitatis deprecatio. Tantum quisque habebat possessor, quantum reliquerat divisor Antonius.*

[15] In some of his *Epistulae ad Familiares* written between September 19 and the middle of October 44 BC (including those just cited for the threat of violence Antony posed) Cicero criticizes Antony in language that is very similar to that which he uses in the *Second Philippic*. These letters provide clues as to when Cicero was composing the speech, and the identities of their recipients suggest the kinds of people Cicero thought would react favorably to

rather, he sent the written speech to T. Pomponius Atticus (110-32 BC), his closest friend, frequent correspondent, and publisher of his works, for criticism and with instructions to wait for a proper time for publication.[16] In the speech, nevertheless, Cicero carefully maintains the fiction that he is responding to Antony's tirade at the September 19 Senate meeting, and suggests that they are engaging in an oratorical duel, at one point asking the audience, "Or did he wish to vie with me in a contest of speaking?" (*An decertare mecum voluit contentione dicendi?*, *Phil.* 2.2; cf. 2.42).[17]

The violent conflicts of the late Republic, however, including the Civil War and the assassination of Caesar, had demonstrated that the fights between elite Romans might devolve into actual warfare. Interpreted against this backdrop, the *Second Philippic* reads as a meditation on the value of oratory under autocratic rule that is founded on violence. This topic is especially evident in Cicero's exploration of the relationship of the metaphorical violence of the Roman rhetorical tradition with the real violence waged between elite Romans. Roman rhetorical theory borrows imagery from the military sphere to describe the violence of oratorical conflicts: the

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it. Notably Cicero likens Antony's delivery of his speeches to vomiting in a letter to the tyrannicide C. Cassius (*Fam.* 12.2 [SB 344]); in a letter to Q. Cornificius, who would die fighting on the side of the tyrannicides in Africa in 42 BC, he insults Antony in terms that would later appear in the *Second Philippic* (*Fam.* 12.22 [SB 346]). In two letters to Munatius Plancus (*Fam.* 10.1 [SB 340] and 10.2 [SB 341]), who at the time was proconsul of Transalpine Gaul, Cicero describes the dangerous violence and oppression at Rome that Antony is responsible for, and Cicero's thoughts in *Fam.* 10.1 in particular have some similarities with what he would eventually publish in the *Second Philippic*. In these letters, then, we can observe Cicero rehearsing.

[16] Cicero dispatched the speech to Atticus on October 25, 44 BC (*Att.* 15.13 [SB 416]), but in this and the subsequent letter (*Att.* 15.13a [SB 417, dated ca. October 28, 44 BC]) Cicero, perhaps with some affectation, appears to believe that the speech will never be published. In the earlier letter, Cicero, doubtful that a truce with Antony will come to pass, claims that it is better not to respond to the attacks he made on Cicero (*Att.* 15.13.2); in the later, Cicero states that the speech will not be published unless the Republic is recovered (*Att.* 15.13a.3). A week later in a letter dated to November 5, Cicero expresses his delight that Atticus approves of the speech and responds to his suggestions for improvement (*Att.* 16.11.1-2 [SB 420]), which suggests that Cicero expects the speech to be published after all. For the composition, publication, and fictional date of delivery of the *Second Philippic*, see Settle (1962) 274-80, Ramsey (2003) 155-59, Mahy (2010) 105-6 and n. 86 for a full review of scholarly opinions. Cerutti (1994) unconvincingly argues that the speech seems to have been delivered.

[17] For the text of the *Second Philippic* I have used the Loeb edition of Ramsey and Manuwald (2009), which is closely based on Shackleton Bailey's 1986 edition. Fedeli (1982) includes a full *apparatus criticus*.

forum is a battleground, words are daggers. As for invective in particular, character was an acceptable means of proof for the Romans, and one of the principal uses of invective was to undermine an opponent's authority by attacking and blackening his character. In other words, invective was deployed in oratory for character assassination. When the opponent is actually able and willing to kill his adversary, as Cicero claims that he feared Antony would do (and, in fact, did), how much power does rhetorical invective possess?

Reading the *Second Philippic*

Since the beginning of the 20th century scholars have made significant advances in the study of Roman rhetorical invective in general and Cicero in particular.[18] Notably, scholarly interest has gradually shifted from a concentration on formalism and source criticism to contextually sensitive analysis of how the invective in a Ciceronian speech, for example, is a carefully crafted response to specific historical and rhetorical circumstances. Nevertheless, much of this work has focused on Cicero's oratory prior to the Civil War, a large body of texts which are, no doubt, essential for scholars of Roman oratorical invective. But what can Cicero's invective produced in the aftermath of the Civil War teach us about that unique historical context? As I noted in the previous chapter, in Ciceronian studies over the last 30 years, there has been a concerted effort, spearheaded by Continental scholars, to explore the political and even subversive elements of the works that Cicero composed in political retirement from 47-44 BC.[19] My argument in this chapter is meant as a contribution to this movement, which coheres with my own interpretation of Cicero during this period. In the *Second Philippic*, a singular

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[18] Cf. the review of scholarship in the Introduction to the dissertation.

[19] See Chapter 3, introduction.

speech in the Ciceronian corpus, Cicero eerily seems to be ringing the death knell of the Republic, and an exploration of the invective in it can tell us much about Cicero's reaction to a watershed period in Roman history. For Cicero, oratory was vital to the Republic, and so his criticisms of oratory and oratorical style at a time when civil violence stood as a threat to freedom of expression amount to a political and ethical commentary on the dangers facing Rome and its political institutions.

Other scholars have discussed Cicero's criticism of his opponent's oratory in his speeches. Norman Merrill, interested in showing that Cicero's oratorical invective was part of a long tradition of Roman invective, notes that the topos of *oratio inepta* was "probably used in the Pre-Ciceronian period" and cites a fragment of Cato the Elder's speech against the tribune of the plebs M. Caelius as evidence.[20] As for Cicero himself, Merrill provides a useful chronological survey of this topos in Cicero's oratory (1975: 183-94) and states, "Marcus Antonius is the man whose oratory is most viciously mocked by Cicero" (191). Among the valuable points that Merrill makes regarding Cicero's criticism of Antony's oratory in the *Philippics* (with a focus on the *Second Philippic*) is that the abuse in the later speeches contrasts with the favorable remarks that Cicero made about Antony's oratory in the *First Philippic* (194; *Phil*. 1.2, 31). Merrill concludes from this that "such seeming contradictions merely reveal once again the conventional nature of invective" (194), but one of the most interesting aspects of the *Second Philippic* is that it, as an undelivered, fictitious speech, is extremely unconventional. Accordingly, the invective directed at Antony's speaking abilities is a fraught issue. Guy Achard (1981: 231-4) likewise presents a catalog of attacks of this type in Cicero's oratory, but also attempts to show, in part

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[20] Merrill (1975) 94-5. I discussed this fragment (*NA*. 1.15.8-9=Cugusi Sblendorio 81=*ORF* 8.111) at the beginning of Chapter 2.

through Cicero's own texts, that the oratory of some of Cicero's opponents was successful.[21]

While Achard's study again elucidates this line of attack and the rhetorical dexterity required for it, it also lumps Cicero's criticisms in the *Second Philippic* side by side with other critiques and does not give sufficient attention to their exceptional character. Jakob Wisse (2013) surveys the criticisms of bad orators in a range of texts (but mainly from Ciceronian material) and rightly emphasizes the "necessity of contextual interpretation" for comprehending the "interaction between technical, personal, moral, and political criticisms of orators" (164). In general, in invective "oratorical ineptitude could contribute to an opponent's negative ethos" (171). Wisse also notes how Cicero, in attacking an adversary's oratory, was careful to avoid a potential pitfall, namely, suggesting that a more able orator could have constructed a stronger case for the opposition and thus hurting his own case (170-1).

Catherine Steel (2006: 59-61), however, has offered the most perceptive and contextually sensitive interpretation of Cicero's criticisms of Antony's oratory in the *Second Philippic*. Cicero in part went to such lengths to present Antony as an incompetent speaker because Cicero was already at a disadvantage in not being able to respond orally to Antony's attack. Hence the criticisms of Antony's oratorical ineptitude were a way for Cicero to retain authority in the conflict. Moreover—and more importantly, I think— "oratory is at the heart of what divides Cicero from Antonius": "oratory is one of the aspects of the *res publica* which Antonius seeks to destroy through his ignorance and incompetence" (60). Steel, citing Richlin (1999), proceeds to discuss how the *Philippics* as a whole were key in establishing Cicero as "one of the symbolic defenders of Republican freedom," and reading Cicero through this later tradition is fundamental

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[21] As for Antony's oratory in particular, Mahy (2013), a thorough and well documented study of Antony's oratory, concludes that "Antonius was an orator who frequently achieved notable success with his speeches in a variety of different political and oratorical situations" but nevertheless "was not invariably successful" (344).

for my understanding of his significance in Roman history and culture. Nevertheless, in this chapter I want to emphasize in particular how remarkable the *Second Philippic* is: more than any of the other speeches in the corpus it anticipated—and perhaps shaped—these later interpretations. Furthermore, no study has yet fully unpacked the irony of Cicero's rhetoric in these attacks in light of its historical and cultural contexts. While scholars have illuminated many aspects of the *Second Philippic*, more remains to be said about how the speech can be read as a reflection on oratory itself.

In this sense, the speech can be fruitfully approached as a literary work, and previous scholars have outlined the literary character of the speech. Cecil Wooten's 1983 book, *Cicero's Philippics and their Demosthenic Model: the Rhetoric of Crisis*, is a sound and lucid study of the influence of Demosthenes on Cicero, both oratorically and politically.[22] Wooten (1983: 46-9) claims that Cicero, in response to the criticisms leveled at his oratorical style by the "Neo-Atticists" in Atticist-Asianist rhetorical controversy of the middle of the first century BC,[23] adopted Demosthenes' oratory as a key model. Although I am not persuaded by Wooten's argument that Cicero turned to Demosthenes as "the only choice left" to answer his Neo-Atticists critics (1983: 48-9), nevertheless, it seems evident that between the writing of his rhetorical treatises *De Oratore* in 55 BC and the *Brutus* and the *Orator* in 46 BC, Cicero developed a newfound appreciation for Demosthenes.

As for oratorical practice, however, Wooten reads the *Second Philippic* as the "first genuine attempt on Cicero's part to imitate Demosthenes' use of style and argumentation" (50).

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[22] As I discussed in the previous chapter, in his final two major rhetorical treatises (*Brutus* and *Orator* [46 BC]), Cicero presents the Athenian statesman and orator Demosthenes (384-322 BC) as the greatest Greek orator. Wooten (1983) Chapter 3 (46-57), from which most of the citations of Wooten in this paragraph are drawn, is a lightly updated version of Wooten (1977).

[23] See Chapter 3, Introduction for an overview of the Asianist-Atticist controversy.

As such, it constitutes a break with the style of oratory that he had been practicing throughout his life. Because Antony's tyranny threatened the Roman Republic with a loss of liberty, Cicero found himself in a critical political situation. This situation was similar to that which Demosthenes encountered in the fourth century BC, when Philip of Macedon was threatening to overpower and subdue the cities of mainland Greece, including Athens. Accordingly, in his *Philippics* Cicero imitated the "rhetoric of crisis" (171; cf. 52-3) that he found in Demosthenes' political speeches that attempted to rally the Athenians and their allies to resist Philip, Φιλιππικοὶ λόγοι,[24] and the imitation was political as well as rhetorical. Wooten describes Cicero's entire refashioning of his oratorical style late in his career as a "rhetorical exercise" and claims that the *Second Philippic* is "a further elaboration of this rhetorical exercise" (51). I appreciate the phrase "rhetorical exercise," but perhaps in a sense that Wooten did not intend. I read the *Second Philippic* as an extraordinarily self-conscious literary and academic text, insofar as it emphasizes its disassociation from the real, delivered oratory that was the foundation of Cicero's illustrious public career.[25] The conscious imitation of Demosthenes in this speech draws attention precisely to the literary, academic quality of the speech.

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[24] These speeches, *Orationes* 1-11 in the Demosthenic corpus, include the four *Philippics* (351-341 BC) and the three *Olynthiacs* (349/8 BC). The name of Cicero's speeches, the *Philippics*, is derived, of course, from the title of Demosthenes' speeches. The first recorded use of *Philippici* (the masculine form of the adjective agreeing with an understood *logoi*) to refer to Cicero's speeches is found in a letter to Cicero from Brutus dated to April 43 BC (*ad Brut.* 2.3.4), in which Brutus apparently used this title in response to Cicero's use of it as a joke. In his response to this letter (also dated to April 43 BC), Cicero calls his speeches *Philippicae* as well (*ad Brut.* 2.4.2). Cf. Ramsey (2003) 16-7. Stroh (1983) argues that the title properly refers to speeches 3-14, and it was not until the second century AD that the title began to be applied indiscriminately to what are now known as *Philippics* 1-2. Additionally, Arusianus Messius, a rhetorician of the later fourth century AD, quotes from a *Philippic* 16 and a *Philippic* 17, which are otherwise unknown (frr. 3-4).

[25] For my understanding of "literary" here, cf. Segal's (1986: 10) remarks on the distinction between the art world and the real world in a Forward to a translation of Gian Biagio Conte's essays on literary allusion and imitation in Roman poetry: "The self-conscious use of literary models also straddles the dialectical relation between a literary work's reflection of cultural contents and its deliberate recasting of those contents into a new form, a form "estranged" (to use the Russian Formalist term) from the familiar, everyday discourse of the culture. Literary allusion in particular partakes of this dialectical relation. On the one hand it assimilates present experience to past tradition and therefore provides a larger frame for validating the literary work as a representation of "reality" and as an embodiment of cultural norms. On the other hand allusion calls attention to the autonomy of the literary system,

Wilfried Stroh also stresses the exceptional character of the *Second Philippic* (1982: 4-5; 1983: 35-6), arguing that while Demosthenes was Cicero's principal model for *Philippics* 2-14, *Philippics* 3-14 constitute a group (*eigentlichen Philippiken* [Stroh 1983: 48]), in which Cicero conceives of an analogy of his speeches with Demosthenes' Φιλιππικοὶ λόγοι (*Orat.* 1-11).[26] The *Second Philippic*, however, is an outlier from this group, as Cicero fashioned it after the model of Demosthenes' *On the Crown* (330 BC), a forensic speech in which Philip does not play a major role.[27]

As Shane Butler argues, the *Second Philippic* should be interpreted in light of the larger cultural and literary project in which Cicero was engaged from 47 to 44 BC.[28] Overshadowed in political life since the Civil War by those willing to turn to arms to increase their own power in the state, Cicero turned to literary activity for solace. In his letters to his friends from this period Cicero discusses how study and writing are ways for him to find relief amidst the troubles of the present times. Cicero's *philosophica* written in 45 and 44 BC constitute the bulk of the work realized in this undertaking, but Cicero himself included his rhetorical works as part of the same project (*Div.* 2.4; cf. Butler [2002] 109-11). Butler astutely emphasizes that the *Second Philippic*

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to the art world created as something apart from the "real" or experiential world, as something with a logic, structure, and coherence of its own. By its very nature allusion calls attention to the fictive frame as a fiction and thereby also calls attention to the art and artifice of the literary representation." Cf. the approach of Dufallo (2007), discussed below.

[26] Cf. Manuwald (2004) 66-9 and n. 20.

[27] In the *On the Crown* (330 BC), Demosthenes, speaking in defense of Ctesiphon, who was being prosecuted by Demosthenes' political enemy, Aeschines, defends his own public career and foreign policy that led Athens to disastrous defeat at Chaeronea in 338 BC. Whereas in *On the Crown*, however, Demosthenes above all defends his own career and only occasionally turns to abuse of Aeschines, the *Second Philippic* is primarily an attack on Antony's career and character. For other discussions of the influence of Demosthenes on Cicero's oratory and the *Philippics* in particular, see Pearson (1968), Taddeo (1971), Weische (1972), Schäublin (1988), Stroh (2000), Ramsey (2003) 17-18.

[28] See Butler (2002) 103-23 for Cicero's literary activity after March 15, 44 BC and 115-6 and 149 n. 80 in particular for the place of the *Second Philippic* in this body of work. In general, Butler elucidates the importance of textual culture (reading and writing) in Cicero's entire oratorical oeuvre in addition to discussing its significance for the *Second Philippic*. Cf. Lessie (2015) 73, 86-90.

was written not at Rome but at Cicero's country villas, sites associated with the leisurely study that was suitable for a gentleman with cultural interests; moreover, Butler deems it a "work of *studium*," and declares that it ought to be read together with *De Officiis*, which was composed at the same time (2002: 115-6; cf. also 112-3). I agree that viewing the *Second Philippic* as a part of Cicero's larger literary production of 46-44 BC is appropriate and doing so enables one to acquire insight into the literary aspects of the work.

More recently, Basil Dufallo (2007) argues that the "literary representation of oratory" in the *Second Philippic* was a means of cultural resistance to Antony and to "changes in Roman culture portending the monopolization of power by a sole emperor" (53-72, quotes from 55). In contrast to those aiming to profit from Caesar's death, oratory, in particular the *laudatio funebris* (funeral eulogy), represented a more traditional and proper attitude towards the dead; it worked towards the "preservation" of the "*res publica* and its traditions" in the face of cultural change taking place during the transition from Republic to something new and frightening (55). To help articulate his reading of the *Second Philippic*, Dufallo (66-7) draws on Pierre Bourdieu's theory of "objectification":[29] functioning "like a work of theory," the undelivered speech "objectifies" aspects of oratory that were so practically useful (e.g. "praising or mourning the dead") that they were not treated by the ancient rhetorical handbooks. This objectification calls the reader's attention to these aspects that are normally tacitly accepted, and this induces the reader to reflect on them. Bourdieu's theory of objectification certainly is a helpful model for thinking about the effect of the undelivered *Second Philippic*; although I will not make use of Bourdieu's language as Dufallo does, I also am interested in understanding how the *Second Philippic* encourages the reader to contemplate oratory itself and what oratory means as a cultural institution.

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[29] Bourdieu (1977).

The argument

Along these lines, reading the *Second Philippic* carefully in consideration of its historical context reveals that it undertakes a meta-discussion of oratory: the speech encourages the reader to reflect on the strength and value of oratory in general, and its status under an autocratic government in particular. Cicero's close engagement with Antony's speech from September 19 contributes substantially to this meta-discussion. The *refutatio* (3-42a), the first extended section of the speech following the opening *exordium* (1-2), demolishes Antony's speech on its merits *as a speech*. Here Cicero plays the part of a schoolmaster, viciously taking Antony, the hopeless pupil, to task for his rhetorical blunders. Cicero's performance of this role nicely reflects his historical and cultural activities in the years leading up to the speech. As I discussed in the previous chapter, some of Cicero's letters from 46 to 44 BC reveal him practicing declamation in his home and giving rhetorical instruction to younger men, including the highest-ranking companions of Caesar—Hirtius, Pansa, and Dolabella.[30] In critiquing Antony's oratory at length in the *Second Philippic*, Cicero is reprising this role with Antony, Caesar's close friend and most trusted general.[31]

Nevertheless, while Cicero's performance of schoolmaster places him in a position of authority over Antony, it is also problematic. Since leaving the Republican camp in 48 BC, Cicero had been uncharacteristically absent from the Roman political scene; after his return to Rome in the fall of 47 BC, declamation functioned as a substitute for exercising his oratorical talents in more meaningful arenas. Indeed, as we saw in the previous chapter, Cicero himself in

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[30] *Fam*. 9.16.7, 9.18.1, 4, 7.33.1, *Att*. 14.2.2.

[31] Cf. *Phil*. 2.3, where Cicero objects to Antony's claim that he entrusted himself to Cicero's instruction (*disciplina*) in his youth. In this case Antony would have had the opportunity to learn from Cicero as a practicing speaker.

his letters laments that the practice of declamation lacks the significance that he is accustomed to when he is speaking.[32] Moreover, for elite Romans of the senatorial class, actually teaching rhetoric in a school setting would have been scandalous, as it was generally the province of people of a lower social status, especially Greeks. Romans adopted the practice of formal rhetoric from the Greeks in the early second century BC, and still in the first half of the first century BC instructors in rhetoric were customarily of Greek origin. In his youth, Cicero studied rhetoric with Greek instructors;[33] like other young Roman men with aspirations for public life, however, to become acquainted with the "real world" Cicero became attached to leading Roman senators and received an education in Roman law and political life in large part by observing them in practice.[34] Accordingly, the image of Cicero, the most famous and successful Roman orator, as a rhetorician suggests that the practice of oratory, vital to the functioning of civic life in the Republic, has become more fit for the schoolroom than for the venues of political activity.[35]

The fact that the *Second Philippic* was never actually delivered perhaps speaks to the impotence of oratorical invective more than Cicero's rhetoric itself within the speech: the threat

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[32] *Fam*. 7.33.1, 9.18.1.

[33] Cf. Rawson (1975) 8 on Cicero's education in the "school" in L. Licinius Crassus' house: "Crassus' teachers were probably the best available in Rome; and they were probably all Greek. Cicero seems to have received most of his rhetorical training in that tongue." In his late 20's Cicero went on a "grand tour" of Greece and the Greek cities along the coast of Asia Minor, and over the course of two years studied with several famous Greek rhetoricians in the cities he visited (*Brut*. 313-6, Rawson [1975] 25-8). For the Romans, the study of rhetoric (and philosophy, to some extent) was higher education, and, as in the academy today, in some ways (e.g. training in Greek) it was distinct from the "real world."

[34] For the *tirocinuium fori* see Cic. *Cael*. 9, *Amic*. 1, Quint. *Inst*. 10.5.19, Tac. *Dial*. 1-2, 34, *RE* s.v., Bonner (1977) 84-5, Richlin (1997) 92-3.

[35] As for declamation, Cicero recommended it as a good form of exercise. Additionally, it appears from Cicero's letters (see n. 32 above) that the Caesarians practiced declamation with Cicero as a hobby. In the the declamation anthology of Seneca the Elder (late 30s AD), declamation as entertainment can be seen in full bloom under the reigns of Augustus and Tiberius.

of violence effectively silenced Rome's greatest orator. Nevertheless, Cicero's undelivered but published speech did convey to his contemporaries and posterity that oratory does not have the effect that it previously had. As such, it contains a rich vein of irony, insofar as it both denies the power of oratory and affirms it. Or rather, it affirms the power of a fictional or literary type of oratory. Indeed, the fictional nature of the speech is more meaningful than has yet been discussed:[36] the interplay between the dramatic fiction maintained in the speech and the historical reality of events as they actually transpired complicates the meaning of Cicero's words in the published text. If Cicero had in fact delivered the speech, an interpretation of Cicero's words would be considerably more straightforward: "Cicero said this, or something close to this." The speech, however, does not accurately reflect historical events but instead engages in an alternative world, and this inconcinnity adds another layer of meaning through which the speech must be interpreted. Accordingly, the speech is transformed into a new kind of discourse that operates according to rules that are very different from those that would have been in effect in its dramatic context. The rhetoric of the speech asks the reader to suspend belief in reality or to push to the side knowledge of historical events and enter the (essentially fictional) world that Cicero has conjured up. Inasmuch as an essential feature of Roman declamation is the establishment of a fictional setting and circumstances to which the speaker responds, the *Second Philippic* bears a striking resemblance to declamation.

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[36] For example, Dugan (2005) 337-41, who does not emphasize the significance of the fictional nature as much I believe is necessary, makes too neat a distinction between Cicero's literary activity that he undertook in his retirement from politics, namely, his *philosophica* and *rhetorica* written between 46 and 44 BCE, and the composition of the *Second Philippic*. Also, while Dugan notes similarities in the personae of Cicero that emerge from the *Catilinarians* and the *Second Philippic*, more can be said of their differences: although Cicero presents himself in all these speeches as protector of the state against its enemies, it surely must matter that in the *Catilinarians* he performed this role on the most important stages of the state, but he only imagined himself doing so in the *Second Philippic*.

It is now generally agreed that Cicero's published speeches corresponded to his spoken speeches,[37] and Cicero only rarely published a text of a speech that he had not delivered. As far as it is the published text of a speech that was never delivered, the *Second Philippic* has a precedent in Cicero's publication of some of the speeches that he wrote for the prosecution of C. Verres in 70 BC but never actually delivered.[38] In the case of Verres, however, Cicero held his ground and emerged victorious from the conflict: the trial did not proceed because the defendant Verres forfeited his defense and went into voluntary exile; it is reasonable to assume that if he had had the opportunity, Cicero would have delivered the speeches. With the *Second Philippic*, however, Cicero did not enter the fray, and so he conceived of and wrote the speech for a purpose apart from the one that is dramatized in the speech itself. Accordingly, when we consider why the speeches were not delivered, the *Verrines* and the *Second Philippic* offer two markedly different commentaries on the effectiveness of oratory: the *Verrines* assert and confirm its power, the *Second Philippic* in essence denies it.

The literary character of the speech is also evident from a consideration of its oratorical genre. In terms of the three traditional genres of oratory (forensic, deliberative, and epideictic), Ramsey classifies the *Second Philippic* as epideictic, but also rightly notes that the speech contains elements from the forensic and deliberative genres.[39] In truth, the speech incorporates all three genres of oratory as a showpiece, and so it is inadequate to attempt to categorize it under the rubric of only one of the three genres. In the speech's overall structure (first Cicero is

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[37] For discussions of Cicero's spoken and published orations see Crawford (1984) 3-21, Craig (2002) 515-7, Powell and Paterson (2004) 52-7, Manuwald (2007) 55-65.

[38] The five lengthy speeches that constitute the *actio secunda* of the *Verrines* are thought not to have been delivered. Cf. Vasaly (2002) 90-2. Powell and Paterson (2004) 56 explore the idea that these speeches may "reflect actual court proceedings more closely than has been usually thought."

[39] Ramsey (2003) 159.

praised, then Antony is blamed) and because it does not have an immediate persuasive purpose

(since it was never delivered),[40] it is epideictic. Nevertheless, Cicero avoids the charge of

obnoxious self-praise by presenting his remarks about himself as only what he needs to say as a

defense against the accusations that Antony made in his invective speech on September 19. On

account of this strategy, especially apparent at the beginning of the *refutatio* where Cicero claims

that he will respond to the *crimen* that Antony leveled against him (*Phil*. 2.3), the work

resembles a forensic speech. Additionally, the primary model for the speech is Demosthenes'

On the Crown, a forensic speech. Finally, in Cicero's attempt at the conclusion of the speech to

persuade Antony to change his course (2.115-9), it functions as a deliberative speech.[41]

Furthermore, it is represented as being delivered before the Senate, a body to which deliberative

speeches were often addressed.

Since the *Second Philippic* is obviously indebted to Demosthenes' magnum opus *On the*

Crown, and Cicero in his last major treatise on rhetoric, the *Orator* (46 BC), argues that

Demosthenes arrived at the pinnacle of oratorical success because he was adept at all three styles

of oratory (*Orat*. 100-11), perhaps Cicero, in drawing on all three genres of oratory in the *Second*

Philippic, is imitating a facet of Demosthenes' mastery, namely, his versatility.[42] Cicero's

rewriting of *On the Crown* in the *Second Philippic* is a literary endeavor to produce in Latin a

work that rivals a crowning achievement of Greek culture,[43] and in this respect it is again

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[40] Cf. Lausberg §§239-41 on the *genus demonstrativum*.

[41] Cf. *Rhet. Her*. 3.9 on using examples from the past in the *conclusio* of a deliberative speech.

[42] The three styles of oratory were the plain, the middle, and the grand. In the rhetorical treatise *Orator*, Cicero likewise presented himself as adept in all three genres of oratory (100-3), and so fashioned himself as the Roman Demosthenes.

[43] Cf. *De Optimo Genere Oratorum* which appears to be the preface to translations of Aeschines' *Against Ctesiphon* and Demosthenes' *On the Crown*. Describing his translation of these speeches, Cicero writes (*Opt. Gen*. 14), *nec converti ut interpres, sed ut orator* "I translated these speeches not as an interpreter but as an orator." On Cicero's

suitable to compare it to the philosophical works that Cicero had been writing and publishing over the course of the two previous years. In his *philosophica* Cicero was essentially aiming to create single-handedly an encyclopedia of philosophy in Latin, the culmination of his life-long interest in Greek philosophy.[44] Nevertheless, although Cicero relied on earlier Greek philosophical works for the composition of his *philosophica*, he did not slavishly transmit the ideas he found therein, but, infusing them with his own perspectives as a Roman and as an individual, he transformed them.[45] The Greek texts that Cicero started from served not as exemplars for translation, but models for imitation. *Imitatio* was a key component of Roman rhetorical education, including declamation.[46] Whereas Cicero played Demosthenes in the *Second Philippic*, in the ensuing years Roman schoolboys and their teachers would play Cicero, reimaging history so that Cicero stood up to Antony in open defiance, just as Cicero imagined that he had on September 19.

Although I am here emphasizing the declamatory and literary character of the speech, I am not arguing that the *Second Philippic* is Cicero's testament that oratory is now useless. After all, the *First Philippic* seems to have irked Antony considerably, and *Philippics* 3-14 present Cicero as leading the resistance to Antony from the Senate floor and the Rostra. Nevertheless, the speech can be read as a nightmarish reflection on the effect of autocracy on civic life: as Cicero presents it, eloquence has been muted.

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translation practice with these speeches see McElduff (2013) 110-21. The date of the *De Optimo Genere Oratorum* is uncertain, but many scholars assign it to 46 BC, which reasonably situates it in the period when Cicero was working on his rhetorical treatises the *Brutus* and the *Orator*. Cf. Marinone (1997) 191-2. Despite what Cicero says in the preface, it is doubted that the proposed translations were ever completed (cf. e.g. McElduff [2013] 110).

[44] For discussions of the purpose and scope of Cicero's philosophical works see Powell (1995), Baraz (2012).

[45] Cf. Woolf (2015) 2.

[46] Cf. Quint. *Inst*. 10.2, Clark (1957) 144-76, Fantham (1978), Russell (1979).

The *Second Philippic* is, for the most part, carefully organized, and in my analysis I will attempt to reflect the speech's structure.[47] After a brief opening in which he introduces the principal characters in the speech, namely, Antony and himself (*exordium*, 1-2), Cicero defends himself against the charges that Antony leveled in his speech on September 19 (*refutatio*, 3-42a). In the *refutatio*, Cicero first replies to Antony's charge that he had violated their friendship (3-10); he then pauses to address the audience and outline the remainder of his speech (*partitio*, 10) before responding to the rest of Antony's charges (11-42). Cicero rounds off the *refutatio* with a brief transition passage in which he criticizes Antony's preparations for his speech (*transitio*, 42-43) before launching into an all-out attack on Antony, in which he deals with both his personal and public actions (*confirmatio,* 44-114). Finally, Cicero concludes the speech with a peroration, in which he attempts to persuade Antony to desist from tyranny and asserts that he himself will not abandon the Republic (*peroratio*, 115-9). These parts of the speech are derived from the *sex partes orationis* found in Roman rhetorical treatises, which provide specific rules for each part.[48] Accordingly, as the aim of each part is different than the others, to treat them roughly as units (the divisions between these parts in the *Second Philippic* are rather pronounced) that contain arguments within themselves is helpful for following Cicero's course of thought. Nevertheless, there is, of course, much important cross-reference and thematic overlap between the sections of the speech, and so the analysis of each part of the speech will also involve reading it against the rest of the speech.

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[47] I have adopted the structural divisions of the speech that modern commentators have offered since I believe that these divisions reflect the course of Cicero's thought and rhetoric in the speech. Cf. Ramsey (2003) 159-61, Cristofoli (2004) 24.

[48] *Rhet. Her*. 1.4, Cic. *Inv*. 1.19, *De Orat*. 1.143, *Part*. 27, Quint. *Inst*. 3.8.

II. *Exordium* (*Phil.* 2.1-2)

The *exordium* (*Phil.* 2.1-2) exhibits several themes essential to my reading: the significance of the fictional delivery of the speech, the question of the relationship between violence and oratory, and Cicero's performance of the role of *rhetor* to Antony the student. At the outset Cicero asks his readers to historicize his present conflict with Antony.[49] According to Cicero, the enemies of the Republic in the past 20 years have also been Cicero's personal enemies (*Phil.* 2.1):[50]

> Quonam meo fato, patres conscripti, fieri dicam, ut nemo his annis viginti rei publicae fuerit hostis, qui non bellum eodem tempore mihi quoque indixerit? Nec vero necesse est quemquam a me nominari; vobiscum ipsi recordamini. Mihi poenarum illi plus, quam optaram, dederunt: te miror, Antoni, quorum facta imitere, eorum exitus non perhorrescere. Atque hoc in aliis minus mirabar. Nemo enim illorum inimicus mihi fuit voluntarius, omnes a me rei publicae causa lacessiti. Tu ne verbo quidem violatus, ut audacior quam Catilina, furiosior quam Clodius viderere, ultro me maledictis lacessisti, tuamque a me alienationem commendationem tibi ad impios civis fore putavisti.[51]

> By what fate of mine, Members of the Senate, should I say it is that no one in the last twenty years was an enemy of the Republic who did not also at the same time declare war against me? And it is not necessary for me to name any one of these: you can recall them for yourselves. As far as I'm concerned, they paid more penalties than I would have hoped; but I marvel that you, Antony, do not shudder in fear at the ends of those whose deeds you imitate. And I wondered at this less in others. For not one of them was a personal enemy of mine on their own accord, but all were attacked by me for the sake of the Republic. But you, being injured by not even a word, attacked me in foul language, so that you would seem more insolent than Catiline and crazier than Clodius, thinking that alienation from me would serve to recommend you to wicked citizens.

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[49] For a close reading of the exordium with special attention to the rhetorical features it shares with other Ciceronian exordia see Cerutti (1996) 156-66.

[50] By the Roman practice of inclusive counting, Cicero's consulship and suppression of the Catilinarian Conspiracy in late 63 BC occurred nearly twenty years before the purported delivery of the *Second Philippic* on September 19, 44 BC. Cf. Ramsey (2003) ad loc.

[51] For the text of the *Second Philippic* I have used the Loeb edition of Ramsey and Manuwald (2009), which is closely based on Shackleton Bailey's 1986 edition. Fedeli (1982) includes a full *apparatus criticus*.

In starting from an assertion that the enemies of the state (*rei publicae hostes*) have also been his personal enemies, Cicero begins the speech with a point that leads the reader to recall Cicero's service to the state, for which he achieved singular standing as savior of the Republic,[52] and to identify Cicero himself with the Republic.[53] Cicero proceeds to narrow the wider field of *rei publicae hostes* to two of his most infamous opponents, Catiline and Clodius. Cicero memorably attacked both Catiline and Clodius in speeches that he would afterwards proudly publish,[54] and these speeches were an important part of his record as defender of the Republic. That Cicero is specifically calling attention to his use of oratory in these situations is evident from a close analysis of Cicero's language in this passage. Cicero begins the speech with a question, a rhetorical feature that occurs among Cicero's extant speeches only here and in the *First Catilinarian*. The *First Catilinarian*, delivered at a meeting of the Senate, includes six consecutive questions at the outset that make the opening of the speech especially memorable.[55] In beginning the *Second Philippic* with a rhetorical question, Cicero encourages his readers to recall the *First Catilinarian* and compare it with the present speech, and calls specific attention to his use of oratory in overcoming Catiline.[56] Thus, this opening stylistic element contributes to

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[52] Cf. *Phil.* 2.2: *An in senatu facillime de me detrahi posse credidit? qui ordo clarissimis civibus bene gestae rei publicae testimonium multis, mihi uni conservatae dedit.*

[53] At the end of the *exordium* Cicero suggests that Antony himself, the enemy of the state par excellence, associates Cicero with the country (*patria*): *non existimavit sui similibus probari posse se esse hostem patriae, nisi mihi esset inimicus* (*Phil.* 2.2).

[54] E.g. *Catilinarians*, *In Clodium et Curionem*. See *Att.* 2.1.3 (SB 21) for Cicero's personal selection of his consular speeches including the *Catilinarians*.

[55] *Cat.* 1.1: *Quo usque tandem abutere, Catilina, patientia nostra? quam diu etiam furor iste tuus nos eludet? quem ad finem sese effrenata iactabit audacia? Nihilne te nocturnum praesidium Palati, nihil urbis vigiliae, nihil timor populi, nihil concursus bonorum omnium, nihil hic munitissimus habendi senatus locus, nihil horum ora voltusque moverunt? Patere tua consilia non sentis, constrictam iam horum omnium scientia teneri coniurationem tuam non vides? Quid proxima, quid superiore nocte egeris, ubi fueris, quos convocaveris, quid consilii ceperis, quem nostrum ignorare arbitraris?* Cf. Quint. *Inst.* 9.2.27 on this passage.

[56] The connection of the *Second Philippic* with the *Catilinarians* is also reinforced in the final paragraph of the speech (119), in which Cicero specifically compares the *Second Philippic* "delivered" in the Temple of Concord

Cicero's attempt to historicize the present speech in light of his previous oratorical performances, specifically the *Catilinarians*.

At the same time, however, this opening also renders the fiction of the present speech much more poignant. Indeed, the opening question can also lead the reader to pose a different question: "Why did Cicero keep silent at home and not confront Antony before the Senate as he had confronted Catiline?" Over the backdrop of the fictional delivery of the speech Cicero's invocation of his battles with Catiline and Clodius is strikingly dissonant: whereas Cicero confronted these earlier adversaries through his speeches in the courts, senatorial debates, and *contiones*, he has refused in the present case to join the fray openly.[57] Thus in context these former oratorical accomplishments serve as foils and become loaded with additional significance. In immediately establishing a contrast between Cicero's past services performed in defense of the Republic and his present position, in which he has elected not to attend the Senate and face Antony in person, the opening of the speech raises questions about the effectiveness of oratory under autocracy that is founded on the threat of violence.[58] The relationship of oratory to violence is introduced explicitly in the opening sentence, in which Cicero claims that in the last

with the speech he delivered in the same temple almost twenty years earlier, i.e. the *Fourth Catilinarian*, delivered on Dec. 5, 63 BC.

[57] The effect of this point is augmented by Cicero's specific language: to introduce the enemies of the state that Cicero has combated he asks the senators to consult their own memories (*vobiscum ipsi recordamini*, *Phil*. 2.1), which is the first of the numerous appeals to memory in the speech. As I will discuss below, such an appeal to memory is not uncommon in the *peroratio* of a Ciceronian speech, where Cicero attempts to incite compassion among the audience or addressee. Nevertheless, the appeal has a special effect in the present context, since it induces the reader to recall not only the men whom Cicero is alluding to, but also a time when he was actually speaking in public. Thus the fiction of the speech adds an additional layer that the reader must take into account, and so expands and complicates the meaning of the work.

[58] The *Second Philippic* should also be read in light of the *Pro Milone* (52 BC): on the occasion of the latter speech the forum was surrounded by armed men as well, and Cicero's client, T. Annius Milo, was convicted of violence (*vis*) under the *lex Pompeia de vi*. The *Pro Milone*, which may have been revised significantly for publication, is a very rare example of a published version of an unsuccessful speech of Cicero. Cf. Powell and Paterson (2004) 52-7. If Cicero failed with the *Pro Milone*, he did not try with the *Second Philippic*.

twenty years there has been no enemy of the state who did not also declare (*indicere*) war (*bellum*) against him (1). Here *bellum* begins as an act of speech, or a speech act.[59] Perhaps by this remark Cicero is referring specifically to Antony's invective speech on September 19, in which he openly declared his hostility to Cicero. As his private letters show, however, Cicero feared that Antony was not going to limit his persecution of his new enemy to oratorical invective, but was intending to spill actual blood in the Senate.[60]

This fear is the basis of an essential question that the speech raises: what strength does the metaphorical violence of oratory have when the political institutions of the Republic, institutions that traditionally checked the ambition of elite Romans, have been cast aside in favor of settling disputes by force of arms? An answer to this question is suggested by Cicero's specific references to his role in opposing Catiline and Clodius. Cicero indeed outlasted both of these adversaries, but the very actions taken to suppress the violent threats that they posed consisted of illegal uses of violence: in 58 BC Cicero was exiled for having co-conspirators of Catiline executed by strangulation, and in 52 BC T. Annius Milo was convicted of violence (*vis*) and exiled for his part in the brawl on the Appian Way that resulted in Clodius' death. Moreover, Cicero more explicitly suggests as much when he claims that he is surprised that Antony does not tremble at the demises of those whose acts he imitates. Accordingly, lurking behind Cicero's proud declaration of his opposition to Catiline and Clodius is the reality that it was might and arms that ultimately defended the state against its enemies.[61] At the dramatic date

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[59] Cf. Austin (1962).

[60] *Fam*. 12.2.1 (SB 344); cf. *Fam*. 12.3 (SB 345), 12.22 (SB 346).

[61] Cf. Lintott (1968) 53-66; cf. also Dunkle (1967) 165-6, who notes that Cicero's enemies, including Antony, deployed anti-tyrant rhetoric against Cicero for his actions during his consulship that was similar to the rhetoric that Cicero used against them. Also cf. Dugan (2005) 340, who discusses how Cicero exchanged his identity as *dux togatus* for *princeps sumendorum sagorum* as the fight with Antony carried on.

of delivery of the speech such decisive power is decidedly in the hands of Antony, which Cicero emphasizes several times in the speech by describing the presence of armed men in the Senate. Therefore, both the historical struggles against the enemies of the state that Cicero invokes at the opening of the speech and the fact that the speech was never delivered suggest limitations in the use of the metaphorical violence of oratory.

As Cicero fleshes out the comparison of Antony with his former adversaries, he claims that Antony is even more audacious than Catiline and crazier than Clodius, since he attacked Cicero without provocation. Although Antony seems to have felt that Cicero's *First Philippic* warranted a virulent reply, Cicero will claim shortly afterwards that the it did not constitute a personal attack against Antony but was merely a speech delivered on behalf of the Republic (*Phil*. 2.6-7). Rather, according to Cicero, what Cicero did to his enemies on behalf of the Republic, Antony has done to Cicero due to his own madness and in order to ingratiate himself with the enemies of the state. In this initial reference to Antony's speech, Cicero implies that Antony is attempting to usurp Cicero's province of aggressive oratory. This is suggested by the repetition of *lacesso*: the verb appears first as a perfect passive participle (*lacessiti*) to describe Cicero's former enemies who were attacked by him for the sake of the Republic, and then as a perfect active indicative (*lacessisti*) to indicate Antony's allegedly unprovoked attack on Cicero. Although the two forms of the word are grammatically different, they are very similar phonically, and so suggest Antony's close imitation of Cicero's earlier invective. Cicero's oratorical activity in this case can be read as a model or exemplar that Antony works from in fashioning his own invective. In this reading, Cicero himself in turn functions as the instructor who has provided the model for imitation. Nevertheless, Antony seems to have absorbed the letter but not the spirit of the master's work, as Antony's goal in adopting this mode of discourse

is directed at an end contrary to Cicero's: he intends to destroy the Republic that Cicero strove to preserve.

To support his claim that Antony attacked Cicero in order to recommend himself to the wicked part of the citizen body, Cicero concludes the *exordium* by posing and dismissing three alternative reasons that could have led Antony to do this (*Phil*. 2.2):

> Quid putem? contemptumne me? Non video, nec in vita nec in gratia nec in rebus gestis nec in hac mea mediocritate ingeni quid despicere possit Antonius. An in senatu facillime de me detrahi posse credidit? qui ordo clarissimis civibus bene gestae rei publicae testimonium multis, mihi uni conservatae dedit. An decertare mecum voluit contentione dicendi? Hoc quidem est beneficium. Quid enim plenius, quid uberius quam mihi et pro me et contra Antonium dicere? Illud profecto: non existimavit sui similibus probari posse se esse hostem patriae, nisi mihi esset inimicus.[62]

> What should I think? That I was held in contempt? I see neither in my life nor in the favor that is shown to me nor in my accomplishments nor in the small measure of talent that I possess, what Antony could possibly despise. Or did he believe he would be able to disparage me very easily before the Senate? The body that recognized many of our most famous citizens for governing the State well, but only me for *saving* it? Or did he wish to vie with me in a contest of speaking? *That* really is a favor. For what more abundant or richer theme could I find than to speak in defense of myself and against Antony? No, surely it is as I said: he did not think that he would be able to prove to those similar to himself that he was an enemy of the country, if he were not my personal enemy.

In the course of dismissing these alternatives Cicero makes positive claims about his own standing and abilities: neither Cicero's life nor his achievements are contemptible; the Senate has bestowed a unique honor upon Cicero; if Antony initiated a contest of speaking, he would be doing Cicero a favor. While all three points are important for establishing Cicero's ethos at the beginning of the speech,[63] the last is especially significant for my reading of the speech as a

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[62] Quint. *Inst*. 11.1.25 discusses this passage as displaying confidence (*fiducia*) in eloquence as opposed to boastfulness (*iactatio*).

[63] Cf. rhetorical handbooks on the *exordium* (*Rhet. Her*. 3.11-2). Ramsey (2003) 161 notes that Cicero begins from himself, but it is fair to say that he also begins from the character of his opponent, Antony, who would qualify, I believe, as the person about whom the speech is being made. Despite the guidelines that the theoretical works lay

meditation upon oratory. It is important to recognize that while Cicero rejects this as a possible

motivation for Antony's attack, he nevertheless presents it as a framework within which the

reader can understand the conflict. Cicero elsewhere deployed *decertare* and *contentio* to

describe oratorical disputes, and in particular spoke of *contentiones* as those types of speech that

occur in public venues before judges.[64] In the present case, however, the fight is about the very

act and nature of speaking.[65]

The *exordium* therefore shows that in the *Second Philippic* oratory itself is a central issue

in the conflict between Antony and Cicero. This is evident not only from Cicero's actual words,

but also through the interplay of these words with the circumstances under which the speech was

composed. This latter understanding, which is only possible through reading the speech in

context, reveals that the speech asks questions about the essential value of oratory and as such

constitutes a meta-discussion of oratory. Cicero reflects on oratory at such length in the speech,

however, not for the sake of oratory in a vacuum, but to comment on the political and social

ramifications of autocracy.

III. *Refutatio* (*Phil.* 2.3-42a)

This meta-discussion is evident also in the section of the speech that follows the

exordium, the *refutatio* (3-42a). In this section Cicero refutes the speech Antony delivered on

September 19, not only ridiculing and demolishing specific claims that Antony made in his

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down, it is not necessary to maintain that an orator in practice can only begin from one point of departure. In this
speech Cicero begins both from Antony's character and his own.

[64] Cf. Cic. *Off.* 1.132, 137, 2.48-50, *Fam.* 5.8.1, *Phil.* 2.7; cf. *Rhet. Her.* 3.13.23. On *decertare* cf. *OLD* s.v. 2a: "to
argue things out, contend (verbally)," Ramsey (2003) ad loc.

[65] As such the engagement between Antony and Cicero is entertainment for the readers, and so is a thread in the
epideictic fabric of the speech. Cf. Lausberg §239 and Arist. *Rhet.* 1.3.2 (1358b).

speech, but also describing Antony's general oratorical incompetence. Nevertheless, although Cicero devotes significant energy to criticizing Antony's speaking abilities, a contextual reading of the speech suggests that oratorical skill is not an essential criterion for power and influence at Rome. As incompetent as Antony is at speaking, he still wields power over Cicero, the most accomplished and successful orator in Roman history. For despite the litotes above (*hac mea mediocritate ingeni*), Cicero ranked himself first;[66] in the *Second Philippic*, however, he begins to force the truth of force. Accordingly, Cicero's criticism of Antony's speech in the *refutatio* is not only a direct attack against Antony and an attempt to undermine his *auctoritas* ("authority") and *dignitas* ("dignity"), but Cicero's own reflections on the status of oratory in an autocratic state.

To begin the *refutatio* Cicero declares that before he addresses other issues, he will first reply to Antony's charge that he violated their friendship (*amicitia*) (*Phil.* 2.3):

> Cui priusquam de ceteris rebus respondeo, de amicitia quam a me violatam esse <u>criminatus est</u>, quod ego gravissimum <u>crimen iudico</u>, pauca dicam. Contra rem suam me nescio quando venisse questus est. An ego non venirem contra alienum pro familiari et necessario, non venirem contra gratiam non virtutis spe, sed aetatis flore collectam, non venirem contra iniuriam quam iste intercessoris iniquissimi beneficio optinuit, non iure pretorio? Sed hoc idcirco commemoratum a te puto, ut te infimo ordini commendares, cum omnes te recordarentur libertini generum et liberos tuos nepotes Q. Fadi, libertini hominis fuisse.

> Before I respond to him in regard to other matters, I will say a few words about the friendship that <u>he has accused</u> me of violating, something that <u>I judge</u> to be a most serious <u>crime</u>. He complained that at some time I had appeared in a case against his interest. Was I not to appear against a stranger on behalf of an intimate relation? Was I not to appear against favor that was derived not from the expectation of virtue, but from the bloom of youth? Was I not to appear against an action for injury that this fellow obtained by the favor of a most unjust mediator, and not by a praetor's ruling? But I think that you mentioned this affair for this reason, so that you could recommend yourself to persons of the lowest

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[66] In addition to the verdict of posterity, this was Cicero's own view: Cicero's discussion of famous orators in the *Brutus* culminates with Cicero (321-4); in the *Orator*, after concluding that the ideal orator will be adept at using all three styles of oratory, Cicero's cites his own speeches to show that he has done this throughout his career (100-3).

station, since they all remember that you were the son-in-law of a freedman and that your children were the grandchildren of Q. Fadius, a freedman.

In making the transition from the *exordium* to the *refutatio* Cicero notably draws on language proper to the judicial sphere: Antony accused (*criminatus est*) him of violating their friendship, a charge (*crimen*) that Cicero judges (*iudicare*) to be extremely serious. Cicero thus frames his response to Antony's speech as a defense speech, making recourse to the institution of the courts to define his position. In establishing this framework for his engagement with Antony, perhaps Cicero is asserting his confidence that law is on his side in this dispute. The forensic setting that Cicero invokes here, however, is fictional, and even ill fitting: under normal circumstances one would give a defense speech not before the Senate, but in the forum. As the occasion does not require a judicial speech, the passage suggests that oratory has been displaced from its proper use and setting. Indeed, a substantial characteristic of the *Second Philippic* is the tension that arises from Cicero's overt criticisms of Antony as an orator and the more subtle suggestions that oratory in effect has been supplanted by another means of conflict resolution, violence.

Although oratory is not the principal focus of this passage, it nonetheless is closely connected to the basis for Antony's complaint.[67] Cicero claims that Antony was offended that Cicero, acting as an advocate for a client, appeared against Antony's interest in an unspecified judicial proceeding. Cicero's work as an advocate would most likely entail speaking in court, and although it cannot be confirmed from the evidence that he did make a speech in this particular case, oratory is closely related to the first point of contention that Cicero deals with. If

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[67] Oratory not only underpins and binds together Cicero's first points in the *refutatio*, but also can be seen as a thematic thread that ties the section together as a whole: in the *transitio* (42-43), the brief transitional section that brings the *refutatio* to a close, Cicero ridicules Antony's preparations for his speech at some length. Cicero's reflections on oratory at both the beginning and the end of the *refutatio*, then, constitute appropriate bookends for a section of the speech that consists of a discussion of a speech.

nothing else, the self-portrait that Cicero draws in this instance captures his sense of duty to represent fairness in the face of cronyism and the abuse of justice.

Nevertheless, although Cicero does not undertake a direct assault on Antony's speech at the outset of the *refutatio*, Antony still emerges from Cicero's rhetoric as lacking oratorical competence. Cicero's successive condescending rhetorical questions about his own involvement in the case suggest that Antony does not understand fundamental aspects of how (the system of) Roman advocacy works. This passage immediately presents Antony as clueless in terms of judicial proceedings, for which proper oratorical training would have prepared him. Rather, Cicero seems to grant Antony only one accomplishment as a speaker, namely that, like a demagogue, he was able to recommend himself to "persons of the lowest station," who in this case are freedmen. As Antony's speech was delivered before the Senate, however, which by law could not include freedmen, Cicero's interpretation of Antony's motive in mentioning the lawsuit seems illogical. Nevertheless, perhaps that is part of the joke, and the illogicality is not Cicero's but Antony's: Antony is not even aware of the audience that he is addressing. In this reading then, although Cicero ends this passage by attacking Antony for his familial connections to persons of low social status (claiming that Antony was the son-in-law and his children the grandchildren of a freedman), this criticism still reflects back on Antony's lack of oratorical abilities.

Following Cicero's rehearsal of and rebuttal to Antony's complaint, he proceeds to respond successively to the grounds that he says Antony offered in his speech for their friendship. The first of these reasons again has a connection with oratory, and again reflects on Antony's lack of ability therein:

> At enim te in disciplinam meam tradideras (nam ita dixisti), domum meam
> ventitaras. Ne tu, si id fecisses, melius famae, melius pudicitiae tuae consuluisses.
> Sed neque fecisti nec, si cuperes, tibi id per C. Curionem facere licuisset.

> But of course, you delivered yourself over to me for instruction (for this was your
> claim), you made frequent visits to my home! To be sure, *if* you had done this,
> your reputation and your virtue would have been of greater concern to you. But
> neither did you do this nor, if you desired to do it, would Gaius Curio have
> allowed you.

What Cicero precisely means here by *disciplina* ("instruction") is not clear, but it is plausible that *disciplina* refers to the mentor-mentee relationship in which an aspiring Roman youth would become attached to an accomplished Roman politician and learn from him through close association and by observing him in practice. If this had been the case, Antony would have had opportunities to learn from Cicero's oratorical performances, especially since Cicero emerged early in his career as the foremost orator at Rome. Conversely, Cicero's denial of this claim provides some explanation for Antony's oratorical ineptitude, to which Cicero will continue to call attention in the remainder of the *refutatio*: Antony did not learn public speaking from Cicero, and it shows. Furthermore, Cicero concludes this passage with a personal attack, by which he suggests that if Antony had remained diligent in learning oratory from him, he would not have been leading a scandalous life with C. Scribonius Curio. And so, while oratory is not the principal focus of these opening passages of the *refutatio*, it does significantly figure as a backdrop, and Cicero's understated criticisms here foreshadow the more explicit attacks on Antony's speaking abilities that he will soon launch in earnest.

The *First Philippic* (*Phil.* 2.6-7)

Following this passage, Cicero proceeds to respond to two other reasons that he says Antony brought forth in his speech to prove their friendship: first, he stood aside and allowed

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Cicero to be elected to the augurate, a claim that Cicero finds audacious and impudent (*Phil.* 2.4); secondly, he granted Cicero a favor (*beneficium*) by not killing him when Cicero returned to Brundisium during the Civil War, the kind of *beneficium*, Cicero says, one receives from bandits (*Phil.* 2.5). Nevertheless, Cicero, in consideration of Antony's character, sarcastically allows this to be counted as a favor, and moves on to discuss something else that Antony possibly considered a violation of their friendship, the speech that he delivered on September 2, the *First Philippic* (*Phil.* 2.6-7):

> Sed sit beneficium, quandoquidem maius accipi a latrone nullum potuit; in quo potes me dicere ingratum? An de interitu rei publicae queri non debui, ne in te ingratus viderer? At in illa querella misera quidem et luctuosa, sed mihi pro hoc gradu in quo me senatus populusque Romanus collocavit necessaria quid est dictum a me cum contumelia, quid non moderate, quid non amice? Quod quidem cuius temperantiae fuit, de M. Antonio querentem abstinere maledictis! praesertim cum tu reliquias rei publicae dissipavisses, cum domi tuae turpissimo mercatu omnia essent venalia, cum leges eas, quae numquam promulgatae essent, et de te et a te latas confiterere, cum auspicia augur, intercessionem consul sustulisses, cum esses foedissime stipatus armatis, cum omnis impuritates pudica in domo cotidie susciperes vino lustrisque confectus. At ego, tamquam mihi cum M. Crasso contentio esset, quocum multae et magnae fuerunt, non cum uno gladiatore nequissimo, de re publica graviter querens de homine nihil dixi. Itaque hodie perficiam, ut intellegat, quantum a me beneficium tum acceperit.

> But let this count as a favor (*beneficium*), since none greater was able to be accepted from a bandit: in what way can you say that I was ungrateful? Or ought I not to have complained about the destruction of the Republic, so that I not seem ungrateful to you? But in that complaint, wretched indeed and sorrowful, but necessary for me on account of the position that the Senate and people of Rome granted me, what did I say that was insulting? What was not spoken with moderation? What was not spoken amicably? And that indeed was a mark of restraint— to refrain from abuse when complaining about Mark Antony! Especially after you had scattered the remnants of the Republic, when everything was up for sale in that most disgraceful marketplace in your home, when you were acknowledging those laws that were proposed concerning you and by you, which had never been promulgated, when as an augur you did away with the auspices, as a consul the right to veto, when you were most disgracefully surrounded by armed men, when in a virtuous house you were daily undergoing all manner of impurities, exhausted by wine and dens of vice. But I, as if I were engaged in a debate with Marcus Crassus—with whom I had many great struggles—and not with the most worthless gladiator, complained vehemently

about the fate of the Republic but said nothing about the man. And so, today I will bring it to pass that he understands how great a favor (*beneficium*) *he* received from *me* then.

It is noteworthy that the second possible complaint about violated friendship that Cicero reviews concerns oratory as well. In this case, however, the speech in question, the *First Philippic*, is a specimen of deliberative oratory, and so Cicero here is widening the base of the oratorical activity that could have given offense to Antony. In the earlier passage (*Phil.* 2.3), it would have been forensic oratory that caused the offense, but here it would be the result of another branch of oratory, deliberative. Indeed, many elements of this passage recall the earlier passage, and so suggest that the two ought to be read together. Both are concerned with complaining (*queri*); both include rhetorical questions (introduced by *an*) and verbal repetition through which Cicero suggests the righteousness of the course that he chose; both focus on Cicero's performance of public service in resistance to Antony's attempts to make use of personal favors. The links in the passages, however, also help to highlight the contrasts between them. In the earlier passage, Antony was the one who was complaining, while here it is Cicero. Both of these complaints took place before the Senate but, as Cicero presents it, were of very different characters: Antony took issue with Cicero's speech that he delivered on behalf of the law, whereas Cicero has complained that Antony has destroyed the Republic. As such, Cicero emerges as representative of order in the Republic, while Antony is attempting to bring about lawlessness and personal aggrandizement.

As in the *exordium*, in this passage Cicero defines the present speech in light of his former oratory, suggesting that it is a departure from his previous way of dealing with his adversaries. Cicero reviews the *First Philippic* to argue that he did not engage in personal attacks against Antony in it, and Cicero's rhetoric in this passage suggests that the *Second*

Philippic will be what the *First Philippic* was not: a full-on attack on Antony.[68] Indeed, Cicero's

principal point in discussing the *First Philippic* is to declare how different the present speech

will be from it. In other words, the gloves are coming off.

Cicero initiates this attack almost immediately, as a series of *cum*-clauses provide a vivid

description of Antony's deplorable conduct during his consulship. Almost all of the charges in

this catalog concern the actions of Antony, as a public figure, that were detrimental to the state.

The catalog ends, however, with a personal attack, as the final image brings the reader inside

Antony's home (which, in fact, is Pompey's former home, *pudica in domo* being thus sarcastic

and rueful). Here we find Antony, consumed with wine and debauchery and undertaking all

sorts of unspecified "impurities" (*impuritates*). Antony contaminates the house, to which he

returns once he is worn out from dirty deeds committed elsewhere in haunts of iniquity (*lustris*).

As is characteristic of invective, which often relies on broad, suggestive strokes, part of the effect

in this detail arises from the vagueness of the description: *omnis impuritates*, an ill-defined and

fuzzy phrase, and *lustris*, a suggestively evil location, encourage the reader to imagine the nature

of Antony's debaucheries. Accordingly, the reader, perhaps unwittingly, becomes complicit in

Cicero's denigration of Antony's character. In any case, in this portrait, to speak in general

terms, Cicero highlights Antony's lack of self-control.[69]

Moreover, one of Cicero's points in this passage is to show that Antony has acted not in

the public interest as a consul, but in his own. Cicero's list of reasons starts from the Republic,

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[68] This suggests that Cicero's claim in a letter to Cornificius (*Fam*. 12.25.4 [SB 373; ca. March 20, 43 BC]) that in
the *First Philippic* he launched an invective against Antony (*sum in Antonium invectus*) is an exaggeration or
misrepresentation. But, as always, it is necessary to be aware of Cicero's rhetorical aims in both the speech and the
letter.

[69] This is the first time in the speech that Cicero mentions Antony's penchant for wine and tendency for excessive
consumption. As we shall see, this is a characteristic of Antony's that Cicero emphasizes, and Antony's
transgressions in consumption can be associated with his transgressions in speech, insofar as they are both "faults in
the verbal domain" (Steiner [2002] 312).

and ends with Antony in his house having indulged himself into a stupor. To move, then, from public scenes to a private one is appropriate. As is common with attacks on conduct like this, the catalog allows Cicero to reveal and rebuke not only Antony's misdeeds, but also his character. The successive actions that Cicero describes in the *cum*-clauses uncover and shed light on the kind of person that Antony is. Accordingly, the final image, which moves beyond Antony's public transgressions and shows that he made his house into a den of vice, perhaps appears to hit closest to home, so to speak, and to represent Antony's character most accurately. This notion is the result of the fact that these behaviors happen behind closed doors, and its effect is in part achieved by the use of *cotidie* ("daily"), as the habitual frequency of the behavior suggests that it is a result of Antony's character and is reinforcing it. Moreover, the image of Antony inside his home, as the culmination of the catalog, suggests that all that has come before it is in the service of his private indulgence. He has transformed the nature of the magistracy of the consulship in a way similar to his transformation of the character of Pompey's house.

In contrast to Antony's indulgence, Cicero draws attention to his own restraint: in the *First Philippic* he only complained on behalf of the state and said nothing about the man. The antithesis between Cicero and Antony here is made more pointed by Cicero's use of *ego* following the adversative *at* ("but") before he compares his present tactics with those he deployed previously against M. Crassus, an extremely rich and powerful Senator with whom Cicero had many conflicts before Crassus' death in 53 BC. As was seen above, in recalling the *First Philippic*, Cicero reflects on his previous oratory and offers it as a foil against which one can read the present speech. Similarly, he also makes a distinction between the present speech and his former conflicts (*contentiones*) with Crassus. Certainly, this is motivated in part by Cicero's interest in presenting himself as modest and restrained and not prone to engaging in

attacks (cf. *Phil*. 2.10). Nevertheless, we can also see here how Cicero is emphasizing the unusual or even unique nature of the present speech.

In any case, Cicero claims that his criticism of Antony in the *Second Philippic* will be of a different character than that which he used against Crassus (or against Antony in the *First Philippic*), because with Antony he is engaged "with some most worthless gladiator" (*cum uno gladiatore nequissimo*). *Gladiator* appears in Cicero's speeches over the course of his career as a general term of reproach against his adversaries, and it often is used to denote an adversary's tendency to displays of cruelty and violence.[70] In this instance, however, since Cicero refers to Antony as a gladiator just after having mentioned Crassus, the reader is led to think specifically of Spartacus, the gladiator who in led a slave rebellion that was eventually crushed by Crassus. In Cicero's rhetoric, then, there is the hint that a violent end awaits Antony. Furthermore, this is the first suggestion that Antony is a slave, a theme that will reappear at several points in the speech. In presenting himself as engaging in a *contentio* with Antony as *gladiator*, Cicero is drawing attention to the spectacle of their combat. *Contentio* here looks back to the use of *contentio* in the *exordium* (*Phil*. 2.2), where Cicero used it specifically to refer to a "contest of speaking" (*contentione dicendi*) between him and Antony. Besides these two instances, the only other appearance of *contentio* in the speech occurs later in the *refutatio*, where Cicero says that Antony's self-contradictions were so many that he was effectively engaged in a *contentio* against himself (*Phil*. 2.18). Accordingly, all three uses of this word in the speech refer to a kind of verbal combat. Indeed, it even appears that Cicero is playing the role of gladiator or of Crassus as the suppressor of a gladiator revolt as well: Cicero seems to be implying that the violent character of his opponent forces Cicero to resort to violent means as well. In words.

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[70] Cf. Achard (1981) 341-2 on Cicero's use of the word *gladiator*.

Indeed, the comparison of the unspoken *Second Philippic* to the delivered *First Philippic* renders the irony of Cicero's claims in this passage more pronounced, as the earlier speech sets into relief the fictional nature of the later speech. This irony becomes most pronounced when Cicero concludes his review of the *First Philippic* by boasting, "And so, I will bring it about *today* (*hodie*) that Antony understand how much of a favor (*beneficium*) he received from me on that occasion" (i.e. September 2, the date of the *First Philippic*; *Phil.* 2.7). What exactly is the effect of the temporal adverb *hodie*? If *hodie* refers to the dramatic date of delivery of the speech, then Cicero's claim here appears to be false: Cicero, in not attending the Senate on September 19 and in not making any rejoinder to Antony's invective on that occasion, did not at all on that day make Antony recognize the *beneficium* he received from Cicero when he criticized Antony in a restrained strain in the *First Philippic* on September 2. For anyone who knew that the *Second Philippic* was not delivered, Cicero's claim would be steeped in irony.[71] Moreover, *hodie* carries a sense that is continually being renewed upon each reading of the speech. In a circulated pamphlet, *hodie* is timeless and has no fixed temporal reference, referring as it does to an eternal "literary present." Here the text nods to the unusual circumstances of its composition, to its fictional presentation of its delivery, and to its original audience, that is, the reader of an undelivered speech. All of this would be acknowledging the "literariness" of the speech. Through *hodie* Cicero plays upon a fundamental quality of this speech, namely, the distinction between fiction and reality. This distinction parallels the difference between metaphorical and real violence that is important for defining the character of rhetorical invective.

How (not) to Read a Letter to the Senate (*Phil.* 2.8-10)

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[71] For the publication of the *Second Philippic*, which was first sent to Atticus for criticism and then circulated to friends, see n. 16 above.

Cicero first offers an extended critique of Antony's oratorical ineptitude when he attacks Antony for reading aloud in the Senate a private letter that Cicero had sent him.[72] Here Cicero initially reproaches Antony for lacking humanity and being ignorant of social etiquette (*humanitatis expers et vitae communis ignarus*, *Phil*. 2.8), and then moves on to address Antony's stupidity (*stultitiam*) (*Phil*. 2.7-9):

> At etiam litteras, quas me sibi misisse diceret, recitavit homo et humanitatis expers et vitae communis ignarus. Quis enim umquam, qui paulum modo bonorum consuetudinem nosset, litteras ad se ab amico missas offensione aliqua interposita in medium protulit palamque recitavit? Quid est aliud tollere ex vita vitae societatem, tollere amicorum conloquia absentium? Quam multa ioca solent esse in epistulis, quae prolata si sint, inepta videantur, quam multa seria neque tamen ullo modo divulganda! Sit hoc inhumanitatis: stultitiam incredibilem videte. Quid habes quod mihi opponas, homo diserte, ut Mustelae tamen Seio et Tironi Numisio videris? Qui cum hoc ipso tempore stent cum gladiis in conspectu senatus, ego quoque te disertum putabo, si ostenderis, quo modo sis eos inter sicarios defensurus. Sed quid opponas tandem, si negem me umquam ad te istas litteras misisse, quo me teste convincas? An chirographo? in quo habes scientiam quaestuosam. Qui possis? sunt enim librarii manu. Iam invideo magistro tuo, qui te tanta mercede, quantam iam proferam, nihil sapere doceat. Quid enim est minus non dico oratoris, sed hominis quam id obicere adversario, quod ille si verbo negarit, longius progredi non possit, qui obiecerit?

> And then this man, who is devoid of humanity and ignorant of social etiquette, even read aloud a letter that he said I sent him. I ask you, what person, who had even the slightest acquaintance with the customs of honorable men, ever brought before the public and read openly a letter that was sent to him by a friend when some offense arose between them? What is this but abolishing the community of life from life, abolishing the conversation of absent friends? How many jokes commonly appear in letters that would seem tasteless if published? How much serious business, which nevertheless in no way ought to be made public? Let this be put down to lack of civility; now consider his unbelievable stupidity. What defense can you oppose to me, my eloquent fellow—as you seem eloquent to Seius Mustela and Numisius Tiro? Since at this moment they are standing with swords in their hands in plain view of the Senate, I too will consider you to be eloquent, if you demonstrate how you will defend them in the court that tries assassins—But come now, what defense can you oppose to me, if I were to deny

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[72] Cicero's letter was a response to Antony, who had written to Cicero asking for permission to recall from exile Sex. Cloelius, an agent of P. Clodius Pulcher, Cicero's archenemy. Antony's request and Cicero's response have survived (*Att*. 14.13A and 14.13B, respectively). Craig (1993) 150-51 suggests that Antony read the letter to illustrate Cicero's ingratitude and inconsistency.

that I had ever sent that letter to you? With what witness would you convict me? The handwriting? (You have a profitable knowledge of that!) How could you? The letter is in the hand of a scribe! Now I envy your teacher, who for so great a fee—which I'll reveal shortly—teaches you to be ignorant. For what is less characteristic, I won't say of an orator, but of a human being than to bring against an adversary a charge which, if he should deny it with a word, he who brought the charge would not be able to proceed any farther?

Up to this point, Cicero had concentrated on Antony's moral failings; here, however, we encounter the first appearance of a second important charge he brings against him: stupidity. Antony's stupidity is an important element in Cicero's caricature of him.[73] Significantly, Cicero associates Antony's stupidity with his lack of skill at speaking. Cicero sarcastically calls Antony a clever speaker (*homo diserte*) and demonstrates that Antony's tactics in reading Cicero's letter to the Senate showed his ignorance as a speaker. Or rather, his tactics *could* have showed his ignorance as a speaker, but since Cicero was not present to respond to Antony's blunder, Cicero's criticism of Antony's oratory had no effect on the proceedings in the Senate. It is significant that nestled within the first direct criticism of Antony's speech, is the first vivid depiction of the (fictional) delivery of Cicero's speech—which, ironically, reminds the informed reader that the speech indeed was not delivered. Cicero's depiction of the fictional delivery emphasizes the swords (*gladiis*) of Antony's men, naming two of them, Mustela and Tiro,[74] who stand in view of the Senate at this very time (*hoc ipso tempore*), and this threat of violence, which Cicero also described in his letters, explains why Cicero's speech was never delivered.

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[73] As Achard (1981) 230-31 shows, while Cicero accused other adversaries of stupidity, he deploys the insult especially vigorously against Antony.

[74] Ramsey (2003) ad loc. notes that Seius Mustela and Numisius Tiro were leaders of Antony's armed guard at meetings, citing Cicero's reference to them at *Phil*. 5.18: *At hanc pestem agmen armatorum sequebatur; Crassicius, Mustela, Tiro, gladios ostentantes, sui similes greges ducebant per forum; certum agminis locum tenebant barbari sagittarii.* Regarding Cicero's manner of naming them at *Phil*. 2.8, cf. Ramsey (2003) ad loc.: "The omission of their praenomina, which are unattested, denigrates them and is in keeping with C.'s practice of naming other villains, such as Catiline, without a praenomen. … Usually C. refers to Mustela and Tiro by their cognomina only (except here and *Phil*. 12.14). The inversion of cognomen and nomen conveys contempt."

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And so, in this subtle rhetorical move Cicero displays his own oratorical prowess, contrasting it to Antony's stupidity. Additionally, the description of the fictional surrounding suggests that Antony does not need skillful oratory when armed men under his control are surrounding the Senate. Cicero's quip that he would think Antony *disertum* (clever) if he were able to defend Mustela and Tiro as *sicarii* is striking, since Cicero's refusal to come to the Senate meeting suggests that Cicero and the other senators are the ones who are actually in need of defense; a defense, that is, that words alone cannot supply. Accordingly, Cicero juxtaposes his critique of Antony's oratory with a subtle complaint that oratory is not an adequate means for contesting battles at the present time.

At the end of this passage Cicero introduces into the speech, without naming him, the rhetorician Sextus Clodius (*magistro tuo*), who specifically assisted Antony in preparing his invective.[75] Cicero claims he envies Clodius because he enjoys the relatively easy task of being paid handsomely for teaching his pupil nothing. His remarks here expose Clodius precisely as an ineffective instructor in rhetoric. In demonstrating Antony's fault in reading the letter aloud, and explaining to Antony exactly why what he did was wrong, Cicero gives Antony a lesson, as it were, and thus presents himself as an alternative instructor (*magister*). Cicero's performance of this role suggests rich interpretative possibilities for reading his refutation and critique of Antony's invective in the speech. On the one hand, it resonates with Cicero's historical activity after the Civil War: although Cicero gave rhetorical instruction to leading Caesarians, as we have seen, it is clear that for Cicero the practice and teaching of declamation was a poor and sterile

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[75] At *Phil*. 3.22, Cicero again claims that Antony paid Clodius a fee for rhetorical instruction: *En cur magister eius ex oratore arator factus [sit] possideat in agro publico campi Leontini duo milia iugerum immunia, ut hominem stupidum magis etiam infatuet mercede publica!* In his entry for Sextus Clodius in *De Rhetoribus*, Suetonius likewise states that Clodius received a huge payment from Antony (*A quo mox consule ingens etiam congiarium accepit*, *Rhet*. 29), and he goes on to cite the *Second Philippic* as evidence for this.

substitute for the oratorical activity in which he had formerly engaged. On the other hand, this background helps put his review of Antony's speech into focus: as accurate as his criticisms of Antony's oratorical faults may be, Cicero, in assuming the role of *rhetor*, is suggesting that, under an autocrat like Antony, oratory itself must decline in quality.

As Cicero continues his critique of Antony's error in reading the letter, he makes a distinction between *inhumanitas* and *amentia* that recalls the distinction between *inhumanitas* and *stultitia* that he had just set up ("Let this be put down to lack of civility; now consider his unbelievable stupidity," *Sit hoc inhumanitatis: stultitiam incredibilem videte*, *Phil.* 2.8). Here he pushes beyond stupidity to madness (*Phil.* 2.9-10):

> At ego non nego teque in isto ipso convinco non inhumanitatis solum, sed etiam amentiae. Quod enim verbum in istis litteris est non plenum humanitatis, officii, benivolentiae? Omne autem <u>crimen</u> tuum est, quod de te in his litteris non male existimem, quod scribam tamquam ad civem, tamquam ad bonum virum, non tamquam ad sceleratum et latronem. At ego tuas litteras, etsi iure poteram a te <u>lacessitus</u>, tamen non proferam; quibus petis, ut tibi per me liceat quendam de exilio reducere, adiurasque id te invito me non esse facturum. Idque a me impetrasti. Quid enim me interponerem audaciae tuae, quam neque auctoritas huius ordinis neque existimatio populi Romani neque leges ullae possent coercere? Verum tamen quid erat, quod me rogares, si erat is, de quo rogabas, Caesaris lege reductus? Sed videlicet meam gratiam voluit esse, in quo ne ipsius quidem ulla esse poterat lege lata.

> But I do not deny it, and as such I convict you not only of lack of civility but also craziness. For what word in that letter was not full of politeness, duty, kindness? Indeed, your entire charge amounts to this: that in that letter I do not think ill of you—that I write as though I am addressing a citizen and an honest man, and not a criminal and a bandit. And yet I will not read aloud your letter, even though I have been justly provoked by you. In this you ask that I allow you to recall someone from exile, and you swear that you will not do this if I am unwilling. You obtained this from me. For why should I get in the way of your audacity, which neither the authority of this body, nor the reputation of the Roman people, nor any laws were able to restrain? But, nevertheless, what was the reason that you asked me this, if the person, about whom you asked, had been recalled by Caesar's law? Evidently you wished for a favor to come from me, although it could not even be counted as a favor from Caesar himself after his law had been passed!

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The restatement calls attention to a development in Cicero's characterization of Antony: what, in this particular context, would lead Cicero to move from describing Antony as stupid to describing him as crazy? At first, Cicero was emphasizing Antony's failure to foresee how events would transpire in a court, something that could conceivably be learned from an instructor in rhetoric. By the conclusion of this line of criticism, Cicero has proceeded from a critique of Antony as an orator to an attack on his ability to reason at all. Antony's fundamental inability to read and correctly interpret a letter is said to stem from a lack of sanity (*amentia*). While Cicero by the accusation of *inhumanitas* refers to Antony's failure to abide by norms governing civil conduct, through *amentia* Cicero brings into play another sense of *inhumanitas*, inhuman conduct. In accusing Antony of both *inhumanitas* and *amentia*, Cicero portrays him not only as unethical, but as lacking humanity all together.

In connection with this, Cicero establishes a mock judicial setting for his critique of Antony. In this setting, Cicero shifts from questioning Antony's ability to bring acceptable evidence against his adversary to revealing Antony's fundamental perversion of the legal system, which undermines the rule of law that should govern human beings. This passage is notably colored with judicial language: Cicero convicts (*convinco*) Antony of *amentia* in addition to *inhumanitas*; Antony's entire charge (*crimen*) is that Cicero addressed him too respectfully; although provoked, Cicero did not retaliate by reading Antony's letter, even though he would have been justified (*iure*) in doing so. At the end of the passage Cicero argues that Antony's request for a favor was irrational, since he was requesting something that had already been granted by a law of Caesar's (*Caesaris lex*). While Cicero in this passage is repeatedly trying to interpret Antony's actions within a valid legal framework, at its conclusion he suggests that Antony, even in his position as consul, disregards any legal framework for his actions.

Moreover, that Cicero shows that Antony disregards or is oblivious to a law that actually supports his actions makes the situation and Antony appear even more farcical and ridiculous. At the same time that he is positioning his clash with Antony in the schoolroom, then, Cicero compares the speech with the forensic activity that was the foundation of his public career and legacy. In connection with his role as *rhetor*, Cicero is suggesting that his judicial activity has been transmuted into a farce: his opponent is a bungling student of rhetoric, ignorant of fundamental aspects of civilized conduct.

Indeed, as Cicero further criticizes Antony's rhetorical gaffe, he lays claim to and demonstrates his own command and mastery of rhetoric. According to Cicero, his letter to Antony was filled with politeness, concern for duty, and kindness, and the only way Antony could use the letter against Cicero would entail incriminating himself. Here Cicero suggests that Antony has misread the letter, and so his inclusion of it in the speech was incompetent, in addition to inappropriate. Nevertheless, although Cicero has repeatedly decried Antony's lack of civility in reading a private letter to the Senate, in rounding off his discussion of the issue, Cicero provides Antony with an example of how a skilled speaker does this: after asserting that he will not read Antony's letter despite having been justly provoked,[76] Cicero presents its contents as best suits his argument and comments on the construct he has made himself. Here Cicero deftly employs *praeteritio* to arrive, via a more rhetorically sophisticated path—namely, by blowing smoke and obscuring transparency—at the end Antony aimed at in reading Cicero's letter aloud. Whereas Antony evidently thought that Cicero's letter was damning, Cicero uses fancy footwork to deflect the attack back onto Antony. Thus, in his first extended critique of Antony's speech,

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[76] Cf. Cicero's use of *lacessitus* here with *Phil*. 2.1.

Cicero offers a corrective example in response to Antony's rhetorical blunder, thus performing the role of instructor.

With this passage Cicero brings to a close his preliminary reply to Antony's speech, namely, Antony's charge that Cicero violated their friendship, which Cicero declared he would address first (*Phil.* 2.3). Accordingly, this passage, which critiques Antony's oratory and suggests that Antony's conduct cannot be accounted for in a legal framework, occurs at a pivotal point in the speech.[77] It brings Cicero's initial exposition to an end, and so gives emphasis and a sense of completeness to the characters that he has sketched and provides the reader with a break to reflect on them. Moreover, the closure that is effected by this transition is reinforced by ring composition within the passage, as Cicero repeats words that were deployed prominently at the outset of the speech: *crimen* recalls Cicero's treatment of Antony's *crimen* that Cicero had violated their friendship; *lacessitus* the oratorical attacks that Cicero has delivered and received for the sake of the Republic; *audacia* to Cicero's assertion that Antony is more *audax* than Catiline (*crimen, lacessitus, audacia, Phil.* 2.9). The ring composition at this juncture encourages the reader to understand this passage in light of the *exordium*, in which Cicero invited his reader to interpret the present conflict with Antony in consideration of history. Thus the warped presentation of law that occurs here at the end of Cicero's preliminary exposition in the speech underscores the contrast between Cicero's real oratorical performance and current fictional performance that had been an essential aspect of the *exordium*. Both reflect a frightening alternative world to that which Cicero strove to uphold throughout his career: eloquence has effectively been silenced and justice has lost meaningful points of reference.

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[77] As we shall see elsewhere (e.g. *Phil.* 2.43), invective passages occur at transitional points in the speech.

Cicero on his own invective (*Phil*. 2.10, *partitio*)

Cicero next turns to speak directly to the Senate and offers a broad outline (*partitio*) of the remainder of the speech. At this point Cicero makes a fresh start and lays out his intentions for the speech (*Phil*. 2.10):

> Sed cum mihi, patres conscripti, et pro me aliquid et in M. Antonium multa dicenda sint, alterum peto a vobis, ut me pro me dicentem benigne, alterum ipse efficiam, ut, contra illum cum dicam, attente audiatis. Simul illud oro: si meam cum in omni vita, tum in dicendo moderationem modestiamque cognostis, ne me hodie, cum isti, ut provocavit, respondero, oblitum esse putetis mei. Non tractabo ut consulem; ne ille quidem me ut consularem. Etsi ille nullo modo consul, vel quod ita vivit vel quod ita rem publicam gerit vel quod ita factus est; ego sine ulla controversia consularis.

> But since, Members of the Senate, something must be said on behalf of myself and much against M. Antony, I ask, on the one hand, that you listen favorably to me speaking on behalf of myself; on the other hand, I will make sure that you listen attentively when I speak against him. At the same time I ask this of you: if you are familiar with the moderation and modesty I display in all aspects of my life but especially when I speak, please do not think that I have forgotten myself today when I shall have respond to that man as he has provoked me. I shall not treat him as a consul. He has not even treated me as consular! Even though he is in no way a consul—whether because of the way he lives or because of the way he manages the state or because of the way he has turned out—while I am without any doubt consular.

This is one of the few instances in the *Second Philippic* where Cicero comments on his own speech and on its use of invective in particular, and here we can see him attempting to guide his audience towards an interpretation of his invective. Cicero's language here recalls one of the possible reasons for Antony's attacks offered near the outset of the speech, namely that Antony wanted to engage in a "contest of words" (*contentio dicendi*).[78] Whereas in the *exordium* Cicero rejected the initiation of such a contest as a motivation for Antony's attack, he nevertheless shows here that he sees the speech as one in which he speaks on behalf of himself and against

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[78] *Phil* 2.2: *An decertare mecum voluit contentione dicendi? Hoc quidem est beneficium. Quid enim plenius, quid uberius quam mihi et pro me et contra Antonium dicere?*

Antony. As Cicero's declaration of the theme of the speech recalls the earlier passage and

follows shortly after a passage in which he specifically critiqued Antony's oratorical abilities,

Cicero appears to be offering the *contentio dicendi* as an interpretative key for his own speech.

Cicero's interpretation of the present conflict as a "contest in words" is underscored by the

agonistic nature of Cicero's language (*pro me…contra illum*, "on behalf of myself...against

him") and by the confidence or even bravado with which he declares that he will make the

audience listen attentively (*attente audiatis*) to his attacks on Antony. This last jingling phrase is

dramatic and recalls the words of a prologue in a comedy.

In this claim, moreover, Cicero is displaying his oratorical skill in another fashion,

namely through an allusion to Demosthenes' *On the Crown*.[79] In that speech, as was noted

above, Demosthenes spoke in defense of Ctesiphon and his own public career, and in trying to

win the goodwill of the jury at the beginning of his oration, he stated that people naturally listen

with pleasure to abuse and accusation, but are annoyed by those who praise themselves.[80]

Although Cicero alludes to this passage here, he inverts Demosthenes' rhetoric, essentially

assuming the position of accuser that Aeschines, Demosthenes' bitter political rival, undertook in

the trial of Ctesiphon: he is confident that his audience will perk up to listen to his abuse of

Antony. So, although Cicero molds his persona after Demosthenes' persona in the *Philippics* as

a whole, and takes Demosthenes' *On the Crown* as his principal model in the *Second Philippic*,

his relationship with Demosthenes' speech in this passage is actually more complicated than it

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[79] Cf. Weische (1972) 100 for a discussion of the parallel.

[80] Dem. 18.3-4: ἕτερον δ', ὃ φύσει πᾶσιν ἀνθρώποις ὑπάρχει, τῶν μὲν λοιδοριῶν καὶ τῶν κατηγοριῶν ἀκούειν ἡδέως, τοῖς ἐπαινοῦσι δ' αὐτοὺς ἄχθεσθαι· τούτων τοίνυν ὃ μέν ἐστι πρὸς ἡδονήν, τούτῳ δέδοται, ὃ δὲ πᾶσιν ὡς ἔπος εἰπεῖν ἐνοχλεῖ, λοιπὸν ἐμοί.

may appear at first glance.[81] Moreover, here Cicero also asks that the audience forgive him for

not speaking with the modesty to which they are accustomed.[82] It was not uncommon for

speakers to ask to be excused for their abuse of their opponents; nevertheless, the ribald abuse

that usually follows such requests suggests that they are part of the joke. Cicero markedly does

not do fully embrace that position here, instead confidently asserting that the audience will

eagerly attend to his criticisms of Antony (*ipse efficiam, ut, contra illum cum dicam, attente*

audiatis, "I will make sure that you listen attentively when I speak against him" *Phil.* 2.10).

Thus, the audience's reaction to invective, like Cicero's own relationship to it, is difficult to pin

down. Again, however, at this pivotal point in the speech, his rhetoric suggests that the speech is

a meditation on oratory. This is accomplished by contextualizing the speech through backward

references, both to an earlier part of Cicero's *Second Philippic* (the *exordium*, *Phil.* 2.2, where

Cicero floats the idea that Antony was looking for a "contest of words") and to Demosthenes'

earlier, canonical speech that functioned as a chief model for Cicero. The complicated

relationships between models and the pleasure and revulsion felt towards invective by both

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[81] For instance, Cicero commences his attack on Antony in the *Second Philippic* with a scene that bears a striking resemblance to Aeschines' speech *Against Timarchus* 39-41 (*Phil.* 2.43-4). Moreover, Cicero's speech is of a fundamentally different character from Demosthenes' in a number of ways: Demosthenes reviews and defends his own career, while Cicero attacks Antony's career at length; self-praise is the dominant mode in Demosthenes' speech, whereas invective takes center stage in Cicero's; Demosthenes' speech was a real speech that had real results, whereas Cicero's is fictitious; following the confrontation between Aeschines and Demosthenes, Aeschines retired to Rhodes to teach rhetoric, but Cicero acts the part of the *rhetor* in this speech. Whereas Wooten (1983) is correct in identifying the preeminent place that Demosthenes occupies in Cicero's later rhetorical treatises, here in practice we find him drawing on a wider range of oratorical models.

[82] Demosthenes also offers a justification for his abuse in *On the Crown* (18.126): Ἐπειδὴ τοίνυν ἡ μὲν εὐσεβὴς καὶ δικαία ψῆφος ἅπασι δέδεικται, δεῖ δέ μ', ὡς ἔοικε, καίπερ οὐ φιλολοίδορον ὄντα, διὰ τὰς ὑπὸ τούτου βλασφημίας εἰρημένας ἀντὶ πολλῶν καὶ ψευδῶν αὐτὰ τἀναγκαιότατ' εἰπεῖν περὶ αὐτοῦ, καὶ δεῖξαι τίς ὢν κἀκ τίνων ῥᾳδίως οὕτως ἄρχει τοῦ κακῶς λέγειν, καὶ λόγους τινὰς διασύρει, αὐτὸς εἰρηκὼς ἃ τίς οὐκ ἂν ὤκνησεν τῶν μετρίων ἀνθρώπων φθέγξασθαι; Cf. also Dem. 18.11: τῶν πρότερον, καὶ νυνὶ παράσχεσθε. κακοήθης δ' ὤν, Αἰσχίνη, τοῦτο παντελῶς εὔηθες ᾠήθης, τοὺς περὶ τῶν πεπραγμένων καὶ πεπολιτευμένων λόγους ἀφέντα με πρὸς τὰς λοιδορίας τὰς παρὰ σοῦ τρέψεσθαι. οὐ δὴ ποιήσω τοῦτο· οὐχ οὕτω τετύφωμαι· ἀλλ' ὑπὲρ μὲν τῶν πεπολιτευμένων ἃ κατεψεύδου καὶ διέβαλλες ἐξετάσω, τῆς δὲ πομπείας ταύτης τῆς ἀνέδην γεγενημένης, ὕστερον, ἂν βουλομένοις ᾖ τουτοισί, μνησθήσομαι.

Cicero and his audience reflect the ironies and tensions inherent in a speech that was never delivered but is nevertheless written as if it were.

Consulships Compared (*Phil.* 2.11-20)

Cicero concludes the *partitio* by declaring that he will not treat Antony as a consul since he has not treated Cicero as a consular. In any case, Cicero continues, Antony has shown through his lifestyle and public actions that he is in no way a consul, whereas Cicero himself without any dispute is consular. Again, Cicero here is justifying the abuse that he will subsequently deliver, but he is also setting up his transition into his next topic, a comparison between his consulship and Antony's. This subject allows him to realize quite explicitly his proposed theme of speaking on his own behalf and against Antony.[83] This section of the text is important because in it Cicero comments specifically on Antony's abusive oratory and reflects poignantly on the past, in particular his own past achievements. I read the *Second Philippic* as a commentary on invective oratory that suggests that it, as well as Cicero's own career, is being superseded and left in the past. Cicero's speech is not a warm, living specimen of oratory, but a frozen text first and foremost, a relic of the past. It is inscribed more like a gravestone or an inscription on a monument than as a living speech, a monument to a now antiquated means of dispute settlement among the leading Romans. Cicero's defense of the consulship Antony attacked helps to illuminate both of these points.

Cicero as consul in 63 BC famously suppressed a conspiracy hatched by L. Sergius Catilina to overthrow the state. Cicero claims that Antony in his speech of September 19 had

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[83] The basic structure of this argument also resembles, or perhaps is derived from, an elementary exercise in the Roman rhetorical curriculum, namely the *comparatio* (comparison) of the *progymnasmata*, in which a student would compare two people and say which of the two was the better or which the worse. Cf. Quint. *Inst.* 2.4.21.

attacked his consulship, and from Cicero's defense here, it appears that Antony had focused on Cicero's use of violence and his cruelty. Moreover, as Antony is now consul, Cicero argues, his attack reveals the character of Antony's own consulship.

According to Cicero, Antony's attack on Cicero's consulship is one of four charges that Antony leveled at him and which Cicero refers to as the major charges (*maxima crimina*, *Phil.* 2.36). All of these major charges are fundamentally concerned with violence: Cicero used armed force during his consulship (11-20); he instigated the killing of Clodius (21-22); he detached Pompey from the friendship of Caesar and thus caused the Civil War (23-24); he instigated Caesar's murder (25-36). From the outset, Cicero has been building up a characterization of Antony that focuses on the threat of violence that Antony presents to the state, but here we are told that Antony had first attacked Cicero for his violence.[84] Thus, it is apparent that the violence that had plagued the Roman state over the previous twenty years is central to the conflict between Cicero and Antony. Cicero ridicules and dismisses some of these accusations; when he does not, however, as in the case of his actions during his consulship, he downplays and attempts to legitimize his own uses of violence and armed men. In the *Second Philippic*, the contrast is between the salutary use of violence during Cicero's consulship (although the details of the violent actions that he was responsible for are never offered) and Antony's pernicious use of violence. Cicero simply suggests that all the measures that he took in posting armed men on the Capitoline were for defensive purposes. In turn, he presents Antony as brutal, lawless, and destructive to the state. Violence is at the core of the *Second Philippic*, and in the speech Cicero

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[84] Over the course of Cicero's career, other political opponents had accused Cicero of violence as well. These accusations were largely centered around the summary executions of the conspirators during the suppression of the Catilinarian Conspiracy and his posting of armed guards on the Capitoline hill. Cf. Dunkle (1967) 165-6. Of course, Clodius was very successful in accusations of this sort, as Cicero was exile in 58 BC and his house on the Palatine Hill was razed.

probes an important question for political theory: what kind of violence is salutary for the state and should be allowed to operate within its institutions? Ultimately, however, the chief concern with violence in the *Second Philippic* centers on a comparison between Cicero's oratory and Antony's armed guards, that is, between metaphorical and real violence.

Cicero works out this comparison in part by criticizing Antony's abusive oratory. In the *refutatio* as a whole, Cicero attempts to nullify the effect of Antony's invective by answering all the charges that Antony made, but he also occasionally ridicules Antony's forays into vituperative rhetoric. The upshot of this critique is that Antony appears as a brute who lacks the intelligence and wit to get the better of his adversaries in a civic setting. Accordingly, one is led to conclude that he must make recourse to a threat of real violence. Cicero first tackles Antony's attempt to reproach Cicero by criticizing his consulship. Cicero, however, says it was really the senators' consulship, since everything that Cicero did in his consulship was done through the recommendations and approval of the senate. And so, Cicero claims, Antony has demonstrated his lack of oratorical skill and his stupidity by abusing (*vituperare*) his audience (*Phil*. 2.11):

> Haec tu homo sapiens, non solum eloquens, apud eos quorum consilio sapientiaque gesta sunt, ausus es <u>vituperare</u>? Quis autem, meum consulatum praeter te Publiumque Clodium qui <u>vituperaret</u>, inventus est? cuius quidem tibi fatum sicut C. Curioni manet, quoniam id domi tuae est, quod fuit illorum utrique fatale.

> Have you, you who are wise in addition to eloquent, dared to disparage these acts before the people by whose judgment and wisdom they were accomplished? But who has ever been discovered who disparaged my consulship besides you and Publius Clodius? And indeed, his fate awaits you just as it awaited Curio, since you have in your home what proved deadly to both of them.

The repetition of *vituperare* in this passage gives additional force to Cicero's attack on Antony's misguided abuse. It also nicely calls attention to Cicero's own exercise in *vituperatio* in this passage: Cicero ironically calls Antony a clever and eloquent man, associates him with Clodius,

a violent enemy of Cicero who suffered a violent and ignominious death, and takes a swipe at Antony's wife, Fulvia, who is what was "deadly" to both Clodius and Curio.[85] Here is another instance in which Cicero demonstrates his own competence and wit in the midst of his criticism of Antony's faulty oratory. Notably, all of Cicero's attacks in this passage are oblique, as he refrains from any outright insult. As a result, his deft and careful handling of abuse helps to place it in contrast with Antony's own clumsy invective.

Cicero responds along similar lines to Antony's complaint, as Cicero presents it, that Cicero did not return the body of Antony's stepfather, P. Cornelius Lentulus Sura, one of the executed Catilinarian co-conspirators, to his family for burial (*Phil*. 2.18). Cicero claims that he merely detected the conspiracy, whereas the Senate determined the punishment for the conspirators; and so Antony, in admitting that his stepfather was guilty but protesting the punishment he received, is praising Cicero's part in the affair and criticizing the Senate's: *Homo disertus non intellegit eum, quem contra dicit, laudari a se, eos, apud quos dicit, vituperari*, "This well-spoken man does not understand that he is praising the person against whom he is speaking, and blaming the people before whom he is speaking!" (*Phil*. 2.18). Antony again appears to be fundamentally mistaken about how one successfully deploys invective in a speech. Furthermore, the juxtaposition in this passage of *laudo* "praise" and *vitupero* "blame" recalls the two essential parts of the epideictic genre of oratory, *laus* "praise" and *vituperatio* "blame." In this sentence, Cicero's language is simple and is expressed in neatly balanced clauses. The symmetry and clarity of the sentence indicate the presumable ease with which one should be able to manage the two obviously different rhetorical modes of praise and blame, and so suggest that

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[85] Prior to her marriage with Antony, Fulvia had been married to Curio and Clodius, both of whom died violent deaths while married to her. Cicero to presents her as a bad luck charm or even a femme fatale. A Senate readership aware of Fulvia's previous marriages would appreciate Cicero's reference here.

Antony misunderstands a basic aspect of rhetoric. Moreover, the attention that Cicero gives to praise and blame recalls Cicero's own proclaimed objective in this speech, namely, to speak on behalf of himself and against Antony (*Phil*. 2.10). And so, in setting out in plain terms early on in the speech Antony's confusion about these fundamental classifications of rhetoric, Cicero is positioning his own use of praise and blame in the speech to stand in opposition to Antony's.

We also find in Cicero's defense of his consulship a reflection on the past, which, as it does elsewhere in the speech, induces pathos. In the speech Cicero depicts oratory—and himself—as relics of a past age. Cicero's consulship itself figures as a moment in time when all the leading men in the state united together against a common threat under a courageous and vigilant leader. In response to Antony's alleged disapproval of his consulship, Cicero produces a moving catalog of sixteen dead consulars who approved of it (*Phil*. 2.12). This lengthy catalog connects Cicero to leading Romans of older generations who have now passed, and Cicero claims that, for his services during his consulship, at a packed meeting of the Senate there was no one who did not thank him as a son thanks a parent (*nemo qui mihi non ut parenti gratias ageret*, *Phil*. 2.12). At the conclusion of this catalog, Cicero says that since the Republic is bereft (*orbata est*, *Phil*. 2.13) of so many great men, he will name the two remaining living consulars who supported him in his consulship. This list of formerly illustrious figures who are now deceased makes a poignant comment on the current state of the Republic: the older order, who were closely knit together like a family with *proper* family relationships, is dying out. In turn, they are being replaced by younger men like Antony and his associates, to whom Cicero gives names taken from low characters in Roman comedies, the parasites Phormio and Gnatho and the

arch-pimp Ballio.[86] This reference to Roman comedy is Cicero's own comedic touch and engenders contempt for Antony and his companions, but it follows a passage of deep pathos.[87]

Aristocratic Romans preserved wax masks (*imagines*) of their ancestors and family members wore these masks in funerary processions to showcase the age and historical significance of the family. The list of the deceased consulars resembles such a procession of dead ancestors, especially when one takes into account the language in this passage that draws on the sphere of the family (e.g. "parent," "bereft"). During the funerary rites it was customary for a male in the family to deliver a funeral oration (*laudatio funebris*), and perhaps Cicero's speech can be seen to contain elements from this particular oratorical genre.[88] Given the fact that the *Second Philippic* was never delivered, however, I suggest that Cicero himself figures more as a ghost, and the speech itself is a mask (*imago*) that captures and memorializes the man that he was. The *Second Philippic* is not real oratory, but rather a *simulacrum*.

IV. Sextus Clodius and Cicero the Rhetor (*Phil*. 2.42-3, *transitio*)

After concluding his review of Antony's speech from September 19, Cicero reflects on Antony's preparations for it under the guidance of Sextus Clodius (2.42):

> Haec ut colligeres, homo amentissime, tot dies in aliena villa declamasti?
> Quamquam tu quidem, ut tui familiarissimi dictitant, vini exhalandi, non ingenii
> acuendi causa declamas. At vero adhibes ioci causa magistrum suffragio tuo et

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[86] *Phil*. 2.14-5: *At ad quos refert? di immortales! Ad eos scilicet, quorum nobis etiam dies natales audiendi sunt. Hodie non descendit Antonius. Cur? Dat nataliciam in hortis. Cui? Neminem nominabo; putate tum Phormioni alicui, tum Gnathoni, tum etiam Ballioni.*

[87] For studies of the elements of Roman comedy in the *Second Philippic*, see Hammer (1905), Hughes (1987) 129-65, Sussman (1994), (1998).

[88] Dufallo (2007) 55-66 examines some of the connections that the *Second Philippic* has with the *laudatio funebris*. The resemblance between Cicero's rhetorical treatise the *Brutus* (46 BC) and the *laudatio funebris* was first discussed by Haenni (1905) and that treatise can be read as a funeral oration for oratory.

compotorum tuorum rhetorem, cui concessisti, ut in te, quae vellet, diceret,
salsum omnino hominem, sed materia facilis in te et in tuos dicta dicere.

Was it to put together that stuff, you total crazy man, that you spent so many days
declaiming in another man's country home? Although, to be fair, it is, as your
closest friends insist, for the sake of exhaling wine, not sharpening your mind that
you declaim. But surely it was for fun that you and your drinking buddies elected
to establish a *rhetor* as the master of ceremonies, to whom you gave permission to
speak as he wished against you—a witty man, by all means, but material is easy
enough to come by for cracking jokes against you and your kind.

This irruption of invective occurs at a pivotal moment in the speech, as Cicero transitions

from refuting Antony's speech and the charges leveled against him (2.3-44) to his own extended

attack on Antony's career (2.44-111). This small section then functions as a pleasant sorbet that

is served in between courses to refresh the reader's palate. In this passage several familiar

charges against Antony are closely woven together with Antony's oratorical failure: stupidity,

unlawful possession of other men's property, immoderate bibulousness.[89] Nevertheless,

Antony's excessive consumption of wine is the most pronounced charge. Antony's "oratorical

training" was really just drinking bouts and hangover treatments, and Cicero's picture here draws

again on the discourse that equates transgressive consumption with transgressive speech.

Moreover, the context and Cicero's language show that Antony has utterly confused leisure and

state business: his preparations for a Senate speech are conducted over cups, and the right of

suffrage, vital to the functioning of the Republic, is here reduced to electing a symposiarch.[90]

Antony's excessive appetite is thus shown both to corrupt two institutions that are fundamental

to Rome's political structure and Cicero's own career, and to turn a *rhetor* into a clown. Indeed,

this latter charge is really a twist of the knife, since it ought to be beneath a consular like Antony

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[89] These charges cannot be narrowly confined to the traits (*vis, superbia, libido, crudelitas*) that are offered by
Dunkle (1967) 168-9 as the bases for the construction of a tyrant in Roman political invective.

[90] The Latin word *magister* that I have translated as "master of ceremonies" (following Shackleton Bailey [1986]), is
a play on Clodius' role as *magister*, that is, teacher, to Antony, for which see *Phil*. 2.8.

to hire a rhetorician to help him compose a speech. Nevertheless, as Cicero here is demonstrating the ease with which he himself can heap insults on Antony after he has just picked apart his speech, his role recalls Sextus Clodius' own. To an extent, this is bitterly appropriate: for fun, in the artificial atmosphere of a symposium, Clodius, a teacher of rhetoric, got the opportunity to rule over Antony and the other leading men of Rome and speak as he wished against them; similarly, Cicero in a fictive speech, a declamation, is able to say what he wants without immediately feeling the repercussions of his words.

V. Other instances of Antony's oratory

Aside from Antony's speech from September 19 (which Cicero responds to at length), Cicero comments in close succession in the text on three other speeches that Antony delivered during 44 BC: an invective against Dolabella on January 1, 44 BC; a speech at a *contio* at the Lupercalia in February 44; and the funeral oration for Caesar delivered on March 20, 44. According to Cicero, Antony's oratory is always transgressive: at best it is stupid, offensive, or shameful, and at worst it aims at despotism or induces disorder and violence. In analyzing Cicero's remarks on these speeches, however, it is necessary to emphasize that Cicero's characterization of them is his own construction. Indeed, for the first two speeches Cicero is essentially our only source.[91] Apart from Cicero's speeches, the only other reference to either speech is found Cassius Dio's history: Fufius Calenus, in his invective against Cicero, and in particular his attack on Cicero's attack on Antony's actions at the Lupercalia, reports Cicero as claiming that what he blamed most was that Antony addressed the people virtually nude and said

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[91] For all three of these speeches, see Mahy (2013) 336-40. Mahy (2013) attempts to give a balanced assessment of Antony's oratory throughout his career, and as was noted above (n. 21), concludes that Antony was a competent but "not invariably successful" speaker (344).

the things that he did (46.5). Even in Dio's account then, it appears that this line of criticism was especially associated with Cicero.

To take Cicero's presentations of Antony's speeches in chronological order, on January 1, 44 Antony in anger declared in the Senate that his hatred for Dolabella arose from Antony's discovery that Dolabella had had "lewd relations" (*stuprum*) with both Antony's cousin and Antony's wife.[92] Cicero asks who is able to determine whether this profane accusation that was made before a full senate and Antony's uncle is more shameless, wicked, vile, or cruel.[93] Antony, in bringing up this charge, aimed to discredit Dolabella, yet from Cicero's reaction, it appears that Antony has succeeded only in offending everyone and disgracing himself. In particular, we see that here again Cicero is critiquing Antony's attempt at invective, saying, in effect, "At long last, have you no decency?" Whereas in the case of Antony's attack on Cicero's consulship Cicero focused primarily on Antony's stupidity, in the present case he draws attention to Antony's cruelty and shamelessness. Antony's speech against Dolabella not only was a breach of rhetorical decorum, it also revealed Antony's character as a degenerate.

Nevertheless, whether he says that Antony is stupid or shameless, Cicero's criticisms are rhetorical constructions, which is more important than their basis in reality. Even in the midst of abuse, Cicero lays claim to his own personal restraint when it comes to abuse. After concluding his response to Antony's speech from September 19 (the *refutatio*, 2.3-43), Cicero begins his

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[92] *Phil.* 2.80: *Hic autem iratus quae dixit, di boni!* "But what things this man said in his anger, good gods!" 2.99: *Contentus eo non fuisti; frequentissimo senatu Kalendis Ianuariis sedente patruo hanc tibi esse cum Dolabella causam odi dicere ausus es, quod ab eo sorori et uxori tuae stuprum oblatum esse comperisses.* "You were not content with this alone. In a full meeting of the Senate on the first of January, with his uncle being present, you dared to say that this was the cause of hatred between yourself and Dolablla, that you had discovered that Dolabella had engaged in disgraceful relations with your cousin and your wife." On this speech cf. Mahy (2013) 337.

[93] *Phil.* 2.99: *Quis interpretari potest, inpudentiorne, qui in senatu, an inprobior, qui in Dolabellam, an inpurior, qui patruo audiente, an crudelior, qui in illam miseram tam spurce, tam impie dixeris?* "When you have said such foul and wicked things, who is able to decide whether you are more shameful for having said them before the Senate, more unjust for having uttered them against Dolabella, more vile that you voiced them in your uncle's hearing, or more cruel that you directed them against that poor girl?"

own attack on Antony (the *confirmatio* 2.44-114) by starting from Antony's youth. In Cicero's slanderous account, Antony upon coming of age sold his sexual services for a fixed price before Curio released him from this business by taking him as wife; thereafter, although Curio's father kept throwing Antony out of the house, Antony was so devoted to serving Curio that he would sneak into the house by night through the roof tiles (*Phil*. 2.44-5).[94] Nevertheless, after this most notorious passage in which he talks about Antony's dishonorable behavior, Cicero says that he is not going to talk about Antony's dishonorable behavior: *Sed iam stupra et flagitia omittamus: sunt quaedam, quae honeste non possum dicere; tu autem eo liberior, quod ea in te admisisti, quae a verecundo inimico audire non posses*. "But let us now pass over these lewd and disgraceful acts: there are some things that I am not able to say with a sense of decency. But consider how much less restrained you are: you allowed things to be done to you that you are not able to hear from an enemy who has a sense of shame!" (*Phil*. 2.47). In this passage, Cicero both levels scandalous accusations at Antony and states that he cannot mention some of Antony's acts on account of their disgraceful nature.[95] From Cicero's rhetorical maneuvers here, it appears that the shame and restraint that keep a speaker from attacking an opponent can actually be ways of attacking an opponent. Accordingly, it is plausible that Cicero, in finding fault with Antony's offensive speech against Dolabella, is not operating in light of fixed standards of rhetorical decorum, but by whatever standards are rhetorically advantageous at the moment. What is most important for Cicero is to fashion a caricature of Antony as a poor speaker who lacks a sense of decency, and to set his own oratorical skills and restraint as a foil to this caricature.

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[94] This passage has close similarities with Aeschines' description (39-41) of Timarchus' youth in his speech *Against Timarchus* (346/5 BC). Cf. Weische (1972) 101-2 for a discussion of the parallel.

[95] Cf. Cicero's request to the audience in the *partitio* to be excused for the type of language he will use in the speech (*Phil*. 2.10): *Simul illud oro: si meam cum in omni vita, tum in dicendo moderationem modestiamque cognostis, ne me hodie, cum isti, ut provocavit, respondero, oblitum esse putetis mei*.

The second speech that Cicero reviews occurred in connection with the Lupercalia, the annual religious festival held in February in honor of the god Lupercus. At this festival in 44 BC, Antony, as a Lupercus, one of the priests of the festival, wearing only the loincloth that was required of the Luperci, notoriously offered Caesar a diadem. This was presumably a symbolic move to declare Caesar king, and Caesar refused the diadem to the applause of the people. Cicero interprets this episode as indicating that Antony wished to subject himself and the Roman people to slavery. After this offer, Antony, still clothed only in the loincloth, made a public speech to the people, and Cicero again sarcastically praises Antony's eloquence on the occasion: *O praeclaram illam eloquentiam tuam, cum es nudus contionatus! Quid hoc turpius, quid foedius, quid suppliciis omnibus dignius? Num exspectas, dum te stimulis fodiamus? Haec te, si ullam partem habes sensus, lacerat, haec cruentat oratio*. "O, what splendid eloquence was yours when you addressed the people in the nude! What is more shameful, what more foul, what more deserving of all punishments? You're not waiting for us to dig into you with cattle prods, are you? If you have but a bit of feeling, this speech tears you, it leaves you bloody!" (*Phil*. 2.86). Antony delivered a speech before the people, as was his right as a magistrate, but demeaned himself and the office of consul by doing so in the semi-nude. Antony exposed himself, and in recounting the episode Cicero is exposing Antony again. In turn, Cicero treats Antony like a beast of burden or a slave (which Antony was acting like) who is receiving punishment. Antony's exposure of his actual body allows Cicero to wound him metaphorically with the goads of oratory. This is the most vivid and developed expression of the metaphorical violence of oratory in the *Second Philippic*, and it comes in the context of criticizing Antony's own transgressions in speaking. As Cicero sets the scene up, there is a parallel in vulnerability for Antony in being nude and in giving a speech. Antony is at his most vulnerable when he is

dressed in strips of bloody goatskin and giving an oration; in contrast, his power is most evident

when he is surrounded by armed guards in the Senate, a display which Cicero claims deterred

him from delivering his actual speech. Indeed, the threat of real violence against Cicero casts a

long shadow over these remarks. As cutting as Cicero's attack may be, his oratorical violence

will always be metaphorical and so removed from the reality of life, just as the *Second Philippic*

itself is.

As Cicero presents them, the last of Antony's speeches from 44 BC is the funeral speech

(*laudatio funebris*) that Antony gave for Julius Caesar in the Forum on March 20, five days after

the dictator was assassinated.[96] The Roman people at Caesar's funeral reacted to Antony's

speech with emotional frenzy, and after it they spontaneously constructed and ignited a funeral

pyre for Caesar in the forum, burned down the house of one of the assassins (L. Bellienus), tore

to pieces a man (C. Helvius Cinna) mistakenly thought to be one of the assassins, and searched

through the city for the others.[97] Cicero makes Antony's speech responsible for this destructive

and violent outburst, himself decrying this in a grand, emotional style (*Phil*. 2.90-1):

> Etsi tum, cum optimum te putabant me quidem dissentiente, funeri tyranni, si
> illud funus fuit, sceleratissime praefuisti. Tua illa pulchra laudatio, tua miseratio,
> tua cohortatio; tu, tu, inquam, illas faces incendisti, et eas, quibus semustilatus ille
> est, et eas, quibus incensa L. Bellieni domus deflagravit; tu illos impetus
> perditorum hominum et ex maxima parte servorum, quos nos vi manuque
> reppulimus, in nostras domos inmisisti.

> Even then, when people thought that you were the best of men (I indeed was of a
> different opinion), you presided most criminally over the funeral of a tyrant, *if*
> that was a funeral. That was *your* beautiful tribute, *your* pathos, *your* exhortation:
> *you*, *you*, I say, lit those torches, both those with which the man was half cremated
> and those by which the house of L. Bellienus was ignited and burnt to the ground.
> *You* sent those forces of wicked people, slaves for the greatest part, against our
> homes, whom we beat back with the force of our bare hands.

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[96] Cf. Mahy (2013) 339-40 for a discussion of Antony's speech.

[97] Cf. Frisch (1946) 60-2.

In contrast to the other speeches of Antony that we have looked at, in this passage we encounter an apparently successful and moving speech. Too successful—the incendiary speech results in a riot, and so is concordant with Antony's violent behavior in general. According to Cicero, Antony's actions as a consul are characterized in some part by violence, and this has seeped into Antony's oratory and is then communicated to his audience. Throughout the passage Cicero emphasizes Antony's agency in inciting the tumult by repetition of *tua* and *tu*, and so makes him appear to be directly responsible for the destruction that followed his funeral oration. The repetition, particularly of *tu*, signifies an emotional climax in Cicero's speech, and here Cicero combats Antony's pathos with his own. Cicero speaks in his rhetorical treatises of setting the listeners afire with a speech,[98] and an emotive style is most effective for this. In Antony's speech, however, this metaphor is frightfully made literal, as the audience actually set fire to the city. In contrast to the metaphorical language of Cicero's speech, Antony' speech incites violence and destruction, which in turn can only be repelled with further violence (*vi manuque reppulimus*). And so, throughout the *Second Philippic* not only does the threat of violence that Antony poses stand in opposition to Cicero's oratory, but also the violence that Antony incites with his own effective speech.

VI. Forget the Past (*Phil.* 2.112)

In the *confirmatio* (*Phil.* 2.44-114), Cicero criticizes and slanders Antony's personal life and public career, beginning with the infamous description of Antony's youthful amours with Gaius Curio and continuing through his arrogation of power after the assassination of Caesar. Following a direct address to Antony near the end of the *confirmatio* in which Cicero asks what

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[98] E.g. *Orat*. 26.

display of eloquence Antony will make in response to Cicero's long oration (*Phil.* 2.111), the

irony of the speech reaches a peak as Cicero declares that they should look past the past (*Phil.*

2.112):

> Sed praeterita omittamus: hunc unum diem, unum, inquam, hodiernum diem, hoc
> punctum temporis, quo loquor, defende, si potes. Cur armatorum corona senatus
> saeptus est, cur me tui satellites cum gladiis audiunt, cur valvae Concordiae non
> patent, cur homines omnium gentium maxime barbaros, Ityraeos, cum sagittis
> deducis in forum? Praesidii sui causa se facere dicit. Non igitur miliens perire est
> melius quam in sua civitate sine armatorum praesidio non posse vivere? Sed
> nullum est istud, mihi crede, praesidium; caritate te et benivolentia civium
> saeptum oportet esse, non armis.

> But let us pass over the past: this one day, *this* one day today, I say, *this* point in
> time at which I am speaking, defend it, if you can. Why is the senate surrounded
> by a ring of armed men? Why are your bodyguards with swords in hand in the
> audience? Why are the doors of the Temple of Concord not open? Why do you
> lead those most barbarous of all peoples, the Ityraeans, armed with arrows down
> into the Forum? He claims that he does it for his own protection. But is it not
> better to die a thousand times than not to be able to live in one's own community
> without the protection of arms? But take my word for it: *that* is no protection;
> you ought to be surrounded by the affectionate goodwill of your fellow citizens,
> not arms.

The pronounced and concentrated focus on the day of the fictitious delivery of the speech

produces substantial irony: "today" (*hodiernum diem*) is the past, since at the moment that

Cicero wrote the speech, "today," i.e. September 19, had already passed. In the fictitious

dramatic context that Cicero creates, it might be possible for Antony and the audience to leave

the past aside, but for readers of Cicero's *Second Philippic* it has always been impossible. As we

observed in Cicero's first description of the fictitious delivery of the speech (*Phil.* 2.8-10),

Cicero in this passage simultaneously creates the appearance of a delivered speech through a

portrayal of the setting and provides the alleged reason why the speech was not delivered (he was

too afraid of Antony's armed men to attend the Senate meeting). The dramatic pause between

the string of questions and *praesidii* leaves a space for Antony's reply, and in that imaginary

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space the silence shows how far present speech is removed from the noisy atmospheres of the *curia* or the Forum.

As for Cicero himself, he obviously is in no way leaving the past aside: the *Second Philippic*, after all, focuses on a day in the past, and at various points throughout the speech Cicero asks his dramatic audience and the readers to recall the past glories of the Republic. Nevertheless, insofar as Cicero has composed a fictitious speech that re-imagines a past event, he is seeking to revise and rewrite the past.[99] And so, in invoking the past through an emphatic, stylized[100] description of the armed men that Antony has stationed around the Senate, Cicero is paradoxically recreating the past by placing himself in the Temple of Concord before the Senate on September 19. Moreover, the striking ironic disjunction between Cicero's words and historical reality amplifies Cicero's critique of the armed guards in this passage: the text of the speech itself suggests that the armed men stand in conflict with the principles of civic life; and considering that the armed men intimidated Cicero to such an extent that he did not attend the Senate meeting, they provide an historical example to support this suggestion. This conflict is enunciated in clear-cut terms at the end of this passage by the contrast between *caritas* and *benevolentia* on the one hand and *arma* on the other.

VII. *Peroratio* (*Phil.* 2.115-9)

The themes of recollection and memory are first introduced at the beginning of the speech when Cicero asks the audience to recall (*vobiscum ipsi recordamini*, *Phil.* 2.1) that in the

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[99] Such a reimagining and rewriting of the past is something the declaimers in subsequent generations would also do in the *suasoriae* that focused on Cicero and Antony (Sen. *Suas.* 6, 7).

[100] The repetition of a single word at the beginning of successive (*cur*, "why" in the present passage) is a figure of diction called *repetitio*/ἐπαναφορά that is discussed in the rhetorical handbooks (*Rhet. Her.* 4.19, Quint. *Inst.* 9.3.30; cf. Lausberg §§629-30, Arist. *Rhet.* 3.1414a).

last twenty years no enemy of the Roman state has not also been a personal enemy of Cicero. Nevertheless, the prominence of these themes is not fully realized until the concluding peroration (*Phil*. 2.115-9).[101] The first word of the *peroratio* is *recordare* ("remember"), as Cicero asks Antony to recall the day that he abolished the office of dictator at Rome in the aftermath of Caesar's death: *Recordare igitur illum, M. Antoni, diem, quo dictaturam sustulisti; pone ante oculos laetitiam senatus populique Romani, confer cum hac nundinatione tua tuorumque; tum intelleges, quantum inter lucrum et laudem intersit*, "Therefore, Antony, remember that day when you abolished the office of dictator. Place before your eyes the joy of the Senate and the people of Rome. Compare it with this trafficking of yours and your followers. *Then* you will understand how great a difference there is between monetary profit and praise" (*Phil*. 2.115). In this passage, there is a strong emphasis on the visual sense, as Cicero encourages Antony, and the reader, to put the past before their eyes (*pone ante oculos*), which essentially amounts to the rhetorical figure of *enargeia*. In addition to its function of vividly reminding Antony of the joy he was responsible for in doing away with the dictatorship, *recordare* at the outset of the *peroratio* also recalls *recordamini* at the beginning of the speech (*Phil*. 2.1). The use of *recordari* in the *exordium* specifically prompted the reader to look back to the oratorical confrontations that Cicero engaged in with his adversaries earlier in his career. In an instance of ring-composition, this historical backdrop is invoked again at the beginning of the *peroratio*: the readers of the speech are subtly reminded that all that Cicero has written against Antony in the *Second Philippic* ought to be measured against his actual oratory, and are exhorted to do so in visual terms, thinking of Cicero in the Temple of Concord.

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[101] On *memoria* in the *Second Philippic* cf. Butler (2002) 121-2 and 150 n. 2.

Shortly afterwards in the *peroratio*, Cicero asks Antony to look back upon (to remember, to envision) the Republic (*Phil*. 2.118-9):

> Respice, quaeso, aliquando rem publicam; quibus ortus sis, non quibuscum vivas, considera; mecum, ut voles, redi cum re publica in gratiam. Sed de te tu videris, ego de me ipse profitebor. Defendi rem publicam adulescens, non deseram senex; contempsi Catilinae gladios, non pertimescam tuos. Quin etiam corpus libenter optulerim, si repraesentari morte mea libertas civitatis potest, ut aliquando dolor populi Romani pariat, quod iam diu parturit. Etenim, si abhinc annos prope viginti hoc ipso in templo negavi posse mortem immaturam esse consulari, quanto verius non negabo seni!

> Look back, please, at last upon the Republic. Consider from whom you are descended, not with whom you live. Do with me as you wish, but return into good favor with the Republic. But you will see to yourself. As for me, however, let this be known: I defended the Republic as a young man—I will not abandon her now that I am old. I viewed the swords of Catiline with contempt; I will not grow frightened at yours. Indeed, I would even freely offer my body—if the freedom of the state can be revived with my death—so that the tribulation of the Roman people at last might bring forth what it now for a long time has been in labor with. For if nearly twenty years ago in this very temple I declared that death cannot be untimely for a man of consular rank, how much more truly will I declare that such is the case for an old man!

A basic tenet of rhetorical theory is that an important speech should exhibit heightened pathos in the peroration.[102] An important device for achieving this effect, which Cicero deployed in perorations but also in other parts of the speeches, is the use of imperatives that ask the audience to remember or place before their eyes scenes of misery or injustice: the imagination is capable of amplifying and making the orator's words more vivid.[103] While there are several passages of intense pathos in the *Second Philippic*, in the *peroratio* Cicero's rhetoric reaches an emotional climax. In the present passage, Cicero's imperatives are addressed to Antony, but precisely because Cicero feared to address Antony in the Senate on September 19, where he might have tried to guide him to a different course (as he is ostensibly doing in this passage), it is fair to

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[102] Cf. Winterbottom (2004) on Cicero's use of the *peroratio*.

[103] E.g. Cic. *Sex. Rosc*. 98, *Sull*. 19, 72, *Cael*. 79, *Balb*. 65.

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conclude that Antony is not the sole or even the principal addressee of these words. The reader, rather, is the primary addressee, who would recall not only Antony's abolishment of the dictatorship, but also the Senate meeting on September 19 that Cicero did not attend. Accordingly, augmenting their usual function, these appeals at the conclusion of the *Second Philippic* have an additional layer of significance: an informed reader would also imagine Cicero actually saying these words and would recall the times that he did speak undeterred by the imminent threat of violence. Cicero thus utilizes a common rhetorical device in a special way that encourages the reader to reflect upon the place of oratory under an autocratic and tyrannical ruler, and to compare the differences between the past and the present, an oration and a pamphlet.

The explicit reference to the Temple of Concord in this passage, where the Senate met on September 19, also contributes to the emphasis on memory in the *peroratio*. The dramatic location of the speech is invoked on several occasions in the speech, and it functions throughout the text as a reminder or symbol of Cicero's successful opposition to tyranny. The memory of Cicero's past acts on behalf of the Republic are preserved in the temple, as it were. For one, Cicero delivered the *First Philippic* at the Senate meeting at this temple on September 2. More importantly, however, the Temple of Concord is the location where the senatorial debate took place that decided the fate of the conspirators during the Catilinarian Conspiracy in 63 BC.[104] In the course of this debate Cicero delivered the *Fourth Catilinarian*, and the leading role that he played in the suppression of the conspiracy was for him a defining moment in his career and in the history of the Roman Republic. That Cicero wishes the reader to recall this moment in

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[104] Ramsey (2003) ad 2.15 notes that Cicero chose the Temple of Concord for the meeting place on December 3-5, 63 BC because it was easier to fortify with armed forces than the Curia Hostilia, the normal meeting place for the Senate at this time. Although the Curia Hostilia had been demolished by 44 BC, perhaps Antony chose the temple as a meeting place for similar reasons.

particular is clear from the reference in this passage to the swords of Catiline. Moreover, the contrast between Antony's weapons and Cicero's words is enhanced by the very nature of the temple: it is one of several temples in Rome that were consecrated to *Concordia*, the goddess of concord, following instances of civil strife amongst the Romans.[105]

Ironically enough, however, in not attending the Senate meeting on September 19, Cicero showed that he feared Antony's swords in actuality, not just rhetorically. Indeed, in the real world the swords prevailed. This takes us back to the passage from Juvenal's *Tenth Satire*. In the *peroratio* of the *Second Philippic*, Cicero asks his readers to remember and, as Juvenal's allusion to Cicero's own words shows (*Antoni gladios potuit contemnere*, < *contempsi Catilinae gladios*), they did remember. Just as Cicero treats the Temple of Concord as a reminder of his role in putting down the Catilinarian Conspiracy, the text of Cicero's speech remains as a monument to his fight against tyranny. And the undelivered, literary *Second Philippic* is a record to the silence to which Cicero ultimately succumbed.

VIII. Aftermath

Cicero finished composing the *Second Philippic* away from Rome at his country estate in Puteoli in October 44 BC. Antony departed Rome for his consular provinces in Gaul on the night of November 28/9, and Cicero returned to Rome on December 9. Beginning with the Senate meeting on December 20, during which Cicero delivered the *Third Philippic*, he took an active and at times leading role in the senatorial resistance to Antony. Cicero contended that Antony was a tyrannical enemy of the Roman state who could only be overcome by open war.[106]

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[105] Cf. *BNP Concordia*. On the establishment of the Temple of Concord by Camillus, cf. Plu. *Cam*. 42.4.

[106] Thus we can see that Cicero's staunch opposition to Antony's violence in the *Second Philippic* is in part a product of Cicero's rhetorical program in the speech. But as the famous line "*Cedant arma togae, concedat laurea*

The primary testaments to his role in this struggle are the twelve speeches that Cicero delivered before the Senate or people of Rome between December 20, 44 BC and April 21, 43 BC and afterwards published (*Philippics* 3-14). In April of 43, Antony was defeated in two successive battles by forces led by the consuls Pansa and Hirtius, and Cicero's latest surviving speech (*Phil.* 14) presents the orator in triumph, as he proposes honors for the victorious Roman commanders and soldiers. In the wake of these battles, Antony was declared a *hostis* "public enemy" by the Senate, something Cicero had been trying to bring about since January. In order to survive, Antony had to make a difficult and desperate passage across the Alps with the remnants of his army. Survive he did, however, and on November 27, 43 BC he formed the Second Triumvirate with M. Aemilius Lepidus and the twenty-year-old Octavian, Julius Caesar's heir and the future emperor Augustus.[107] The Second Triumvirate was a legally recognized alliance of these three men that was tasked with "settling the Republic" (*tresviri rei publicae constituendae*). Among the Second Triumvirate's first actions was the business of purging the state of their enemies and acquiring the funds they needed to pay their loyal soldiers. To serve both ends, they resorted to the practice of proscription: they compiled a list of some 300 men who were marked for death and whose property was to be confiscated.[108]

Due to his leading role in the resistance to Antony (in which Octavian himself had played an instrumental role), Cicero's name was at the top of this proscription list, along with those of his son, brother, and nephew. On December 7, 43 BC Cicero calmly offered his neck to his executioners, one of whom, according to Plutarch's second century AD biography, Cicero had

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laudi" from Cicero's *De Suo Consulato* shows, throughout his career Cicero took pride in his promotion of peace instead of violence.

[107] I follow the convention of referring to Augustus as Octavius from his birth until his adoption by Julius Caesar in 44 BC, Octavian from 44 BC to 27 BC, and Augustus from 27 BC to his death in 14 AD.

[108] On the Roman proscriptions, see Hinard (1985).

once successfully defended on a capital charge. Cicero's severed head and hands ("the hands with which he wrote the *Philippics*" [τὰς χεῖρας…αἷς τοὺς Φιλιππικοὺς ἔγραψεν, Plut. *Cic*. 48.4]) were brought to Antony, who had them fastened to the Rostra, the speaking platform in the Forum, from which Cicero had formerly addressed the people of Rome as the leading man in the state. As Plutarch writes, it was an awful sight for the Romans, believing that they saw in it not the face of Cicero but a reflection of Antony's soul.[109]

Following this grisly account of Cicero's end, Plutarch looks ahead many years to a scene involving the emperor Augustus, long established as the sole ruler of Rome. Cicero, as we have seen, identified himself with the Republic, and it was under Augustus' rule that the political transition of Rome from Republic to Principate was effectively accomplished. In the years following Cicero's death, the triumvirs came into conflict with each other, and Octavian's defeat of Antony and Cleopatra at the Battle of Actium in 31 BC gave him sole control over Rome's vast and powerful empire. In Plutarch's account, an older Augustus discovers his young grandson with a work of Cicero in his hands (*Cic*. 49.3):

> Πυνθάνομαι δὲ Καίσαρα χρόνοις πολλοῖς ὕστερον εἰσελθεῖν πρὸς ἕνα τῶν θυγατριδῶν· τὸν δὲ βιβλίον ἔχοντα Κικέρωνος ἐν ταῖς χερσίν, ἐκπλαγέντα τῷ ἱματίῳ περικαλύπτειν· ἰδόντα δὲ τὸν Καίσαρα λαβεῖν καὶ διελθεῖν ἑστῶτα μέρος πολὺ τοῦ βιβλίου, πάλιν δ' ἀποδιδόντα τῷ μειρακίῳ φάναι "λόγιος ἀνὴρ, ὦ παῖ, λόγιος καὶ φιλόπατρις."

> I have learned that many years later Caesar [Augustus] came upon one of his grandsons. He was holding a book of Cicero's in his hands, and, surprised by Augustus' entry, he was covering the book with his cloak. Seeing this, Augustus took the book from him, and still standing, he read through a large part of the work. Handing the book back to the youth, he said, "An eloquent man, my child, eloquent and patriotic."

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[109] Plut. *Cic*. 49.1: τὴν δὲ κεφαλὴν καὶ τὰς χεῖρας ἐκέλευσεν ὑπὲρ τῶν ἐμβόλων ἐπὶ τοῦ βήματος θεῖναι, θέαμα Ῥωμαίοις φρικτόν, οὐ τὸ Κικέρωνος ὁρᾶν πρόσωπον οἰομένοις, ἀλλὰ τῆς Ἀντωνίου ψυχῆς εἰκόνα.

This passage is especially moving because it depicts Augustus, now in old age, reflecting back upon the man he gave Antony permission to kill many years before, when Augustus himself was young and at an early stage in what would become a struggle for supreme power in the Roman world. As Augustus takes the book and reads it, time in Plutarch's account slows down. Augustus pauses and remains standing while he reads a large part of the work, seemingly getting lost in Cicero's words and the memories of the man that he knew long ago. What was Augustus thinking when he read this?

The scene described by Plutarch recalls an exchange between the older man Socrates and the younger Phaedrus in Plato's *Phaedrus* (228d-e). In Plato's suggestive scene, Socrates draws attention to the cylindrical-shaped object that Phaedrus has in his hand under his cloak; Phaedrus eventually reveals the papyrus roll containing Lysias' speech and with Socrates' encouragement he reads it aloud. In Plutarch's account, Augustus simply takes the book from his grandson and reads it himself. Whereas we get to read the invented words of Lysias in Plato's dialogue, in Plutarch we only hear Augustus' succinct assessment: λόγιος ἀνὴρ, ὦ παῖ, λόγιος καὶ φιλόπατρις, "An eloquent man, my child, eloquent and patriotic." It is ironic that, eloquent as Cicero was, his words are suppressed, and in their place we can only read the terse statement of another. Augustus' remark, however, brief as it is, speaks volumes. As Augustus declares, Cicero was, first and foremost, λόγιος, "eloquent," and when it became clear that force of arms was the true guarantor of power in Rome, he fell victim to the sword. Plutarch's reports that the murder of Cicero was a response to his eloquence, and the detail that one of his executioners was a man whom he had defended, reinforce the fact that Cicero's eloquence was not able to fend off the blade of the men sent to kill him. Appearing in Plutarch's text shortly after his account of Cicero's death by the order of Antony, Augustus' positive assessment of Cicero also hints at his

weakness: he loved his country, but he kept to words when the other combatants had taken up deadly weapons.

Later generations of Roman authors saw in Cicero's death a symbolic event that marked the end of the Republic.[110] Seneca the Elder, writing in the 30s AD, claims that no eloquent man lamented Cicero's death better than the Augustan epic poet Cornelius Severus (*Suas*. 6.26):

> abstulit una dies aevi decus, ictaque luctu
> conticuit Latiae tristis facundia linguae.
> unica sollicitis quondam tutela salusque,
> egregium semper patriae caput, ille senatus
> vindex, ille fori, legum ritusque togaeque,
> publica vox saevis aeternum obmutuit armis.

> One day took away the glory of an age, and stricken with sorrow the sad eloquence of the Latin tongue fell silent. Once the singular guard and salvation for the distressed, always the eminent head of the country, he the defender of the Senate, he of the forum, of the laws and rites and civic life, the public voice: forever silenced by cruel arms.

To be sure, Cicero himself laid the groundwork for this interpretation by identifying himself with the Republic. Nevertheless, reading the *Second Philippic* within this larger interpretive framework highlights the ironies and complications of the speech. While the impotence of oratory in the face of real violence is thematized in the ancient sources that reflect upon the fate of Cicero, in this chapter I have argued that Cicero himself explores this theme in the *Second Philippic*.[111]   The conceit of the fictional delivery of the speech, the circumstances of which are significantly different from those of the *actio secunda* of the *Verrines*, suggests that oratory is not a sufficient response to Antony and the threat of tyrannical violence that he presents. Indeed, in the *Second Philippic* Cicero reflects on the inadequacy of the metaphorical

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[110] Cf. Sen. *Suas*. 6.25-6.

[111] In the *Second Philippic*, we see Cicero already memorializing and historicizing his career and his oratory, and perhaps it is fair to claim that in the speech we encounter Cicero staging his own reception. Cf. Dugan (2005), who reads Cicero as doing this at least in the *Orator*.

violence of oratory in the face of a real threat of bloodshed. Cicero's failure or refusal to navigate the differences between real and metaphorical violence carefully brought on a violent end to his life. Oratorical invective accordingly becomes more suitable for the *ludus* or *schola* than the *curia*. The *Second Philippic*, then, is not so much a triumphant defense of Cicero's own career like Demosthenes' *On the Crown*, as it is a poignant testament to the limits of eloquence: the wounds that words and weapons inflict are fundamentally different.

In *Untitled Film Stills* (1977-1980)*,* a series of black-and-white prints, photographer

Cindy Sherman (b. 1954) photographed herself posing in mock film stills that conjure up the

clichéd roles of women in 1950s and 1960s films.[1] As the following representative examples

show, each photograph depicts Sherman in costume, in character, and in action, and in nearly all

of them she is the sole figure in the frame (Fig. 1, Fig. 2):

Fig. 1. Cindy Sherman. *Untitled Film Still #13*. 1978.
https://www.moma.org/collection/works/56576
Accessed May 26, 2018.

Fig. 2. Cindy Sherman. *Untitled Film Still #14*. 1978.
https://www.moma.org/collection/works/56581
Accessed May 26, 2018.

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[1] The entire series was purchased from various international parties in 1995 by the Museum of Modern Art where it is currently housed. When the collection moved to the MOMA, Sherman donated an additional print, bringing the total number in the collection to from 69 to 70. See Sherman (2003), Kaiser (2016), and the relevant pages of the Museum of Modern Art website (https:///www.moma.org).

While several aspects of the prints link them together (e.g. color, size, medium, focus on a single female subject) the most conspicuous element of continuity across the series is the appearance of Sherman herself in each of the stills. It is also the most thought-provoking. In *Untitled Film Stills*, the viewer is not just looking at a series of clichéd images, but rather a single woman *performing* a series of clichéd images. Insofar as Sherman enters into character for each of the photographs, the series cumulatively conveys that the societal roles depicted in them are performative acts. As such, Sherman showcases and deconstructs the expressions, poses, dress, makeup, and roles that the mass-produced cultural form of cinema has normalized and even idealized for women. Through the lens of Sherman's camera, the artifice of the semiotic system becomes apparent. And it does seem that Sherman is having fun with the performances: she enacts stereotypical scenes from cinema and television but always with a wink. You can fashion yourself into these roles, the collection says, and in doing so you does not have to take yourself very seriously.

But Sherman's work also provokes the viewer to engage in a deeper critique of the social underpinnings of the cultural images that she plays with. In addition to the fact that almost all of the 69 stills feature Sherman alone in what seem to be private—and often domestic and sometimes even intimate—moments, Sherman almost never engages the viewer with her eyes. Together these elements create the impression that Sherman is not aware that the viewer is looking at her, and so for the viewer the series becomes an exercise in voyeurism. But insofar as the scenes are very deliberately staged, it is also an exercise in exhibitionism for Sherman, as well as for the fans of the series who have published their recreations of Sherman's prints.[2] And

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[2] A Google Images search for *Untitled Film Still #13*, for example, will produce both Sherman's original print and the reenactments of other artists.

so, in the course of drawing attention to the way that women are customarily subjected on screen to the viewer's gaze, Sherman's work also suggests the complicity of women in the realization and perpetuation of an image system that fetishizes female vulnerability and has its roots in deep-running gender disparity.

Whereas Sherman reenacted the style, essence, and feel of film scenes from earlier decades, the *delcamatores* who populate Seneca the Elder's declamation anthology imitated the judicial and deliberative oratory that played a critical part in fifth- and fourth-century BC Athens and in Republican Rome: their everyday exercises involved trying on roles. And as Sherman's photography was a means for her to comment on how women have been depicted in film and also to have some fun in the process, so the declamatory oratory that thrived in the the schools of the early Principate could serve as a ludic medium, whereby the speaker and the audience could consider the aesthetic, ethical, and political dimensions of declamation itself.

The practice of declamation as it appears in Seneca's work exhibits both continuities with and divergences from Roman oratory of the middle and late Republic. With the demise of the Republic and advent of the Principate under Augustus, political ascent through the Roman *cursus honorum* by means of oratorical success (best exemplified by Cicero's career) was curtailed. Nevertheless, the competitive nature of Roman oratory continued to have a presence in the rhetorical schools, and in Seneca's work the *scholastici* and other speakers can still be seen jockeying for position.[3] In the *scholae* the stakes were both lower and higher than they were during the Republic. On the one hand, in comparison to the important judicial and deliberative

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[3] Not only each theme but each *sententia* could spur the declaimers to vie for who could best handle an idea, as the following similar *sententiae* from the same theme (*Controv.* 1.5.1) show: Latro: *Stupro accusatur, stupro defenditur; cum altera rapta litigat, alteram advocat*; Cestius: *Alteram iniuriae rapuit, alteram patrocinio.* Indeed, in contrast to the oratory of Cicero, for instance, in the orations of the declaimers, the speakers are not competing to secure the acquittal or conviction of a man on trial but to craft the neatest *sententia.* Aesthetic concerns were paramount.

oratory of the late Republic that could have significant political consequences, the declamations that were confined within the walls of a schoolroom had far less immediate relevance to civic life at Rome. On the other hand, the stakes were higher, insofar as there was an increased emphasis on the importance of rhetoric itself. Indeed, some of Seneca's anecdotes suggest that a speaker's rhetoric became an extension of the speaker himself and illustrate the dangers that are attendant on this development.[4] When institutions and cultural practices that historically had considerable political importance are displaced to sites of play, can reenactments retain some of the former political and ethical relevance of these practices?[5]

As I argued in the previous two chapters, declamation was a substantial source of political and social criticism in the work Cicero produced during the Civil War. In particular, in the last chapter I discussed the political significance of the declamatory aspects of the *Second Philippic*. In this speech, throughout which Cicero maintains the fiction of delivery, Cicero reenacts his previous political performances—most notably his role in suppressing the Catilinarian conspiracy as consul in 63 BC—and imagines himself before the Senate answering Antony's invective. Nevertheless, dislodged as it is from the traditional oratorical context that it purports to be a part of, the speech retains ties to a real and immediate rhetorical situation, as Cicero presents himself as speaking against a living person regarding issues that, while recently passed, were still relevant.

But when we move from Cicero to the schoolmen who flourished in the generations after his death, we move further away from reality. In contrast to Cicero, the chief declaimers who fill

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[4] Cf. e.g. *Controv.* 2.4.13.

[5] For "reenactment" as a critical term for discussing imperial oratory and rhetoric, see Connolly (2007) 237-61, discussed in more detail below.

the pages of Seneca the Elder's declamation anthology with *sententiae* had no claim to political

office or distinguished performance in the law courts.[6] Rather, they play the part of the great

orator, inveighing vehemently, for example, against a woman who had been employed as a

prostitute and is now seeking a priesthood (*Controv.* 1.2), or pulling out all the stops to incite

pity on behalf of a son accused of parricide (*Controv.* 7.3).

Yet, while the speeches that the declaimers delivered in the schools may have been ludic,

the means they provided for escape were serious. Obviously there are glaring differences

between the written/read text of the *Second Philippic* and the declamations that were performed,

presumably quite theatrically, in the schools; in fact, the two are virtually the inverse of each

other: Cicero in writing responds in private to a relevant rhetorical situation, the declaimers

speak in public on an imaginary one. Common to both, however, is a "literarization" of oratory:

removed from its original functional context, as oratory becomes a platform for play and

mediation and encourages the reader/audience to reflect on the medium itself and the causes and

circumstances of its production.[7] Regarding the latter, the decline of the political significance of

oratory amid the collapse of the Republic, marked symbolically by Cicero's death, gave rise to

the conditions in which declamation came into its own as an end in itself. The genre thus stands

in the shadow of the Republic, and as such for Seneca and the other declaimers as well as for us

it is a site for contemplating the transition from Republic to Principate, the effect this political

change had on oratorical style, and the ethical associations of the style that flourished in the

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[6] In fact, in Seneca's text and the works of other writers, critics of declamation often emphasized how far removed declamation in the Principate was from the oratory actually practiced in the courts. See e.g. Sen. *Controv.* 3.Praef, 7.Praef.4-8, 9.Praef., Petron. *Sat.* 1-5, Quint. *Inst. Orat.* 2.10.

[7] Moreover, the practice of declamation has a parallel with the move towards textualization in Cicero's later works, in that declamation and textualization present safer and less obviously political platforms for oratory. Cf. Stroup (2010) 237-68, an expanded version of Stroup (2003).

schools. In this chapter, I investigate how Seneca addresses these issues in his declamation anthology. I argue that in the opening preface of the work, Seneca claims for himself the authority of a moral rector, a *censor*, and that the ensuing critiques of style that he both pronounces and reports entail moral critique. Nevertheless, just as the performances of the declaimers whose *sententiae* Seneca records are themselves often tongue-in-cheek, so Seneca occasionally winks to the reader from behind his own *persona* of old-fashioned, moral rectitude, suggesting that one should also recognize the separation between a person and his speech, which can be a carefully constructed rhetorical performance.

The remainder of this chapter falls into four parts. First, I provide an overview of Roman declamation and Seneca's anthology and a review of previous scholarship. In the second, I undertake a close reading of the Preface to Book 1 of *Controversiae*. Here Seneca establishes the censorial persona that is central to his work, but also induces the reader to question it. In the third, I examine a selection of the critical judgments of declamation that Seneca either gives himself or recounts, highlighting how these criticisms can advance Seneca's pronounced moral program in the work, or how they complicate it. Lastly, I briefly consider the Preface to the tenth and final book of the *Controversiae* in which Seneca discusses the recently devised punishment of burning an author's books. Throughout the work, Seneca has shown how rhetoric has become an end in itself, and in many ways the schoolmen whom he writes about owe their careers and their fame to their virtuosic verbal abilities. Nevertheless, the episodes discussed in the Preface of Book 10—as well as the *suasoria* theme in which Cicero deliberates if he should accept Antony's request to burn his works in order to save his life (*Suas.* 7)—explore the extent to which identifying a speaker or writer rigorously with his words is a potentially dangerous oppressive and autocratic endeavor to limit freedom of expression and opportunity for political

critique.

I. Background and Scholarship

Background

From the Late Republic onwards, rhetoric was at the heart of Roman education, with declamation as its culminating stage.[8] As it had developed by the reign of Augustus (27 BC-AD 14), declamation was an oratorical exercise in which a speaker spoke on a set theme that was either of a legal or political nature.[9] The legal or judicial type of declamation was called a *controversia*, and it took the form of a mock legal speech that the speaker pretended to deliver in a court. The political or deliberative type was called a *suasoria*, and in this a speaker, in the character of a political figure (e.g. Alexander the Great) or of an advisor to a political figure, deliberated or gave advice on a course of action.[10]

Declamation thus functioned as training for the two most important genres of oratory with practical applications: judicial and deliberative. Taught in schools of rhetoric (*scholae*) by professional and sometimes widely celebrated rhetoricians (*scholastici*), declamation as an

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[8] For general studies of rhetoric and declamation in Roman education, see Bonner (1949), (1977), Clark (1957) esp. 213-61 on declamation, Leeman (1963), Kennedy (1972), (1994), Clarke (1996), Dominik and Hall (2007), Gunderson (2009). Cf. Russell (1983) for Greek declamation.

[9] Bonner (1949) 1-26 offers a useful discussion of the influences on and development of Roman declamation.

[10] The starting point for every declamation speech was a brief statement establishing the circumstances on which the declaimer would speak. For a *controversia*, this statement would often include a law, and the circumstances of the case were intentionally difficult and thorny. The nature of the *controversia* is best illustrated by an example (Sen. *Controv.* 4.4): "Law: An action may lie for violating a tomb. Circumstances: After losing his weapons in battle, a man removes the weapons buried in the tomb of a hero. He fights bravely and returns the weapons. Having received his reward for fighting bravely, he is accused of violating the tomb." The topic of a *suasoria* was usually more straightforward, due perhaps in part to the fact that *suasoriae* were practiced at an earlier stage in the rhetorical curriculum than *controversiae*. Again, an example of a *suasoria* can best demonstrate its nature (Sen. *Suas.* 4): "Alexander the Great deliberates whether to enter Babylon after having been warned by an auger that danger lies in wait for him."

educational practice included both the teacher's declamations delivered as examples, and the students' efforts upon which the teacher would comment. The practices of the rhetoric schools also had a considerable influence on the style and content of post-Augustan ("Silver") Latin literature.[11] Beyond its vital role in Roman education, in the early principate declamation had become also a form of physical exercise and a source of entertainment, and leading literary and political figures, including the emperor Augustus himself, gave or attended declamations in the *scholae* long after their school days had come to an end.[12]

Seneca the Elder's *Oratorum et Rhetorum Sententiae Divisiones Colores* (ca. 37-39 AD) provides a colorful and unique picture of this important educational and cultural practice.[13] Originally consisting of at least ten books of *Controversiae* and probably at least two books of *Suasoriae*,[14] the work contains Seneca's recollections of the declaimers he witnessed in the

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[11] Winterbottom (1974) i.xiv, xxiii-iv rightly argues that due to the pointed style of declamation, which relied heavily on *sententiae*, and the often lurid themes set for the speeches, Seneca's work is vital for any appreciation of post-Augustan Latin literature. Cf. also Bonner (1949) 149-67 on the influence of declamation on Latin literature and De Decker (1913) for the influence of declamation on Juvenal's poetry in particular.

[12] For declamation as a form of exercise, see Gleason (1995) 84-98. For Augustus in the schools, see *Controv.* 2.4.12-3, 4.Praef.7, 6.8, 10.5.21. Suetonius discusses Octavian's youthful rhetorical training (*Rhet.* 25.3, *Aug.* 84, 89) and his speaking and writing proclivities later in his life (*Aug.* 84-89). Cf. *Suas.* 3.7 for Tiberius' appreciation of declamation.

[13] For general studies of Seneca, see Bornecque (1902), (1932), Edward (1928), Sussman (1969), (1978), (1984), Griffin (1972), Fairweather (1981), (1984), Gunderson (2003), Berti (2007). Bornecque (1902) 24, Sussman (1978) 91-93 argue for a composition date after 37 AD; Edward (1928) proposes an earlier date. For Seneca's life, see Griffin (1972), Sussman (1978) 18-33.

[14] The transmitted text is notoriously difficult and corrupt. Books 1, 2, 7, 9, and 10 of the *Controversiae* survive intact, for the most part. Each of these books includes a preface followed by six to nine themes. For each theme, Seneca includes examples and discussions of *sententiae* (pointed, flashy epigrams), *divisiones* (determination of the issues a speaker should deal with in a theme), and *colores* (general approach to a theme including character of the parties involved, attendant circumstances, etc.) that he attributes to individual declaimers, and occasionally some entertaining anecdotes. The complete work, however, was epitomized in the fourth or fifth century, and the bulk of Books 3-6, and 8 survive only in excerpted form. The epitomized text predominantly contains *sententiae*, which for the most part are not attributed to declaimers, although it also includes the prefaces to Books 1, 2, 3, 4, 7, and 10. The lone book of *Suasoriae* lacks a preface and begins in the middle of a theme. Internal evidence suggests that the *Controversiae* (or at least Books 1 and 2) were composed earlier than the *Suasoriae* (*Controv.* 2.4.8). For discussions of the text, see Sussman (1978) 34-5, Håkanson (1989) III-XVI, Huelsenbeck (2011).

rhetorical schools during the early Principate. Although declamation was originally intended as

training for actual oratorical performance in law courts and deliberative assemblies, in Seneca's

work one encounters fantastic people speaking on fantastic, complicated themes in sensational

rhetoric. For example, in *Controversiae* 1.5 (Law: A girl who has been raped may choose the

death of the rapist or marriage to him that requires no dowry. Circumstances: In a single night a

man rapes two girls; one choose his death, the other marriage),[15] the declaimers spoke against or

on behalf of the rapist. The schoolmen in Seneca's work specialized in pointed *sententiae*,

which form neat antitheses in thought as well as in language; not infrequently, nevertheless, the

striving for a jingling, dramatic effect could lead them into the ridiculous, as a *sententia* of Junius

Gallio from this theme demonstrates: IVNI GALLIONIS. *Sumatur de illo supplicium,*

constituatur in conspectu publico, caedatur diu: toto die pereat qui tota nocte peccavit. Indeed,

as the following examples show, the declaimers' style often mixes grave fulminations with no

illiberal amount of bathos and facetiousness. From Mento's declamation against the rapist

Seneca included a brief but vivid narration of the events on the ensuing day: *Postero die erat in*

huius domo fletus, lamentatio matris spes suas deplorantis, cum interim ex alia domo alia

vociferatio oritur, alius tumultus: coit populus velut publico metu exterritus; vix credit duos

tantum fuisse raptores, cum interim producitur publicus pudicitiae hostis, quem una nocte unius

virginis iniuria non satiaverat. Mento's scene is resonant of Greek epic, oratory, and

historiography, but his determination to amplify the offense through repeated attention to the

multiple crimes and victims dilutes the direct emotional impact that results from familiar

passages in the *Iliad* (22.437-49) or Demosthenes' *On the Crown* (18.169). In his attempt to

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[15] *Controv.* 1.5: *Rapta raptoris aut ortem aut indotatas nuptias optet. Una nocte quidam duas rapuit. altera mortem optat, altera nuptias.*

display the outrageousness of the situation, Arellius Fuscus uses the device of adynaton, although the jingling play on similar sounds in the fourth and final element of the figure deflates the whole: *Retro amnes fluant et sol contrario cursu orbem ducat, confugiat sacrilegus ad aras: raptorem rapta vindicat.* Speaking on behalf of the man, the Greek declaimer and epigrammatist Argentarius uses mythological exempla from the early Republic to make the case that the rapist should be granted marriage, although in his formulation the exempla seem to be reduced simply to their quantifiable value: *Refer nunc Verginiam, refer Lucretiam; plures tamen Sabinae sunt*.[16]

In Seneca's *Controversiae* and *Suasoriae*, one finds judicial and deliberative oratory respectively, but in both the overriding concern is primarily aesthetic. The declaimers indeed make a show of defending morals and policing the community in the way that an actual orator does who speaks in a trial that could result in the exile or execution of a real person, or before a deliberative body that will make a decision regarding policy; but since in declamation no judgment is rendered with regard to the issue ostensibly being contested, the artistic use of language becomes the center of attention. In this rhetorical world that Seneca reveals to us, the principal question is, does the speech meet with the approval of the schoolmaster, the adolescent male students, and the audience? And as judges of declamatory speeches, they were primarily concerned with what was well said.

Yet in declamation apparently much was not well said: a substantial component of Seneca's work is the criticism of what has been judged faulty, transgressive, and tasteless oratory. These criticisms are voiced by Seneca himself, the declamation instructors, and luminaries from the Roman literary world who attend the schools for fun. In the Preface to Book

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[16] As the Sabine women, Lucretia, and Verginia all feature prominently in the first pentad of Livy's *Ab urbe condita libri* (published 27-25 BC), it is probable that Mento had this instant classic in mind in this *sententia*.

1 of the *Controversiae*, Seneca complains in close succession about the decline of eloquence and the degenerate behavior of contemporary young men, and as I will show in detail below, for him there is a close relationship between good speech and good morals. Additionally, over the course of the work, Seneca includes several passages in which people critique the practice of declamation, and in the preface of the last book of the *Controversiae* Seneca himself expresses his fatigue and low opinion of the *studia scholasticorum* ("efforts of the schoolmen," 10.Praef.1). In Chapter 3, I showed that in his letters Cicero also expresses dissatisfaction with declamation. But with the declaimers, vociferating against declamation seems to be a virtual declamation theme.[17] This is apiece with the ironic nature of the genre, insofar as the declaimers, in speaking on imaginary law cases, pretend to do something they are not actually doing. This suggests some questions that should be kept in mind when reading the work: How seriously should one take the criticisms of speech? How closely related are speech and character?

Review of Scholarship

Previous scholars have done much to elucidate the historical aspects of Seneca's work and its place in literary history. In the first English monograph on Seneca the Elder, Lewis Sussman (1978) offered a wide-ranging study that covered the practice of declamation at Rome, the structure and principles of Seneca's declamation collections, and the influence that these collections had on subsequent generations of readers. Most important for my purposes, however, is Sussman's discussion of Seneca as a critic of eloquence (94-136). Here Sussman seeks to ascertain Seneca's critical theories in regard to the five traditional parts of rhetoric, and to

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[17] This phenomenon is satirized in the opening of Petronius' *Satyricon* (1-2) as it survives.

understand the position of Seneca's views in the history of Roman rhetoric between Cicero and Quintilian. Sussman's analysis is sound and solid, but he concentrates more on Seneca's place in the history of literary criticism than on the cultural significance of his criticisms. Janet Fairweather (1981) produced a similar but more detailed study that devoted scrupulous attention to the critical terms that Seneca employed and discussed Seneca's work in light of broader literary developments such as Asianism vs. Atticism (243-303) and "literary modernism in the early Empire" (304-25). Again, however, Fairweather chiefly aimed to assess the place of Seneca's work in Roman literary history. This persistent interest in literary history also extends to the large amount of scholarship that has been produced on the decline-of-eloquence topos of which Seneca's work provides an important specimen.[18] On this topic scholars have made significant contributions by, for example, comparing Seneca's account with other narratives of decline and emphasizing the important but complicated role of *imitatio* in the process.[19] Nevertheless, there is still need for close analysis of how Seneca the Elder himself, both the historical individual but especially the literary persona, is important for the criticisms of style that he puts forth in the work. For example, what significance is there in Seneca's remarks on his great age at time that he commenced writing the work? That he and his family were from Spain, the far west, whereas bombastic decadence was traditionally depicted as flowing into oratory from the east? That he is a father writing a work for his sons? While the above studies have shown interest in analyzing Seneca's position in Roman literary history, what can be said about his (self-consciously constructed) position in Roman cultural history?

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[18] Caplan (1944), Sussman (1972), Kennedy (1972) 446-64, Williams (1978) 6-51, Fantham (1978), Heldmann (1980), (1982) esp. 88-97, Brink (1989).

[19] Cf. esp. Sussman (1972), Fantham (1978).

More recent studies have demonstrated the benefits of close textual engagement with Seneca's text.[20] Gunderson (2003) addressed the significance of Seneca as a father in a nuanced study that focused on paternity and the self in declamation and made considerable use of psychoanalytic theory to these ends. Gunderson, in contrast to many earlier readers, was interested in approaching all surviving examples of declamation as literary texts, and his study demonstrated the fruit that close reading of Seneca's text can bear.

Like Gunderson, Connolly (2007) incorporates modern critical theory into her reading of Seneca, and in a chapter entitled "Imperial Reenactments" draws on Judith Butler's concept of parodic conformity to explain the resistance to the new political regime that she sees in Augustan declamation (244). The declaimer's outrageous experiments in language mirrored Augustus' own social and political experiments that were presented as upholding Republican institutions while they were simultaneously undermining them (253-4). At the same time, Connolly argues, the freedom given to experimentation in language in the less politicized space of the Augustan schoolroom was an exercise in care of the self and maintenance of personal dignity: "personal *licentia*" replaced Republican *libertas* (254). This is already evident to some degree in Cicero's later works, although for Cicero maintenance of personal *dignitas* was inseparable from maintenance of the Republic, since throughout much of his career he identified himself with it.[21] Connolly offers a compelling interpretation of Seneca's declaimers in light of their historical and political contexts, and her reading of their language experimentation as reenactment, parody, and

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[20] A starting point for future study of Seneca and his anthology is Berti (2007), a wide-ranging collection of essays that consider Seneca himself, the rhetoric of declamation, and the relationship of declamation to literature, especially Augustan poetry.

[21] Cf. the opening of the *Second Philippic*: *Quonam meo fato, patres conscripti, fieri dicam, ut nemo his annis viginti rei publicae fuerit hostis, qui non bellum eodem tempore mihi quoque indixerit?* "By what fate of mine, Members of the Senate, should I say it is, that no one in the last twenty years was an enemy of the Republic who did not at the same time also declare war against me?" (1).

resistance may be applied to my entire study: the language and rhetoric of Latin invective

became both more extreme and more self-reflexive over its historical development.[22] As for

Seneca's text itself, however, I plan to build on Connolly's insightful analysis may be to devote

greater attention to the specific details of the individual declaimers' lives and activities,[23] as well

as to concentrate more on the whole work as a product of the Elder Seneca's literary persona,

which is constructed most carefully and conspicuously in the preface that begins the anthology.

II. Preface to *Controversiae* Book 1

The first half of the Preface of Book 1 of the *Controversiae* (1.Praef.1-12) is Seneca's

most sustained effort in self-fashioning in the work.[24] In the surviving prefaces to the books of

the *controversiae*, Seneca provides pen portraits of star declaimers, often relating anecdotes that

give the reader a sense of what kind of people the individual declaimers were and bring the

atmosphere of the rhetorical schools to life.[25] Although M. Porcius Latro, Seneca's close friend

from childhood, is the first famous declaimer whom Seneca takes up midway through the preface

(*Controv.* 1.Praef.13-24), Seneca actually commences the series with a self-portrait. In the

beginning of the preface, Seneca writes of his own experiences and gives a sketch of himself in

two different times: old age and youth.[26] Moreover, Seneca unleashes a rant against the present-

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[22] Cf. Sherman's photography.

[23] Useful for this endeavor will be Rutledge (2001), which in addition to a historical survey of *delatio* (accusation, denunciation) in the early Principate, includes a prosopographical study of known *delatores*, some of whom appear as declaimers in Seneca's work.

[24] For self-fashioning, see Greenblatt (1980).

[25] Seneca also displays a tendency to round off declamation themes with such anecdotes. Cf. e.g. *Controv.* 2.4.12-13, *Suas.* 3.6-7.

[26] The link between these two periods is Seneca's memory, an important theme for the preface and the entire work, as we shall see. Memory, along with friendship and Spain, is also an important link between Seneca and Latro: both men possessed outstanding memories, and Seneca memorializes Latro. Nevertheless, there is a marked difference

day young men, whom he upbraids for both their lack of eloquence and dissolute behavior in general (1.Praef.8-9, to be discussed below). As this tirade is delivered in a highly declamatory style,[27] Seneca's first example of declamation in the work is a self-quotation, and this is another component of his self-fashioning project. In the course of this harangue against the youth and their low oratorical and moral standards, Seneca turns for support to Cato the Elder (234-149 BC), quoting his pithy, well-known dictum that an orator must exhibit goodness and manliness in addition to skill in speaking: "An orator, Marcus, my son, is a good man skilled in speaking" (*Orator est, Marce fili, vir bonus dicendi peritus*, 1.Praef.9).

While the importance of Cato the Elder for Seneca's work has received scholarly attention,[28] the issue needs to be revisited, as the extent to which the quotation conditions Seneca's self-presentation and the character of the work as a whole has not been thoroughly assessed. Fairweather is correct to note that Seneca does not display a taste for archaizing, Catonian oratory, but the importance of Cato should not be restricted solely to stylistics. More significantly, Cato functions as a cultural model for Seneca.

More information is available to us about Cato than about most of his contemporaries but even in antiquity the legend or myth of Cato had begun to overshadow Cato the man.[29] This was

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between the two, insofar as Seneca has lived so long while Latro died many years earlier.

[27] Cf. Gunderson (2003) 37. I discuss Seneca's rant in detail below.

[28] Bornecque (1902), Edward (1928), Sussman (1978) have focused on Seneca's invocation of Cato in the first Preface and have discussed palpable strains of old Roman and even Republican sentiments in Seneca's work. Fairweather (1981), on the other hand, prudently cautions against a superficial association of Seneca with Cato. She claims that, with regard to literature, Seneca was a "modernist," and that with the exception of Cato's maxim, Seneca does not refer to any pre-Ciceronian orator in the work.

[29] A character in American history comparable to Cato is a monumental figure like Abraham Lincoln, whose cultural significance in the collective memory of the nation is perhaps due as much to the anecdotes (e.g. he walked six miles to return two pennies) and epithets (Honest Abe, the Great Emancipator) associated with him as to the accurate knowledge of his historical actions.

due in no small part, surely, to Cato's own careful cultivation of his image in his literary output and public activity.[30] Cato tried his hand at several genres of literature,[31] and in the *Brutus* Cicero states his opinion that Cato's speeches are the earliest that ought to be read (*Brut.* 61). In the field of Roman historiography was a pioneer: his *Origines*, an account of Roman history from the earliest times to 149 in seven books, has the distinction of being the first historical work written in Latin. Not only did Cato himself feature in the later books of this work, but he even included some of his own speeches. In his lifetime Cato was famous (or notorious) for his moral scrupulousness: the man known to posterity as Cato the Censor vehemently opposed what he deemed moral laxity, acquiring the nickname *censorius* due to the severity with which he carried out his duties as *censor* in 184 BC.[32] For later generations, he became a prime example, even a symbol of ancestral Roman virtue.

In my analysis of the Preface to Book 1, I draw attention to two principal themes: 1) the historiographical qualities of Seneca's work, and 2) his censorious chastisement of poor speaking and bad morals. Both of these themes resonate with Cato's legacy in the history of Roman

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[30] Cf. Sciarrino (2011) on the importance of Cato's self-fashioning for the creation of his authority in an age of cultural and political change.

[31] Unfortunately, most of Cato's efforts survive only in a fragmentary state, his guide to farming in two books, *De Agricultura*, being his only intact work. Cugusi and Sblendorio-Cugusi (2001) is an edition with Italian translation and commentary of all of Cato's surviving corpus, which includes fragments from his speeches, his compilation of maxims to his son, *Ad Filium*, and his history, the *Origines*.

[32] The magistrates holding the office of the censorship (the most difficult of the magistracies in the *cursus honorum* to obtain, since elections were held for it only once every five years) were responsible for, among other things, "moral guidance" (*regimen morum*). Cato and his colleague in the censorship, L. Valerius Flaccus, took their responsibilities in connection with this very seriously, expelling from the senate on account of immoral conduct seven men (an unusually high number). They also imposed a steep tax on luxury items, presumably in order to deter the use of them. Livy reports that Cato ran for the office on the platform that he would "correct new forms of shameful behavior and recall age-old customs" (*castigare se noua flagitia et priscos revocare mores*, 39.41.4). Livy concludes his account of Cato's censorship by noting that it was full of quarrels, which occupied Cato through the rest of his life, since the severity of the censorship of the two men was attributed to him (*nobilis censura fuit simultatiumque plena, quae M. Porcium, cui acerbitas ea adsignabatur, per omnem vitam exercuerunt*, 39.44.4). For Cato's censorship, see Livy 39.40.1-41.4, 42.4-44.9, Plut. *Cat. Mai.* 17-20, Astin (1978) 78-103.

culture, and I argue that Seneca's quotation of Cato's maxim in his rant is only the most salient feature of a more thorough programmatic endeavor in Preface. For Seneca, Cato is a cultural touchstone whose name is synonymous with stalwart, conservative, old Roman values, and Seneca uses him as a model for shaping his own persona as a father writing to his sons, as an old man, as a historian, and, of course, as an opponent of the corruption and depravity that he claims characterizes modern oratorical style and morals. In critiquing the declaimers and providing good models of speech for his sons—and in making a connection between oratorical style and character—Seneca presents himself as a corrector of morals, that is, as a *censor*. Nevertheless, sometimes Seneca's rigorously moral posturing is complicated by his ironic treatment of the sententiae. In letting the mask slip, he on the one hand calls attention to the distance between himself and the old-fashioned Roman values that are closely associated with Cato. Indeed, whereas Seneca could history he could not be *censor*: in the Principate, there is one permanent *censor*, the emperor. On the other hand, in his handling of the façade Seneca suggests that one should not always identify a speaker too closely with his words. Both of these complications are useful as interpretive guidelines for reading the remainder of the work and reflect Seneca's own perspectives on the political events that he witnessed in his lifetime.

Paternal authors

One general and fundamental parallel between Seneca and Cato is that they both wrote works addressed to their sons. In the Preface to Book 1 of the *Controversiae*, Seneca offers his reasons for writing, which are 1) to fulfill his sons' request to provide them with his opinions of the declaimers before their time as well as their own sayings (*dicta*),[33] and 2) to entrust these

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[33] *Controv.* 1.Praef.1: *Exigitis rem magis iucundam mihi quam facilem: iubetis enim quid de his declamatoribus sentiam qui in aetatem meam inciderunt indicare, et si qua memoriae meae nondum elapsa sunt ab illis dicta*

dicta to the public (*populo dedicabo*).[34] Seneca thus establishes two audiences for his work: his immediate addressees (his sons), and a wider Roman reading public. If his sons are his internal or primary audience, and the larger public the external or secondary audience, Seneca performs the act of writing to his sons before this larger audience, and this performance becomes a component of Seneca's authorial persona. Moreover, Seneca's use of *exigitis* ("you ask") in both passages to describe his sons' request links the two passage. This stylistic device circumscribes this section of the text and establishes it as a unit in which Seneca addresses the genesis and goals of his work.

The frame for the entire work—that is, that Seneca has written the text specifically for his sons—suggests a parallel with Cato the Elder. Among Cato's writings was the work *Ad Filium*. The exact nature of the work is unknown,[35] but Alan Astin has reasonably argued that *Ad Filium* was a collection in one or two books of Cato's apothegmatic sayings addressed to his son, Marcus.[36] These *sententiae*, if we may call them that, were intended for practical or moral instruction, and among them is the quotation about the nature of the *orator* that Seneca quotes. Seneca's quotation of Cato in the Preface of Book 1 of the *Controversiae* activates the intertext. Unlike the quotations of the declaimers that Seneca includes in his work, the sayings in *Ad*

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colligere, ut, quamvis notitiae vestrae subducti sint, tamen non credatis tantum de illis sed et iudicetis. "You ask for something that for me is more pleasant than easy. For you request that I indicate my opinion about those declaimers who were active in my age and—if by some chance their sayings have not slipped out of my memory—to gather them together, in order that, although you have been deprived of their acquaintance, nevertheless you are not limited to believing what you hear, but you may even render your own verdict."

[34] *Controv.* 1.Praef.10: *Eo libentius quod exigitis faciam, et quaecumque a celeberrimis viris facunde dicta teneo, ne ad quemquam privatim pertineant, populo dedicabo.* "And so, all the more willingly shall I do what you ask me to do, and whatever I still retain that was said eloquently by the most distinguished men, lest it belong to anyone privately, I shall dedicate to the people."

[35] The work is lost except roughly twenty fragments, for which see Cugusi and Sblendorio Cugusi (2001) 2.422-39.

[36] Astin (1978) 332-40.

Filium were Cato's own; nevertheless, Seneca's work resembles the *Ad Filium* in the sense that it is a collection of *dicta* addressed to his sons. Seneca's text is filled with *sententiae*—over burdened, perhaps—but the quotation of Cato is the *first sententia* in the text. Although Fairweather downplays the significance of the Cato quotation by noting that it is the sole *sententia* attributed to any orator before Cicero, surely its prominent location in the text and its age in relation to the others confer upon it, and Cato himself, programmatic status.

Age, memory, and historiography

Seneca begins the *Controversiae* by expressing the pleasure that he will receive in fulfilling his sons' request but also laments that the project may be hampered by his old age. Indeed, Bornecque and Sussman argue for a composition date after 37 AD, which would put Seneca at about 92 years old when he commenced the work.[37] His advanced age thus immediately emerges, alongside his paternity, as an important factor shaping the text. Throughout the opening paragraphs of the work, Seneca repeatedly draws attention to his old age (*Controv.* 1.Praef.1-2): he recollects the declaimers that he heard in his *aetas* ("bloom of youth"); it is pleasant for him to return to his *antiqua studia* ("former studies"); *senectus* ("old age") has taken away many things from him, but it first attacks the memory, which has been shaken by *aetas* ("age") and *longa desidia* ("long idleness"). In emphasizing his age so markedly at the beginning of the work, Seneca effects a temporal distance between himself and the reader. Seneca presents himself as having knowledge of the past that he can share with the reader, and thus portrays himself in the pose of a historian. This was a familiar posture for Seneca. As a fragment from a lost work of his son Seneca the Younger shows, besides his work on

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[37] Bornecque (1902) 24, Sussman (1978) 91-3.

declamation, Seneca the father wrote a history of Rome that covered the period from the Civil Wars to almost the day of his death.[38] Although his declamation anthology possesses historical qualities, Seneca does not derive his material for it from official records and the works of earlier historians, but rather from his own memory.

Just as with his age, Seneca makes numerous references to his memory at the beginning of the Preface, and these also call attention to the historical character of his text. Indeed, since Seneca is recollecting and recording the declamations and anecdotes from the rhetorical schools that he remembers from earlier in his life, his entire work is dependent on his memory. To establish his credibility for the task that he has set for himself, Seneca discusses the prodigious memory he possessed as a youth: he claims that having heard a list of 2000 names, he could give them back in order; and, when his many schoolmates each pronounced a different line of poetry, he could recite all the verses in reverse order.[39]

Such miraculous feats are important for Seneca's construction of his authority and ability as a historian and writer. Seneca's memory allows him to turn back the clock, since through his lively anecdotes the reader is treated to a vivid picture of Seneca as a youth in the rhetorical schools. Indeed, the example that Seneca uses to demonstrate the strength and reliability of his memory results in bringing the reader into the schools of his youth—that is, it achieves the very thing that he is adducing it to show, thereby attesting to his compositional talents more generally. These recollections and thoughts on his "better days" are part of the self-portrait that he paints in

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[38] Two fragments possibly survive from this work (Frag. Hist. 1-2). On Seneca's historical work, see Sussman (1978) 137-52.

[39] *Controv.* 1.Praef.2: *Hanc aliquando <adeo> in me floruisse ut non tantum ad usum sufficeret sed in miraculum usque procederet non nego; nam et duo milia nominum recitata quo erant ordine dicta reddebam, et ab his qui ad audiendum praeceptorem mecum convenerant singulos versus a singulis datos, cum plures quam ducenti efficerentur, ab ultimo incipiens usque ad primum recitabam.*

the Preface.

Seneca also refers to his memory at pivotal points in the Preface, underscoring its fundamental role in the whole of the work that will follow. Structurally, the Preface can be divided into two principal parts: 1) Seneca's discussion of himself, including his reasons for writing the work and his personal experience with declamation (1.Praef.1-12); 2) his pen portrait of his old school friend, the famous declaimer M. Porcius Latro (1.Praef.13-24). In transitioning from the more general and personal introduction of the work to his discussion of Latro, Seneca claims that a benefit for him in writing the work is that he will be compelled often to revisit the memory (*memoria*) of his dearest companion;[40] when he winds up the Preface to move on to his recollections of the actual declamations, Seneca says that he will begin with the first *controversia* that he remembers (*memini*) Latro declaiming when still a *iuvenis* ("youth").[41] In invoking memory at these pivotal moments in the Preface, Seneca suggests that memory is a guiding principle that operates throughout the work.[42]

Such recollections are tinged with nostalgia, since Latro died by suicide in 4 BC, perhaps over 40 years before Seneca began writing.[43] The sounds of declamations in the text as mediated through Seneca's memory, then, are akin to the sounds of old records playing on an old

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[40] *Controv.* 1.Praef.13: *In aliis autem an beneficium vobis daturus sim nescio, in uno accipio: Latronis enim Porcii, carissimi mihi sodalis, memoriam saepius cogar retractare, et a prima pueritia usque ad ultimum eius diem perductam familiarem amicitiam cum voluptate maxima repetam.*

[41] *Controv.* 1.Praef.24: *Ab ea controversia incipiam quam primam Latronem meum declamasse memini admodum iuvenem in Marulli schola, cum iam coepisset ordinem ducere.*

[42] Memory especially heightens the emotional impact of the preface of Book 10 of the *Controversiae*: it is the memory that the books were burned that makes the passage so poignant, a poignancy that could not exist if the books were completely forgotten about.

[43] The source for this is Jerome, who recorded in his *Chronicle* that Latro killed himself due to his weariness with an illness: *M. Porcius Latro, Latinus declamator, taedio duplicis quartanae semet interfecit.*

phonograph: they survive as records of the time in which they were made, but also as testaments that that time is past. Indeed, although memory forms the basis of Seneca's text, a shadow nevertheless hangs over the whole work and threatens to enshroud the past in darkness. This shadow perhaps looms most menacingly in the Preface to the tenth and final book of *Controversiae*, in which Seneca bitterly discusses the new punishment (*nova poena*) of burning an author's works, a punishment designed to erase the memory of that author (*Controv.* 10.Praef.5-8; cf. also 10.Praef.3).[44]

Seneca's memory, then, has a twofold effect: on the one hand, in recounting the days of his youth, giving verbatim quotations of declaimers, and telling lively anecdotes, Seneca closes the gap between the past and the present. He writes a history of declamation through excerpts and commentary, and these can be read as the historian's facts and his interpretations of the facts. On the other hand, the length of time that separates Seneca from the events that he relates, his pronounced old age, and the fact that his close friend Latro has already been dead for many years, produce a poignant distance between the past and present. While Seneca's historical project memorializes himself and the declaimers, it also paints a portrait of a man who knows that the sun of his life is setting. The work is founded on the premise that the past can inform the present, but it simultaneously explores the limitations of this endeavor.

The possibility lurks that some of the advice that Seneca gives to his sons and the traditional Roman values that he espouses might die with him. As I have argued in Chapters 3 and 4, the 40s BC were a watershed in Roman history; this period marks a notable break with past Republican traditions, as is seen most vividly in the works of Cicero. In the *Brutus* (46 BC), Cicero's history of the eminent orators of Greece and Rome which culminates in Cicero's

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[44] On this material see Richlin (1999).

own outstanding career, Cicero mournfully envisioned the great tradition of Roman eloquence dying with himself, and in other works he equated the fate of the Roman Republic with his own fate. In his short discussion of the history of declamation and his personal experience with it in the Preface of Book 1 (*Controv.* 1.Praef.11-12), Seneca states that he heard everyone who had made a great name for himself in eloquence except Cicero, whom he was prevented from hearing on account of the Civil Wars (*bella civilia*) in the 40s BC (*Controv.* 1.Praef.11).[45] In picking up on Cicero's narrative in the *Brutus* by taking Cicero as a starting point for his work, Seneca focalizes his work through Cicero's career and work. He also effectively starts the history of Roman declamation with Cicero,[46] and thus connects declamation to the great history of Roman oratory that Cicero relates in the *Brutus*. Nevertheless, in keeping Cicero himself just beyond the compass of his work, to say nothing of all the orators who preceded Cicero, Seneca implies that that Republican tradition existed before his own time, and certainly before declamation as it now exists, which Seneca claims was born after he was.[47] The distance that Seneca creates between himself and the oratory of the Republic also contributes to the sense of (potential) loss in the text. Furthermore, the succession of speakers in Seneca's work with his accompanying comments on their style recalls Cicero's *Brutus*. But whereas critics have read Cicero's work as a funeral oration on the death of eloquence due to the loss of civic liberties, the *scholae* in Seneca's work seem to be (perhaps regrettably) proliferating. Accordingly, in Seneca's text the practice of

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[45] As was discussed in Chapter 3, from Cicero's letters it appears that he took up declamation again in earnest after his return to Rome from Brundisium in late 47 BC. Caesar was still waging war against the remnant Republican forces in Africa in 46 BC and the so-called *Bellum Hispaniense* culminated in the Battle of Munda on March 17, 45 BC; perhaps the latter is the most important of the *bella civilia* that prevented Seneca from hearing Cicero, as Seneca was from Spain.

[46] But cf. *Controv.* 2.Praef.5 where Seneca mentions L. Plotius Gallus, the first Latin rhetorician at Rome.

[47] *Controv.* 1.Praef.12: *ideo facile est mihi ab incunabulis nosse rem post me natam.*

declamation seems to rise out of the ashes of Republican oratory, but more as specter than phoenix.

There are important differences between the two works. Whereas Cicero crafted a narrative, Seneca provides excerpts, the words of the men themselves. Accordingly, in Seneca's work authorial control is less centered and less present. Furthermore, the difference between the subjects of the two works—Cicero's history of the great political orators of the Republic and Seneca's recollections of the declaimers during the early Principate—could be read as a bitter comment on the degradation of the times. A parallel could be Tacitus' description of Seneca the Younger's painfully botched suicide in light of Socrates'. In such a case, the imitation is a farcical reenactment that lacks the grandeur and import of the original.

As I have noted, part of the significance of Cato as a model for Seneca is his status as a pioneering Roman historian. Seneca in some respects writes a history of declamation, but he also undercuts his attempt to do so by gesturing to the boundaries that limit the effectiveness of the enterprise. As declamation is a performative genre, certainly any attempt to write a history of it will lack some of its life and breath. While Seneca assumes the role of historian in the work, his imitation of Cato in this regard ought to be interpreted in terms of the ancient theory of *imitatio*, which has deep significance for Seneca's work in general.[48] It was a common practice for writers and artists to look to models for inspiration and instruction, that is, as models for imitation. Nevertheless, the ultimate goal for the writer was not to replicate the shape and style of the exemplar exactly, but to learn from it. Ultimately, the new work should resemble the

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[48] The importance of *imitatio* and *exempla* in Seneca's work is thoughtfully discussed by Sussman (1972) 203-4, 208-9. For *imitatio* more generally, see Dionysius Halicarnassus *Vett.Cens. De Imitatione*. Quint. *Inst. Orat.* 10.2, Clark (1957) 144-76, Fantham (1978), Russell (1979).

exemplar as the son might resemble the father.[49] Cato is a model for Seneca, but Seneca is continuously riffing on Cato's persona and image and ends up producing his own take on Cato.

Seneca's play with Cato as a model resembles declamation in general: several of the excerpts that Seneca includes in his work feature the declaimers quoting and playing upon or reworking well known lines and passages of oratory and poetry, a favorite genre of theirs. In these instances, the speakers take a phrase and recast it in a different mode and in a different context. Indeed, the entire practice of declamation can be interpreted as one of theme and variation: the speakers take up a theme and perform their own version of it. This practice resembles jazz improvisation, in which a standard tune can provide the title and starting point for the musicians, but each resulting composition-performance is an entirely new work that bears the idioms of the individual performers. In a similar fashion, Seneca dons the mask (*persona*/*imago*) of Cato as a moral historian who espouses old Roman values but performs the part in his own way. Perhaps Seneca's personalized imitation of Cato is an example for his sons for how they should imitate the speakers whose *dicta* he quotes in the work.

Seneca himself deploys the word *exempla* in reference to his own practices. After providing a poor example of a *tricolon*, Seneca states that he has recorded this because *exempla* that should be avoided ought to be included as well as those that should be imitated (*haec autem subinde refero, quod aeque vitandarum rerum exempla ponenda sunt quam sequendarum*, "But I am reporting this *sententia* now because examples of *sententiae* that should be avoided must be included just as examples of *sententiae* that should be imitated" *Controv.* 2.4.12). Seneca makes a similar remark in the ninth book of *controversiae* after providing an example of a faulty tetracolon: *hanc ideo sententiam rettuli, quia et in tricolis et in omnibus huius generis sententiis*

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[49] Cf. Bloom (1973) on poetic fathers.

curamus, ut numerus constet, non curamus an sensus. omnia autem genera corruptarum quoque

sententiarum de industria pono, quia facilius et quid imitandum et quid vitandum sit docemur

exemplo, "I have reported this *sententia* because both in tricolons and in all *sententia* of this sort

we take care that the prose rhythm is true, but not that the sense is. Indeed, I am taking pains to

relate all types of faulty *sententiae* because it is easier for me to teach by example (*exemplum*)

both what should be imitated and what should be avoided" (*Controv.* 9.2.27).[50] It would seem

that the speakers and sayings that Seneca offers up to his sons in the course of the work are

lessons for making them into Roman men, just as generations of Romans had been schooled in

traditional Roman behavior by the historical *exempla* provided by their ancestors.[51] An

interesting development with Seneca, however, is that the *exempla* in his declamatory anthology

are derived less from actions than from words. This can be seen as a paradoxical result of the

decreased importance that oratory had in directing political life after the end of the Republic,

which thus contributed to rhetoric becoming an end in itself.

Criticism of contemporary oratory and morals

At the core of Seneca's declamation anthology is the idea that oratory is in decline,[52] and

as such it is part of a long tradition of Roman writing that laments and attempts to work against

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[50] Berti (2007) 195-7 discusses both these passages. Cf. also Berti (2007) 23-4 for more on 2.4.12. Latro says that he is not a *magister* but an *exemplum* (*Controv.* 9.2.23). Cf. also *Suas.* 1.16: Seneca claims that in this *Suasoria* no one had more success than Glyco, although he said as many corrupt things as great ones. Seneca claims he will report both, but does not wish to say which are which, in case his sons favor the corrupt things.

[51] On Roman exemplarity see Langlands (2006) 27-9, 78-80, Lowrie and Lüdemann (2015). A famous example of an *exemplum* is the actions of L. Quinctius Cincinnatus (519-430 BC), who was engaged in some kind of difficult labor on his land when envoys from the Senate arrived to announce to him that he had been elected *dictator*. He then dealt with the crises facing the state so effectively that he stepped down from the office after only 16 days. See Livy 3.26-29.

[52] Cf. Sussman (1972), Williams (1978), Fairweather (1981), Heldmann (1982).

the degeneration and decline of Rome. The theme of the decline of oratory is introduced in the

Preface to Book 1 when Seneca begins to define further his reasons for writing this work: Seneca

claims that his sons are not content with the models (*exemplis*) of eloquence of their own age

(*saeculi*), and wish to become acquainted with those of a prior (*prioris*) age (*Facitis autem,*

iuvenes mei, rem necessariam et utilem, quod non contenti exemplis saeculi vestri priores

quoque vultis cognoscere, 1.Praef.6). Here again, Seneca presents himself as being able to bring

the past into the present, and his motivation for doing so is that a return to the past is helpful for

the present. Although, as Fairweather correctly points out, Seneca might not endorse any orator

earlier than Cicero, his whole work is built on the premise that the orators of the past will have a

beneficial and salubrious effect on the readers of his anthology.[53]

Specifically, Seneca applauds his sons' dissatisfaction with contemporary speakers as a

necessary and useful thing (*res necessaria et utilis*) for two reasons. The first is born out of

Seneca's theory of *imitatio*: *primum quia, quo plura exempla inspecta sunt, plus in eloquentiam*

proficitur. non est unus, quamvis praecipuus sit, imitandus, quia numquam par fit imitator

auctori. haec rei natura est: semper citra veritatem est similitudo, "First, because the more

models that one has considered, the greater progress one makes in eloquence. One must not

imitate a single speaker, even if he is outstanding, since the imitator is never equal to the

original. The nature of the matter is such that the resemblance always falls short of the true thing

itself" (*Controv*. 1.Praef.6). Imitation of a number of precursors, it seems, is one significant way

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[53] Seneca's report of his sons' desire to know the speakers of a prior age suggests that ages or generations (*saecula*) are distinct from one another. Seneca's sons are of one generation and they request that their father make them acquainted with the orators of an earlier one. This intergenerational quality of Seneca's work raises the questions of whether different ages have distinctly different characteristics, and how much individual speakers in each age are shaped by larger generational factors. In *Ep*. 114, discussed in Chapter 2, Seneca's son, Seneca the Younger, discusses how ages can be characterized by a style of eloquence, although he also shows how this phenomenon is manifested in an individual when he examines Maecenas. From this letter, then, it would seem that both the character of the age and an individual's character (*ingenium*) are responsible for determining an individual's style.

for a speaker to cultivate his oratorical skills. Through his anthology Seneca does not only wish

to make his sons acquainted with a range of previous orators, but also to enable them to imitate

these older speakers in order to improve their own oratory. For Seneca, nevertheless, since the

imitation always falls short of the original, *imitatio* seems in some ways to be an inherently

flawed endeavor. If current speakers learn the art of oratory in part by imitating the orators of

previous generations but yet can never equal them, must oratory get progressively worse with

each generation?[54] As I will soon discuss, Seneca does claim that oratory is getting worse with

each passing day; nevertheless, here he suggests that one way out of this conundrum is to imitate

certain aspects of models and to combine these into a new composite.[55] Such a theory would

seem to be evident in Seneca's own practice. As I noted above, Seneca does not attempt to

imitate Cato exactly; rather, he mimics Cato in some respects but departs from him as a model in

others.[56] Accordingly, while slavish copying is destined to produce mediocre results at best,

skillful and artful imitation can be helpful for producing a successful orator and working against

the decline in oratory. The past is useful for the present.

The second reason Seneca suggests why his sons should read orators of a previous

generation is that in doing so they can then perceive how oratory is declining (*Controv.*

1.Praef.6-7):

> deinde, ut possitis aestimare in quantum <u>cotidie</u> ingenia decrescant et nescio qua
> iniquitate <u>naturae</u> eloquentia se retro tulerit. quidquid Romana facundia habet,
> quod insolenti Graeciae aut opponat aut praeferat, circa Ciceronem effloruit; [7]
> omnia ingenia, quae lucem studiis nostris attulerunt, tunc nata sunt. in deterius
> deinde <u>cotidie</u> data res est sive luxu temporum (nihil enim tam mortiferum

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[54] Cf. Sussman (1972).

[55] Cf. Quint. *Inst. Orat.* 10.2.24-6 on the benefits of having multiple models.

[56] Cf. my discussion above on Seneca's imitation of Cicero's *Brutus*: Seneca takes the *Brutus* as a model for his own work but also departs from it in significant ways.

ingeniis quam luxuria est) sive, cum **pretium** pulcherrimae rei cecidisset, translatum est omne certamen ad turpia multo honore quaestuque vigentia, sive fato quodam, cuius maligna perpetuaque in rebus omnibus lex est, ut ad summum perducta rursus ad infimum velocius quidem quam ascenderant relabantur.

Secondly, in order that you be able to reckon how much everyday abilities decrease and, by some injustice on the part of nature, eloquence moves backwards. Whatever Roman eloquence has that either opposes or outstrips insolent Greece, it came into full bloom in the time of Cicero. All the talents which brought light to our pursuits were born then. Thence each day the practice has gotten worse, either because of the luxury of the times (for nothing is as fatal to talent as luxury); or because when the value of this finest of endeavors had fallen off, all competitive energy was transferred to shameful pursuits which were thriving with great esteem and reward; or because of some rule of fate, whose malicious and everlasting law in all matters is that whatever has been brought to the top sinks back again to the bottom more quickly than it rose.

Seneca here presents a bleak and pessimistic picture of the state of Roman eloquence.

Twice in this passage Seneca claims that "everyday" (*cotidie*) the situation with oratory is getting

worse, creating a particularly disturbing plight for the reader. Seneca's picture emphasizes the

danger of the headlong decline in oratory, since it is seemingly happening both rapidly and

continuously. Nevertheless, it also forces the problem upon the reader as immediate, since if this

is a phenomenon that occurs everyday, the reader conceivably could take some action at the

moment or in the near future to counteract the decline. As we have seen, one scare tactic used in

invective is to make a threat appear especially imminent to the audience, and Seneca

accomplishes this first of all through the simple repetition of the adverb *cotidie*. The word

cotidie itself signifies continuous repetition, but Seneca's repetition of the word in this brief

passage underscores the effect.

Seneca also creates alarm in this passage through other, more specific reference points by

which the reader can plot the decline of Roman eloquence. In Seneca's rhetoric, *cotidie* is a

temporal reference point: in relation to the past, the reader can detect how eloquence is declining.

Seneca claims that whatever Roman eloquence has that rivals Greece reached full bloom in the

age of Cicero, and although both Rome's superiority to Greece and Cicero's generation are also set in the past, these points cast additional shadows that contribute to the gloominess of Seneca's picture. Seneca's rhetoric suggests that at one time Rome could boast of oratory that surpassed the oratory of Greece, but that is no longer the case. At play in this statement are notions of xenophobia and Roman political and cultural arrogance, which Seneca emphasizes by the epithet "insolent" that he applies to Greece (*insolens Graecia*). In this case, then, Seneca encourages the reader to judge the low state of Roman eloquence by comparing it with Rome's cultural rival.

In putting Cicero at the center, Seneca speaks of someone who died probably 70 years before he was writing, drawing attention to the large temporal gap between the pinnacle of Roman oratory and the composition of his own anthology. It is a trope in Greek and Roman epic for older characters and the narrator to remark on how men of previous generations were much better and stronger than the men of the current generation. For example, in the *Iliad*, Nestor, the oldest and wisest Greek warrior at Troy, says that people today are weaklings, and the narrators both in Homer and in Vergil claim that men used to be able to heave rocks in battle that it would now take multiple people to lift. This sense of nostalgia and the mythologizing of the past that accompanies it are essential components of Seneca's entire work, but they appear prominently here in his engagement with Cicero in the Preface to Book 1. In using a dead man and his generation as a marker to show the decline of Roman oratory, Seneca gives point to his contention that the current generation of orators is deficient. Moreover, Cicero in his own works presented himself as being identifiable with the Roman Republic—a facet of Cicero's self-fashioning that early imperial orators and historians, whom Seneca quotes in his work, would assimilate into their own interpretations of Cicero—and so in associating the peak of Roman eloquence with Cicero, Seneca also associates it with the bygone political structure of the

Republic.

And so, whereas above I argued that in the general scope of his anthology, and in the pedagogical technique of *imitatio* in particular, Seneca is greatly concerned with demonstrating that the past is useful for and thereby connected with the present, in the more pessimistic part of the text in which Seneca discusses the decline of eloquence, he is at pains to emphasize the distance—indeed, the daily increasing distance—that separates the past and the present. This should be interpreted in light of the rhetorical strategies at work in each part of the passage. In discussing the imitation of older orators, Seneca is exhorting his sons and general readers to improve their own oratory by devoting their time to the study of speakers from a prior age. Assumptions underlying this idea are that the past is accessible, intelligible, and relevant to the present. When he turns to the decline of Roman eloquence, Seneca is intent on presenting the situation in a bad light, and to this end he uses scare tactics. Seneca here is virtually saying, "At one time, things were good. Now they are not as good. Indeed, they are only going to get worse. So the time to do something about it is *now*." For both reasons that Seneca gives for turning to prior generations of orators, the past is central, but the proximity of the past to the present is alterable based on Seneca's immediate rhetorical aims.

Seneca outlines three possible causes for the decline of eloquence: a moral one, a historical and political one, and a cause based in the cyclical nature of fate. Regarding the first, Seneca blames the "luxury of the age" (*luxus temporum*), meaning that people have become accustomed to excessive indulgence; Seneca says there is nothing as lethal for *ingenia* as *luxuria*. Secondly, Seneca faults changes in the political system: competitiveness shifted to other fields when the value of eloquence diminished. Finally, Seneca suggests that the cyclical nature of fate could be the cause: that which comes to the top sinks down to the bottom more quickly than it

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rose. Although Seneca does not explicitly endorse any single cause, after presenting his three

alternative he proceeds to rant against the decadences of the current age (*Controv.* 1.praef.8-9):[57]

> Torpent ecce ingenia desidiosae iuventutis nec in unius honestae rei labore
> vigilatur; somnus languorque ac somno et languore turpior malarum rerum
> industria invasit animos: cantandi saltandique obscena studia effeminatos tenent,
> [et] capillum frangere et ad muliebres blanditias extenuare vocem, mollitia
> corporis certare cum feminis et inmundissimis se excolere munditiis nostrorum
> adulescentium specimen est. 9. Quis aequalium vestrorum quid dicam satis
> ingeniosus, satis studiosus, immo quis satis vir est? Emolliti enervesque quod nati
> sunt in vita manent, expugnatores alienae pudicitiae, neglegentes suae.

> Behold! The characters of the lazy youth are torpid. They do not stay up late to
> work on a single honorable pursuit. Sleep and languor and, what is more
> disgusting than sleep and languor, a diligent devotion to vice has invaded their
> minds. The obscene pursuits of singing and dancing hold the attention of these
> effeminates. It is the mark of the present generation of young men to twist their
> hair into curls, reduce their voices to womanly caresses, compete with women in
> the softness of their bodies, and adorn themselves with the most nauseating
> nicety. Who of your peers is—I won't say talented enough, or even studious
> enough—rather, who is man enough? Because they are born soft and nerveless,
> they remain so throughout their lives, attackers of other people's chastity and
> neglectful of their own.

It is significant that Seneca here specifically attacks the youth: his complaints sound like

the tirade of an old man against what he perceives to be the vices of the day. Although Seneca

turns to the young men because he is discussing the decline in eloquence, the transgressiveness

of the youth for Seneca is displayed in behavior that is not specifically connected to public

speaking. It is apparent in their choice of recreational activities (singing and dancing) and their

appearance. Specifically, Seneca rails against what he considers to be the effeminacy of the

male youth: young men strive to be like women in their voices and bodies, with the result being

that, for Seneca, they risk becoming transformed into inferior beings.[58] In his discussion of the

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[57] Williams (1978) 9 understands this as evidence of Seneca's belief in the moral cause and of his "tacit" rejection
of the other two; cf. Berti (2007) 215-16 for a similar interpretation. Fairweather (1981) 137 cautions against a
narrow view that privileges only one cause and Sussman (1972) 208 suggests that all three contribute.

[58] Seneca's son, Seneca the Younger, includes a similar passage on effeminization through behavior and moral

youth's gender-bending activities, Seneca calls attention to an instance of synaesthesia: the

voices of the young men assume a tactile dimension as they become "womanly caresses." The

youth's blurring of gender boundaries also results in confounding the senses. Indeed, in this

passage, everything is topsy-turvy. Scattered throughout the passage are value-positive words

that are contorted out of shape by the youths' misuse or misdirection of their energies. Seneca

claims that they exhibit *industria* ("diligence," "industry") for vice, a jarring phrase since

industria is often a virtue; they compete (*certare*) with women in softening their bodies, although

the strife of competition in war or athletics would seem to produce hardened bodies; and the

neatness (*munditia*) that they strive for is utterly un-neat (*immundissimus*). According to Seneca,

the wanton perversion of potentially admirable qualities suggests not only that young men are

mistaken in their choices, but that they threaten to overturn normative ethical and cultural

categories completely. In the language of rhetorical criticism, the equivalent of this behavior, as

Seneca describes it, would perhaps be *cacozelia*, the willful choice for corrupt and perverse

speech.[59]

Near the end of this passage Seneca claims, *emolliti enervesque quod nati sunt in vita*

manent, "Because they are born soft and nerveless, they remain so throughout their lives," which

suggests that the young men's effeminacy is in some way a result of the way in which they were

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decline at the conclusion of his *Naturales Quaestiones* (7.31.1-32.1), arguing that it should not be a matter of
wonder that philosophy and science are neglected when so much energy and attention are given to vice and luxury.
As has been shown in studies of Roman conceptions of gender and sexuality (e.g. Gleason [1995], Richlin [1997,
2011], Gunderson [2000]), for Romans like Cicero and Seneca masculinity was a performance that required training
and monitoring of behavior. As is evident from Seneca's rant, for some Romans it was possible for a male to
become emasculated by not adhering to the customary performative codes for masculine behavior. For gender as
performance more generally, see Butler (1990).

[59] For *cacozelia* (κακοζηλία/τὸ κακόζηλον), see Sen. *Controv.* 9.1.15, 9.2.28, *Suas.* 2.16, 7.11, Quint. *Inst.* 8.3.56-
60, [Longinus] 3.4, Demetrius 186-89, all of which passages I mention in my discussion in Chapter 2. Cf. also
Jocelyn (1979), Fairweather (1981) 215-17, Berti (2007) 192 n. 3.

born. An assertion that effeminacy is a result of nature fits well with his attention to *ingenium* throughout his critique of oratory in the Preface, insofar as *ingenium* is an innate or natural quality within each individual. Seneca's rhetoric here creates an outgroup based on nature, indicating that some men are naturally inferior and are doomed to be effeminate throughout their lives. Despite the immediate effectiveness of Seneca's invective here, it is difficult to reconcile with the fundamental aims of Seneca's work. One of the premises underpinning Seneca's work is that attention to and imitation of good models can result in sound oratory. In this interpretation, good oratory results from the care and diligence of the speaker, whereas bad oratory is the result of negligence. In connecting bad oratory to bad character which comes from nature, however, Seneca restricts the potential success of his own work. In this view, Seneca's work would not have a salutary effect on the people who are born "soft and nerveless," but can only benefit those who were born manly.

Be that as it may, in his tirade Seneca enlarges the scope of his attack by advancing two interpretations for the origin of faulty speaking: a man can be born with such a character or *ingenium* that he naturally speaks badly, or he can neglect or pervert his ability through the imitation of bad models with the result that he speaks badly. In giving attention to both of these causes, Seneca intensifies and broadens the idea of the spreading corruption, but at the same time muddies the aims and undercuts the value of his own work. As I have noted throughout this study, invective does not principally achieve its effects as a result of logical argumentation, but by appealing to fear, prejudice, and anger. Here Seneca seems to inspire animus against his targets by means of his contention that they are naturally unmanly and inferior, even though it conflicts with the overarching goals of his work.

It is worth noting explicitly that Seneca's critique of the rhetorical tradition is also a

product of that same tradition. Stanley Bonner claims that Seneca's suggestion that the growth

of luxury was responsible for the decline of eloquence was a "rhetorical theme" and offers

parallels from other ancient authors to support this claim.[60] Erik Gunderson comments that

Seneca himself is declaiming in this passage and notes the paradox of pleasure arising from the

critique of sensualism.[61] At this point in his rant Seneca is warmed up, and he proceeds to speak

vigorously about the need to protect scared *eloquentia*, here personified as a female, lest the

effeminate and lustful violate her (*Controv*. 1.Praef.9-10):

> In hos ne dii tantum mali ut cadat eloquentia: quam non mirarer nisi animos in quos se conferret eligeret. Erratis, optimi iuvenes, nisi illam vocem non M. Catonis sed oraculi creditis. Quid enim est oraculum? nempe voluntas divina hominis ore enuntiata; et quem tandem antistitem sanctiorem sibi invenire divinitas potuit quam M. Catonem per quem humano generi non praeciperet sed convicium faceret? Ille ergo vir quid ait? "<u>Orator est, Marce fili, vir bonus dicendi peritus</u>." Ite nunc et in istis vulsis atque expolitis et nusquam nisi in libidine viris quaerite oratores. Merito talia habent exempla qualia ingenia. Quis est qui memoriae studeat? quis est qui non dico magnis virtutibus sed suis placeat? Sententias a disertissimis viris iactas facile in tanta hominum desidia pro suis dicunt, et sic sacerrimam eloquentiam, quam praestare non possunt, violare non desinunt. Eo libentius quod exigitis faciam, et quaecumque a celeberrimis viris facunde dicta teneo, ne ad quemquam privatim pertineant, populo dedicabo.

> May the gods not have so much evil in them that they allow eloquence to fall in the hands of these men. Indeed, I would not admire her if she were not selective of the minds to which she chose to betake herself. You are off the mark, most worthy young men, if you do not believe that that saying belonged not to Cato, but to an oracle. For what is an oracle? Certainly, it is divine will delivered through a mortal mouth. And just what more holy priest could a divinity find for itself than Marcus Cato, through whom it was not teaching the human race but chiding it? And so, what did that man say? "An orator, Marcus my son, is a good man skilled in speaking." Go now and seek out orators among those who are plucked and shaven—men nowhere except in their lust. Rightfully so they possess models that are comparable to their characters. Who is there who is eager to ensure his memory? Who is there who pleases, I won't say great virtues, but even his own? In the midst of such great slothfulness of men they easily pass off as their own *sententiae* uttered by the most eloquent men, and so not being able to

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[60] Bonner (1949) 42: Sen. *Ep*. 114.2, Petronius *Sat*. 88, [Longinus] 44.6-11.

[61] Gunderson (2003) 37.

surpass the most sacred eloquence, they do not cease to violate her. And so, all the more willingly shall I do what you ask me to do, and whatever I still retain that was said eloquently by the most distinguished men, lest it belong to anyone privately, I shall dedicate to the people.

As I showed in Chapter 2, Seneca's rhetoric in this passage is part of a trope of personifying *eloquentia* (or ῥητορική "rhetoric") as a woman that is also found in other Greek and Roman works on rhetoric (due in part to the fact that the grammatical gender of both words is feminine).[62] The ancient Greek and Roman rhetorical schools were populated almost entirely by males; when characterized as a woman, *eloquentia* becomes the lone female presence in an otherwise exclusively male environment.[63] Moreover, in the context of the male-dominated rhetorical schools, the pursuit of eloquence is sexualized.[64] As Seneca puts it, eloquence seems of her own accord to join with those of good character; others, however, whom she does not visit on her own, violate her. For Seneca, there is a resemblance between sexual violence and the violation of proper ways of speaking. In this passage, the fault in speaking that Seneca specifically calls attention to is essentially declamatory plagiarism: due to people's idleness (*desidia*), contemporary speakers easily pass off the *sententiae* of eloquent men as their own (1.pr.10).[65]

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[62] See Cic. *Brut.* 330, Dionysius Halicarnassus *Orat. Vett.* 1-2, Quint. *Inst. Orat.* 8.Praef.18-22, 26, all of which I discuss in the conclusion to Chapter 2. Cf. also Stroup [2010] 237-68.

[63] There are no female declaimers in Seneca's anthology, although some of the *controversiae* required the declaimer to speak in the character of a woman. For discussion of some female orators in the late Republic, see Hallett (1984) 233-34 on Gaia Afrania and Hortensia.

[64] In Dionysius of Halicarnassus' formulations of this trope (*Orat. Vett.* 1), Asiatic rhetoric, which is said to be ill bred and insufferable on account of its theatrical shamelessness (ἀφόρητος ἀναιδείᾳ θεατρικῇ καὶ ἀνάγωγος), is compared to a foreign courtesan (ἑταίρα) who within the home has displaced the freeborn and chaste wife (ἡ μὲν ἐλευθέρα καὶ σώφρων γαμετὴ), Attic rhetoric. Accordingly, for the men who attended the rhetorical schools and pursued excellence in speaking, the charms of eloquence herself could potentially lead them astray.

[65] For a discussion of plagiarism in Latin literature including a chapter on Seneca the Elder, see McGill (2012).

Despite his strident complaints about this violation, Seneca's own tirade curiously echoes earlier invective texts, both Latin and Greek. Seneca's *expugnatores alienae pudicitiae, neglegentes suae* ("attackers of another's chastity, neglectful of their own," *Controv*. 1.Praef.9) recalls Cicero's characterization of Verres as *non adulterum sed expugnatorem pudicitiae*, "not an adulterer but an attacker of chastity" in the *Verrines*.[66] *Expugnator*, which in normal usage denotes a besieger in the context of war and battle, is anuncommon word (the *TLL* entry for *expugnator* gives the *Verrines* passage just referenced as the earliest use of the word in a transferred sense), and it seems entirely plausible that Seneca lifted this phrase from Cicero's speech. Quintilian quotes the passage from the *Verrines* that includes this phrase as an example of amplification—evidence that the *expugnator pudicitiae* had made his way into the rhetorical schools by the end of the first century AD.[67]

Seneca's critique also bears a resemblance to a passage from Theopompus' historical work *Philippica*. The reciprocal sense in Seneca's statement that the youth attack others' chastity and neglect their own, and his attention to the practice of depilation, is similar to Theopompus' description of the men at the court of Philip of Macedon in the *Philippica*: οἱ μὲν ξυρόμενοι καὶ λεαινόμενοι διετέλουν ἄνδρες ὄντες, οἱ δ᾽ ἀλλήλοις ἐτόλμων ἐπανίστασθαι

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[66] *Verr*. 2.1.9: *Non enim furem sed ereptorem, non adulterum sed expugnatorem pudicitiae, non sacrilegum sed hostem sacrorum religionumque, non sicarium sed crudelissimum carnificem civium sociorumque in vestrum iudicium adduximus, ut ego hunc unum eius modi reum post hominum memoriam fuisse arbitrer cui damnari expediret.* "For we brought into your court not a thief but a plunderer, not an adulterer but an attacker of chastity, not a sacrilegious man but an enemy of rites and moral obligations, not an assassin but the cruelest butcher of citizens and allies, so that I think that this was the one man in human memory charged in such a way that for him it would be convenient to be convicted."

[67] Quint. *Inst. Orat*. 8.4.2: *Hoc genus increscit ac fit manifestius si ampliora verba cum ipsis nominibus pro quibus ea posituri sumus conferantur, ut Cicero in Verrem: "non enim furem sed ereptorem, non adulterum sed expugnatorem pudicitiae, non sacrilegum sed hostem sacrorum religionumque, non sicarium sed crudelissimum carnificem civium sociorumque in vestrum iudicium adduximus." Illo enim modo ut sit multum, hoc etiam plus ut sit efficitur.*

πώγωνας ἔχουσι. "Some remain shaved and smooth although they are men; others, although they have beards, have the effrontery to rise up against one another" (*BNJ* 115 F 225 a-b).[68] Without greater knowledge of Seneca's reading habits, however, I am hesitant to claim that Seneca took his description directly from the *Philippica*; alternatively, it is possible that the passage of Theopompus, a student of Isocrates, was the origin or a product of a rhetorical common-place in the schools.[69]

The similarity of Seneca's phrasing to Cicero's *Verrines*, however, is patent, and so Seneca ironically appears here to have done one of the things that he himself criticizes in this passage, namely, steal another's *sententia*.[70] Does Seneca's own rhetoric in this passage undermine his hard-line, conservative stance? Or is he having some sophisticated fun with the tradition and supporting his point through his own example? That is, is this *Cato Censorius* remade for the first century: stern morality played with a wink? Again, we can think of Seneca's approach to *imitatio*: imitation entails riffing on a source or model, not copying it exactly. Here we should compare Sherman's photography, in which a character and a scene of the past are reenacted, but key elements of the reenactment result in the performer being detached from the performance and thus transform the performance into a commentary on performative nature.   In any case, here we can see another another possible parallel with Cato's life and works: although Cato presented himself as a staunch opponent of most Greek cultural attainments, his own speeches and writings display many techniques that are associated with Greek rhetoric, thus

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[68] I am grateful to Amy Richlin for bringing this parallel to my attention.

[69] Theopompus and Isocrates.

[70] Cf. *Suas.* 2.19, where Seneca says that one can now pass off sententia from *Verrines* was one's own.

complicating his professed conservative position.[71]

In portraying eloquence as potentially vulnerable in his tirade, Seneca suggests that it is in need of protection, and presumably for him his anthology is an attempt to keep *eloquentia* safe. In truth, a connection between speaking and sex lies at the heart of Seneca's entire harangue. For Seneca, it appears that bad speaking in part results from unrestrained, misdirected, and immoral sexual energy.[72] Perverted speaking is closely associated with perverted sexual behavior. Moreover, just as sexual activity can result in replication, so it seems that for Seneca faulty oratory, unless it is checked by the criticism and the presence of alternative models, will spawn more faulty oratory.

Ultimately, both perverted speaking and perverted sex in essence reflect or emanate from perverted character. He supports this position by quoting Cato the Elder's famous maxim: *Orator est, Marce fili, vir bonus dicendi peritus*, "An orator, Marcus my son, is a good man skilled in speaking." Seneca is not simply concerned with the ability of declamation to produce good speakers, but also good men.[73] For Seneca, the ethical and cultural significance of sound oratory is fundamental for defining and defending Roman morality.

Seneca's work from the beginning is interested in time, age, and epochs. He in part justifies writing the work by claiming that he is preserving something from the past, from an

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[71] For Cato's relationship with Greek rhetoric and culture, see *Ad filium* 1 Cugusi and Sblendorio Cugusti with commentary (2.422-26), Plut. *Cat. Ma.*, Leeman (1963) 48-9, Astin (1978) 157-81, Von Albrecht (1989) 11-20.

[72] Cf. Dugan (2001). As we shall see from a consideration of his son's *Epistulae* 114 below, Seneca was not unique in this interpretation and did pass it on to at least one son.

[73] As I showed in Chapter 2, Seneca was not unique in this interpretation, and may have helped shape his son's view, who famously argued in *Epistulae* 114 (ca. 65 AD) that a man's style of speech was a reflection of his soul: convoluted or effeminate style in speech or writing, for example, was evidence of a convoluted or effeminate character. This stylistic theory is neatly summed up in a *sententia* based on Seneca's letter, *talis oratio, qualis vita*, "As is a person's speech, so is his life"; Cf. *Ep*. 114.1.

older age. He is using his memory to construct a bridge in time. His old age is an obstacle to this endeavor—insofar as it has weakened his memory—but it also makes it possible. As he sits down to write his book, he seems to swell with joy and pride at his youth. It is like he is bringing out his old photo albums for the younger generation and saying: "Come, my sons, and look here. Oh, these were the days, my dear boys. Men were actually men back then. We weren't like these degenerate effeminates nowadays who violate the art that we assiduously cultivated." Both oratorically and ethically, for Seneca the present age has devolved from the past, and he is attempting to connect the present to the past, the younger generation to an older generation, through his recollection of declamation. And Seneca accomplishes this by using as a model, in no superficial manner, Cato the Elder, that is, *Cato Censorius*.

In an introduction to a volume of collected essays on praise and blame in Roman Republican rhetoric, William Dominik and Christopher Smith suggest that an important aspect of invective involves working against time, over the course of which values degenerate: "Like praise, blame is a policing mechanism, identifying digression from or alignment with those virtues which conduce to an effective and stable Republic despite, or at least in the face of, the entropy and contingency introduced by the force of time."[74] Against the effects of time, invective and republican oratory in general can be seen as an "exhortation to shared values and a common cause."[75] This aspect of invective arises from the same cultural assumption that made exemplarity a fundamental part of Roman culture for centuries: the present is always at risk of degenerating from the illustrious past. It is only through unremitting vigilance in face of the constant threat of immorality that the preeminence of Rome can be maintained, and an essential

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[74] Dominik and Smith (2011) 2.

[75] Dominik and Smith (2011) 13.

component of this is to hold fast to the traditional values that have been handed down to the present generation from the past. The myth of a pristine, virtuous past is a fundamental component of both Roman exemplarity and Roman rhetorical invective.

But as Seneca himself has just demonstrated to the reader, there is a lot of fun and pleasure to be had in railing against salacious topics from the high moral pedestal. And such topics (e.g. rape, adultery, murder) account for a remarkably large number of the declamation themes in Seneca's anthology. Furthermore, Seneca vociferates virilely about oversexed men violating eloquence, but then he seems to do the very same thing himself. In the course of displaying his moral character by ranting against taboo subject matter, a speaker gets to enjoy it as well.

III. Select Passages

L. Cestius Pius' Criticism of Quinctilius Varus

One significant way that Seneca criticizes the *dicta* of the *scholastici* is by reporting the remarks of those who ridiculed (*diridere*) a fault or a speaker in the schools. Seneca appears to delight in these anecdotes, and occasionally apologizes to his sons for the digressions he makes to include them, since they apparently would rather hear *sententiae* than *ioci* (7.Praef.9). A productive way to approach these reported criticisms is to consider the persona of the speaker who delivers them. Perhaps the most willing and caustic of the critics is L. Cestius Pius, a rhetorician from Smyrna who taught Latin rhetoric at Rome from at least 13 BC.[76] Of all the *scholastici* in Seneca's work, he appears to be the most pompous, ridiculous, and unlikeable.[77]

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[76] Jer. *Chron. ad annum* 2004.

[77] For example, he had a practice of writing replies to Cicero's speeches and even under considerable pressure from Cassius Severus would not concede that he was less eloquent than Cicero (*Controv.* 3.Praef.15-7). On this exchange

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Seneca describes Cestius as *homo mordacissimus* "an extremely sharp-tongued man" (7.Praef.8).[78] Cestius' criticisms frequently are meant to display his rhetorical skill and cleverness, and often entail throwing back at the speaker what he had just said (e.g. 7.Praef.9); at other times, Cestius speaks in his native Greek (e.g. 7.7.19), which demonstrates his fluent control of both Latin and Greek and, by reminding the audience of his identity, his considerable talent: he is a Greek teaching Latin rhetoric. As practiced a critic as Cestius was, however, his criticisms often appear petty and mean-spirited, as he sometimes panders to the audience[79] and in his capacity as a teacher he makes a student the butt of his joke.

A particularly notorious example of his criticism comes at the expense of Quinctilius Varus, only a *praetextatus* (under 16 years old) at the time, when one of Varus' *sententiae* prompted considerable abuse from Cestius (*multa contumeliose dixit in istam sententiam*, 1.3.10). In addition to mocking Varus' choice of words, Cestius said, *ista neglegentia pater tuus exercitum perdidit*, "by such negligence your father lost an army" (1.3.10), referring to the loss of three legions and several auxiliary units under the command of P. Quinctilius Varus in the Battle of the Teutoburg Forest in 9 AD, a rare and devastating military disaster for Rome. Here Cestius attempted to display his cleverness by saying something pointedly directed at Varus. In his quip Seneca equates *negelgentia* in major military operations with *neglegentia* in a

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see Schwartz (2015). Seneca also reports that Cestius was physically beaten by the order of Cicero's son Marcus when the latter was governor of Asia, after a slave told Marcus that Cestius said that his father did not know his letters (*Suas*. 7.12-3).

[78] Cestius' students were apparently influenced by their teacher's mordacity: Seneca claims that Cestius' pupil, Argentarius, followed in his teacher's footsteps so closely (Cestius called him the "ape of Cestius" [*simius Cesti*] or "my ape" [ὁ πίθηκός μου, 9.3.12]) that Argentarius too dealt out much abuse (9.3.13).

[79] Cf. *Controv*. 9.6.12, where in response to a possible criticism of his *sententia* Cestius says, *multa autem dico non quia mihi placent sed quia audientibus placitura sunt*, "But I say many things not because they please me, but because they will please the audience."

declamation. For Cestius, the son follows in the footsteps of his father by bringing failure and shame upon the Romans.

Seneca, however, claims "we all disapproved" (*omnes improbavimus*) of Cestius' remark, and Seneca's use of *omnes* "all" with the first-person plural verb underscores how Cestius alienated himself by his mordant comment. *Improbare* "to disapprove" is often deployed to express a *scholasticus*' disapproval of, for instance, a *color* that a speaker has used in a declamation, but here Seneca uses the word to criticize Cestius' behavior as a teacher in criticizing his student. Seneca's account suggests that rhetorical performance is not confined to the actual declamations, but is an aspect of the entire system. For Cestius, the distinction between rhetorical performance and reality is difficult to identify. This is evident in Cestius' comparison of a major military defeat with a sixteen-year-old's rhetorical misstep in a declamation, but possibly more so in that he did not recognize or did not care that such a comparison was in poor taste. Cestius, in a way similar to the boys under his care in his school, is constantly searching for the clever *sententia*, and in his pursuit of rhetorical showmanship he becomes insensitive and coarse. Seneca concludes this anecdote by saying, *Filium obiurgabat, patri male dixit*, "In reproving the son, he abused the father" (1.3.10). The more moderate verb, *obiurgare*, presumably Cestius's attempt to help Varus, is offset by *male dicere*, which finds its target beyond the walls of the schoolroom in Varus' father. Seneca thus suggests that Cestius' rhetoric is more harmful than helpful.

Seneca in this passage offers a critique of a famous teacher of declamation, and his criticisms cut deeply into the heart of the problem. Cestius' teaching may be intended to help young men, but it is offensive to an older generation. A craving for the immediate effect of a *sententia* and the ensuing applause has corrupted not only the declamations produced in the

schools but even the methods of teaching. In particular, Cestius antagonizes the son by means of

the father, which is opposite to the aim that Seneca has set for himself in writing his book for his

sons.[80] In criticizing the methods of Cestius' teaching, Seneca substitutes himself as a teacher

for his sons, and so reenacts the role of Cato the Elder to his son Marcus. This is in explicit

contrast to Varus, who on account of the loss of his father is prey to the viciousness of a

scholasticus like Cestius. Through his comparison of the respective failures of father and son,

Cestius suggests that rhetorical deficiency is as un-Roman as a catastrophic military defeat.

Seneca, however, states Cestius' view in order to correct it, suggesting that faulty teachers who

fail to distinguish appropriate limits for rhetoric are undermining the morals of Roman youth.

Aemilius Scaurus: *inepta loci*

The criticisms, however, voiced by men of important accomplishments in politics or

literature, such as Asinius Pollio, Valerius Messala, Cassius Severus, and Aemilius Scaurus, are

presented quite differently from Cestius'. Seneca records the activity of some of these men as

declaimers, but they all function most notably in the text as critics of the *scholastici* and *scholae*.

They have experienced success either through oratory or literature, and so act as a check from

the outside world on the schools. At the same time, they are also akin to celebrities who give the

schools credibility and currency. In any case, they are responsible for many of the wittiest

criticisms that Seneca recollects. For example, in an unusually raunchy stretch of the text,

Seneca is advising his sons that one should not speak obscenely (*obscene*), and to illustrate this

he relates an exchange that took place during a *controversia* about a woman who sued her

husband for maltreatment because she was still a virgin, and after his conviction she sought the

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[80] As I noted above, on another occasion when Cestius insulted a father, it resulted in him being beaten by the order of Cicero's son Marcus (*Suas*. 7.12-3).

priesthood. The speaker of the *sententia* is unnamed, but Seneca states that he was of praetorian

rank (*quendam praetorium*): *novimus, inquit, istam maritorum abstinentiam, qui, etiamsi primam*

virginibus timidis remisere noctem, vicinis tamen locis ludunt, "'We know,' he said '*that* kind of

abstinence of husbands, who, although they yield to frightened maidens on the first night,

nevertheless play around in the neighboring parts'" (1.2.22). In this somewhat cryptic *sententia*,

the "abstinence" of the husbands is actually the substitution of anal sex for vaginal sex. The

speaker is presumably speaking against the girl and suggesting that she is not chaste enough for

the priesthood that she is seeking. Scaurus, whom Seneca describes as "a not only very eloquent

but very graceful man" (*non tantum disertissimus homo sed venustissimus*, *Controv.* 1.2.22),[81] at

once interrupted the speaker by saying "*inepta loci*." These two words round off a Priapean

distich that Seneca attributes to Ovid, and which has very strong verbal similarities to the

declaimer's *sententia*: *quod virgo prima cupido dat nocte marito,/ dum timet alterius vulnus*

inepta loci, "which a virgin gives on the first night to her desirous husband,/ while she in her

foolishness fears a wound to the other place" (3.7-8). The speaker could not recover from

interruption and said no more. Scaurus, however, went on to claim that the *vitium* that the

speaker displayed was "handed down from the Greek declaimers: there was nothing they didn't

allow themselves, and they got it, too" (*a Graecis declamatoribus tractum, qui nihil et non*

permiserint sibi et inpetraverint, 1.2.22).[82]

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[81] For Scaurus, see Rutledge (2001) 186-8. Descended from an old Republican family, Mam. Aemilius Scaurus was *suffectus consul* in 21 AD. The next year he acted as *accusator* (Tac. *Ann.* 3.66), and died by suicide in 34 AD after being accused in turn (*Ann.* 6.29). Tacitus claims that he was one of the most accomplished speakers of his age (*Ann.* 3.31, 6.29), although in Seneca's estimate he was talented but lazy and extremely negligent (10.pr.2-3). Seneca also notes that Scaurus published seven speeches but these were later burned by a decree of the senate (10.pr.3).

[82] *Inpetraverint* is an emendation (Haase [1851] 175) for the transmitted †*penetraverunt*.

This passage presents Scaurus in the role of an unofficial referee in the school: he is an accomplished orator with enough wit and authority to silence the speaker who had been a praetor. In contrast to the presumably prepared declamation of the speaker, Scaurus produces his quip spontaneously, and so ably displays the *venustas* that Seneca attributed to him. The foil to him is the speaker, who cannot even continue with his speech. A general criticism leveled at the *scholae* in Seneca's work is that declamation is conducted in an artificial environment apart from the distractions and hazards that an orator would need to overcome in the forum.[83] This passage presents a speaker who is effectively silenced by some heckling from the audience, and so demonstrates the artificiality of declamation, since even a declaimer of praetorian rank fails to function in the face of opposition. Moreover, Scaurus' criticism depends on some literary sophistication: in order for it to make sense, one needs both familiarity with the poem that he quotes from and a sense of literary decorum. He utters only two words that are not even grammatically connected, but are enough for him to make his point and stop the speaker mid-declamation. Scaurus' comment suggests that the image in the speaker's *sententia* is fit for obscene priapic verse, and thus inappropriate for oratory. Literary sophistication and literature itself become measuring sticks for what is appropriate.

Nevertheless, although Scaurus' interruption is intended to criticize the speaker for his obscenity, he in effect caps it with his own moderately obscene *sententia* on Greek declaimers. On the one hand, Scaurus is saying that the Greek declaimers are lenient, and so allow themselves to say everything, including that which will not pass in a Latin schoolroom. This is an attack on stylistic grounds, in which the licentious practices of Greek declamation are

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[83] Cf. Cassius Severus' remarks at 3.pr.13 and Heldmann (1982).

contrasted with the more chaste Latin ones. On the other hand, since the poem and *sententia* both allude to anal penetration during sex, Scaurus is also playing on Greek sexual practices. In this case, then, the indiscriminateness of the Greeks in Scaurus' formulation results in their assumption of both passive and active roles in sexual intercourse. Accordingly, Scaurus here conflates style with broader social and cultural practices and prejudices. Stylistic faults appear by no means to be isolated phenomena but are closely related to the cultural contexts from which they emerge. It is striking, however, that the corrector of obscenity is himself obscene. Seneca records both the speaker's *sententia* and Scaurus' observation, and while the former is chastised, the latter is not. Accordingly, a complicated relationship with obscene and insulting remarks emerges, insofar as they are celebrated and discouraged simultaneously. After relating three more obscene *sententiae*, Seneca concludes the passage by advising his sons to refrain from all obscenity in word or thought (*longe recedendum est ab omni obscenitate et verborum et sensuum*, 1.2.23). Nevertheless, the critical observation of Scaurus, who is presented in this passage as an authority, undermines Seneca's advice. It appears that there is something interesting and entertaining about the obscene passages, but that aspect of the *sententiae* receives no direct comment from Seneca. Does Scaurus' esteemed status keep Seneca from making a comment? Or, is it that sufficient wit and cleverness trump other considerations and allow for greater license?

Conclusion

A particularly interesting development that emerges over the course of Seneca's work is that rhetoric and eloquence have become ends in themselves and are no longer an immediate means to political ascendancy. Now rhetoric is the man. This theme appears strikingly in Book 2 of the *Controversiae*: after discussing the perilous nature of a careless remark dropped by M.

Porcius Latro when he was declaiming before Augustus that could have been offensive to Agrippa, who was also present, Seneca says, "I cannot pity those who think that it is worth it to lose their head rather than to lose a joke" (*horum non possum misereri, qui tanti putant caput potius quam dictum perdere*, 2.4.13; cf. Quint. *Inst.* 6.3.28). The perilousness of oratory can already be seen in Cicero's later works, as he refrained from attending and speaking in the senate due to the threat of Antony, instead publishing a fictitious speech, the *Second Philippic*. With Latro in this instance, however, a declamation, a fictitious speech delivered in an apolitical setting, had the potential to get him in big trouble with the leading political figures.

The identification of a man with his words, however, comes to a further stage of development and is treated most poignantly in the preface to the final book of *Controversiae*, Book 10, in which Seneca discusses the new punishment of burning an author's books devised for Titus Labienus (10.pr.5-8). This punishment was also meted out to Scaurus (10.pr.3) and the man who had sentenced Labienus' books, possibly Cassius Severus (10.pr.7). Moreover, this theme appears to be connected to the symbolic end of the Republic, as the final declamation theme in the one remaining book of *Suasoriae* is whether Cicero should accept Antony's offer of burning his works in order to save his life. Here the execution of Cicero's literary works would be proxy for the execution of Cicero. Rhetorical performance, whether in the formal mode of a declamation or the casual bon mots that Seneca gleefully celebrates in anecdotes, is at the center of Seneca's work and the rhetorical schools.

Paradoxically—and yet also understandably—the importance of rhetorical exercise increased after oratory lost its traditional place in Roman civic life. Before the Principate, oratory had provided outsiders the opportunity for upward mobility at Rome, as, for example, it enabled Cicero, a *novus homo* from Arpinum, to ascend to the highest level of the Roman

political ladder. Nevertheless, Cicero was trained in the traditional *tirocinium fori* and made his name in real, high-stakes trials, such as the defense of Sex. Roscius (80 BCE) and the prosecution of C. Verres (70 BCE). *Scholastici* like Latro from Spain and Cestius Pius from Smyrna who came to Rome during the Principate and acquired reputations through their oratory, on the other hand, predominantly confined their activity to the schoolroom and were always subordinate under the power of Augustus and his imperial successors. Oratory continued to matter, but it became in effect the province of those who were excluded from the highest levels of official power.

This is the world that Seneca presents in his anthology, consciously setting it against the tradition and the memory of Republican Rome. For his own persona Seneca takes Cato the Elder as a principal model, but both for Seneca and the declaimers in the anthology the reenactments of Republican roles are not performed without irony. For Seneca, speech carries ethical implications and he intends his work to be morally instructive for future generations of Roman men. Nevertheless, as I have argued in this chapter, Seneca also undercuts this aim in various ways. Although rhetoric had become an end in itself for those whose practiced oratory in the rhetorical schools of the early Principate, Seneca is keen to point to the ways in which it was detached from reality, a world conjured up in the schoolrooms, just like the declamation themes treated there.

One can see a parallel with this in the humanist invective of Poggio Bracciolini. Poggio's most strident invectives are written against other humanists in an insular world of erudition and strife. Poggio criticizes his opponents' offensive and at time obscene rhetoric through the use of extremely offensive and at times obscene rhetoric. The underlying idea—that one speaker can understand and hence criticize another's character by analysis of that person's language—

remains, but Poggio's own rhetoric works against this idea. As always in polemical and invective contexts, logic is illusory: part of the game of criticizing transgressive language consists in using transgressive language.

CHAPTER SIX
POGGIO BRACCIOLINI AND THE RHETORIC
OF DECORUM AND OBSCENITY

Although by 1451 tensions between Poggio Bracciolini (1380-1459) and Lorenzo Valla (c. 1407-1457) had been building for years due to professional rivalry, the event that set off their explosive conflict was that one of Valla's pupils, Francesco Rosi, a Catalan, noted grammatical errors in a collection of Poggio's letters and circulated the marked-up copies. Poggio held Valla himself responsible and composed the first of his five *Orationes* (1452-1453) against him. Poggio's invectives against Valla, and not only against him, are among the most eye-popping works in the rich tradition of classically inspired humanist invectives of the fourteenth and fifteenth centuries in part because they are the most violent and outrageous. His invectives are also shockingly obscene, much more so than the classical Greek and Roman oratorical invectives that inspired Poggio. In his letters as well as in his invectives, however, Poggio reproaches other authors for the use of obscene language in their own compositions, asserting that such language reveals a disreputable nature. In this final chapter, which is a prolegomenon to further study, I briefly consider Poggio's complicated understanding of obscenity and its relation to the ethical implications of style.

In the first of three parts, I provide background information on Poggio and survey general features of the genre of humanist invective. In the second, I consider two generally amicable letters exchanged between Poggio and another humanist, Panormita. In these letters, which were occasioned by the publication of Panormita's scurrilous book of classically inspired epigrams *Hermaphroditus* (1425), Poggio and Panormita discuss decorous speech and obscenity and how the imitation of ancient authors informs these topics. In his letter, broadly speaking, Poggio adopts the *talis oratio*, *qualis vita* interpretation of language and style, while Panormita, in

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response to Poggio's admonitions that he abandon his practice of writing obscene poems, takes refuge in the *lex Catulli*. Nevertheless, neither author's position can be perfectly mapped onto the classical theories; rather, each develops and molds them to fit his own ends in a contest for literary authority. In the third part of the chapter, I undertake a close reading of Poggio's first invective against another humanist, Francesco Filelfo. Published in 1434, Poggio's invective was a response to a satire, the *Lalus*, that Filelfo wrote against Poggio's close friend Niccolò Niccoli. A fundamental component of Poggio's invective is his criticism of Filelfo for using utterly foul and obscene language in his satire. For my part, I am interested in examining the ironies and tensions that result from Poggio's own use of obscene language and imagery in his attacks on Filelfo's obscene language.

Whereas in his letter to Panormita Poggio advocates a close connection between style and character, his rhetoric in his own invective seems to undermine this position. Reading the two texts side-by-side, then, suggests that an ethically based attack on style is itself a malleable rhetorical figure that indicates more about an author's wit and ingenuity than his character. In this regard, this chapter continues the exploration of the ambiguity surrounding the ethical attributes of speech that arose in my discussion of Seneca the Elder. Yet a key difference between these two authors should be pointed out. Although Seneca in his anthology focuses on oratory that has been removed from traditional civic arenas, he nevertheless still responds to the momentous political events of his lifetime as they are reflected in the declamation of the early Principate. Poggio, however, operates in an even more insular literary world: in the works under consideration he is chiefly attentive to policing the boundaries of a republic of letters.

I. Background

1. Poggio Bracciolini's Life and Works

Poggio's life and works were firmly rooted in a tradition of Florentine humanism that reaches back to Petrarch.[1] Born on 11 February 1380 in Terranuova in the province of Arezzo in Tuscany,[2] Poggio received the final years of his education in Florence, which at the time was the epicenter of humanist culture. He studied rhetoric under Giovanni Malpaghino, who had worked as an amanuensis for Petrarch and had spent around fifteen years in his household. Through his life Poggio cultivated friendships with some of the leading humanists of the day, such as his early mentor Coluccio Salutati, Niccolò de' Niccoli, and Leonardo Bruni. Following his studies and successful completion of his notary exams, Poggio spent most of his professional life over a period of 50 years working in ascending secretarial positions for seven successive popes in the papal curia. In his later years, from the middle of 1453 until 1458, Poggio was Chancellor of Florence, a position previously held by Salutati and his longtime friends Bruni and Carlo Marsuppini. Poggio died on 30 October 1459 and was buried in the Church of Santa Croce in Florence, where Bruni and Marsuppini had previously been honored with monumental tombs, and Michelangelo, Machiavelli, Galileo, and Rossini would be in later years.

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[1] The most authoritative biography of Poggio is Walser (1914), although Shepherd (1837) is also valuable. Tonelli's (1832-1861) three-volume edition of Poggio's letters, in which the letters are arranged chronologically, was reprinted in Fubini (1964) III. Harth (1984-1987) is a critical edition of the letters in which they are printed according to the arrangements Poggio made when he assembled them into books for publication.

[2] Poggio's hometown, located approximately 30 miles southeast of Florence in the Valdarno valley, was renamed Terranuova Bracciolini in 1862. Although Poggio spent most of his adult life travelling in the suite of the papal curia, he purchased a villa in the Valdarno close to Florence in 1438 in order to have a place to settle down in domestic comforts and enjoy studious pursuits in his final years. Two years earlier in January 1436, Poggio, aged 55, married Vaggia de' Buondelmonti, 17 at the time. Together they had five sons and one daughter, of whom one, Jacopo (1442-1478), became a respected scholar in his own right. Poggio's decision at last to marry and settle down led him to compose the dialog *An seni sit uxor ducenda* (1436) and to turn out of his household his longtime mistress and their 14 children. For the careers of Poggio's (legitimate) children, see Shepherd (1837) 457-58.

Poggio traveled widely throughout Europe, both in his service to the curia and on his own, and today he is most well known as the greatest of the humanist manuscript hunters.[3] His sensational discoveries include, now most famously, Lucretius, but also speeches of Cicero that were previously unknown and the first complete Quintilian.[4] These discoveries, which enlarged the canon of classical oratory and rhetoric and included the highly vituperative speeches *Pro Caelio* and *In Pisonem*, must certainly have influenced Poggio's invective abilities. Poggio also found ample time for his own literary work, which, although comparatively little read today, was highly respected by his contemporaries.[5] His most famous work is the *Liber Facetiarum* (1438-1452), a collection of over two hundred short humorous tales which had an enduring influence on the European literature tradition. As this work demonstrates, Poggio had a talent for wit and humor, and he put this gift to good use to season his many works undertaken in a more polemical spirit. Indeed, despite his own professions in some of his letters, Poggio seems to have had a penchant for controversy, and this contentiousness can be observed in his letters, in the part he played in the public debate with Guarino da Verona (1374-1460) on whether Scipio or Caesar

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[3] From 1414-1418, for instance, Poggio was based in Constance, where the curia serving the soon-to-be-deposed-and-imprisoned Pope John XXIII had traveled for the Council of Constance. From Constance, Poggio made several ventures to monasteries in France (Cluny, Langres), Switzerland (St. Gall), and Germany (Fulda) in search of manuscripts. Following the conclusion of the Council, Poggio traveled to England in hopes of further discoveries. Although he was disappointed in this respect, he did reside (albeit unhappily, as his letters attest) in England from 1418-1422, for which see Petrina (2004), Rundle (2005).

[4] For Poggio's manuscript discoveries, see Reynolds and Wilson (2013) 137-39. Greenblatt (2011) offers an exciting if controversial account of Poggio's discovery of Lucretius (perhaps at Fulda) and the immense impact this event had on shaping the intellectual horizons of the modern world. Goodhart (1974) contains an introduction to and English translation of Poggio's letters to Niccoli, many of which focus on the discovery and transmission of the manuscripts of ancient authors, as well as an appendix with a few additional letters by Poggio and others that discuss manuscript hunting.

[5] His productions include almost 600 surviving letters, numerous dialogues written in a Ciceronian fashion, funeral orations, and from his final years after becoming chancellor of Florence (1453-1459), an unfinished *Historia Florentina* in eight books, "a Sallustian continuation of Bruni's Livian" twelve-book *Historiae Florentini Populi* (1415-1442) (Baker [2015] 155). Cf. Wilcox (1969).

was the better man,[6] and especially in his full-blown invectives. In these last works, Poggio unloaded his full arsenal of rhetoric in order to annihilate the opponent and to bolster himself and his friends.

2. Humanist Invective

Before taking up Poggio's own invectives, I will consider briefly the genre of humanist invective. As I discussed in Chapter 1, ancient rhetorical theory accounted for invective as a genre in the standard tripartite scheme of types of oratory: falling under the epideictic genre of oratory, *vituperatio* ("blame") was the counterpart to *laus* ("praise"). Nevertheless, although recognized as one of the six genres of oratory, the treatment of *vituperatio* in works of ancient rhetorical theory is usually rather meager. Within epideictic, all of the treatises prioritize *laus*, deal with it first and in greater detail than *vituperatio*, the advice for which can simply be, "To blame, do the opposite of praise." Furthermore, very few of the ancient texts that have survived and can be identified as invective are technically *vituperationes* in the most restricted sense of the term, and almost all the ancient handbooks state that the epideictic genre by itself is not often practiced. For example, in concluding his treatment of the epideictic genre, the author of the *Rhetorica ad Herennium* states that although the epideictic genre is not often used by itself independently, nevertheless large parts of deliberative and forensic speeches are given over to praise and invective (*Rhet. Her.* 3.15). This theoretical framework was derived from the Hellenistic scholastic tradition of rhetoric that fundamentally shaped Cicero's and Quintilian's works and all those who followed them, including the humanists.

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[6] Cf. Canfora (2001).

The classically inspired Neo-Latin humanist prose invectives, many of which, unlike

their classical antecedents, have come down to us bearing the title *invectiva*, were produced quite

frequently by the Italian humanists active in the fourteenth and fifteenth centuries.[7] This revival

and conscious imitation of classical invective began with Petrarch, who in 1352 in connection

with a serious illness affecting Pope Clement VI, composed his first invective against a

physician. The physician responded in his own attack, to which Petrarch replied in early 1353

with three more invectives. Petrarch later edited and published his part in this exchange as the

four *Invectivae contra Medicum* in 1355.[8] Although invectives were certainly produced from

later antiquity through the middle ages,[9] Petrarch, reflecting on his own foray into the genre,

listed the quarrels between Cicero and Sallust, Demosthenes and Aeschines, Jerome and Rufinus,

and Jerome and Augustine as precedents for *certamina verborum* ("contests of words," *contra*

Medicum 4.202-3) that he himself was undertaking. Petrarch thus characteristically presented

himself as looking back to antiquity for his inspiration, and his revival of invective was part of a

larger project of engagement with and revival of classical style and forms.

Nevertheless, it is important to note how Petrarch's invectives differ from the classical

authors that he cites. For one, with the exception of the ps.-Sallust and ps.-Cicero invectives,

which are very short,[10] the examples that Petrarch cites are not freestanding invectives. The

earliest, the orations exchanged by Aeschines and Demosthenes, fall under the heading of

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[7] Rao (2007) 147-59 provides a chronological list of invectives from 1352-1453.

[8] Marsh (2003) edited and translated into English all of Petrarch's invectives for the I Tatti Renaissance Library. See also Marsh (2015).

[9] For invective in the middle ages see Ricci (1974), Beaumatin and Garcia (1995).

[10] Novokhatko (2009) 25-26 posits that they are the products of the declamation schools of the early principate.

judicial oratory.[11] While in these speeches the invective element is certainly memorable, it only

shows up in patches, and so bears out the *auctor's* assertion that invective appears in the other

genera of oratory. The fact that invective is often only a component of larger speeches makes

possible one of the important tropes employed in classical invective: the speaker oftentimes takes

up a pose of reluctance and makes excuses for his invective, often couching it in *praeteritio* (that

is, he pretends he is not saying what he in fact is saying). Demosthenes, for example,

rhetorically asks if he should first talk about how Aeschines' father was the slave of a school

teacher, or how his mother was a prostitute, before declaring, ἀλλὰ νὴ τὸν Δία καὶ θεοὺς ὀκνῶ

μὴ περὶ σοῦ τὰ προσήκοντα λέγων αὐτὸς οὐ προσήκοντας ἐμαυτῷ δόξω προῃρῆσθαι λόγους

"But by Zeus and the gods, I hesitate, lest saying things that are proper concerning you I myself

seem to have chosen topics that are inappropriate for me to speak about!" (18.129). But when

one comes to the lengthy invectives of the humanists—for instance, four of the five invectives

that Poggio wrote against Lorenzo Valla total 75 pages in the densely printed 1538 edition of

Poggio's works—this position cannot be reasonably maintained.

A second important distinguishing feature of humanist invective evident in Petrarch's

first *Invectiva contra Medicum* is that it primarily concerns an academic issue between two

learned men in different fields. Petrarch vindicates rhetoric, and the liberal arts in general, in the

face of the physician's attempt to subordinate them to medicine, which for Petrarch is a

mechanical art (1.14). "Academic" disputes of this kind are characteristic of humanist invective,

but more often the disputes are about issues that are contested between humanists.

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[11] These also have the unique status of being the only real speeches that survive from antiquity in which we can read the words of speakers on both sides of a case.

The genre of invective became quite popular among humanists following Petrarch's example and some of the leading figures, such as Salutati and Bruni, contributed to its development. But Poggio was perhaps the practitioner par excellence: he appears to have been particularly sensitive to criticism, especially when it touched upon his learning. Some of Poggio's invectives arose from religious[12] or political[13] disputes, but his longest and most bitter invectives were written against other famous humanists who attacked him, his work, or his friends.[14]

Poggio wrote four invectives against Francesco Filelfo between 1434 and 1443, and five against Lorenzo Valla between 1451 and 1452, and from these quarrels the choicest flowers of humanist invective can be culled. Poggio's invectives in these conflicts are sustained attacks against their targets and deploy more obscene language and cruder images than can be found in the works of Demosthenes or Cicero. Some of the same themes that appear in the works of the earlier authors can be found in Poggio's writings, but his invectives contain the most extreme and, one might say, pathological attacks. Why did the abuse become progressively more protracted, obscene, and extreme? What exactly Poggio was attempting to accomplish with such violent and divisive language?

As is the case with many Neo-Latin invectives, Poggio's have been understudied. Many of the texts are not even available in a critical edition, but can only be found in a twentieth-

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[12] E.g. *Invectiva in Felicem antipapam* (1447), *Poggius Jacobo Zeno episcopo feltrensi* (1450).

[13] *Contra fidei violatores* (1456/1457). Cf. Field (1988) 40.

[14] See, for example, the cause of the dispute between Poggio and Valla mentioned at the beginning of this chapter. For the background to the Poggio-Valla quarrel, see Wesseling (1978), Rao (2007) 87-8.

century reprint of Poggio's collected works originally published in 1538.[15] Nevertheless, some scholars have been brave enough to venture out into the waters of Poggio's abusive writings. Recently, two useful books have reviewed Italian humanist invective at some length, and among other things have shown interest in approaching it as a genre. My own work is indebted to these, and, I hope, builds upon them. Both Rutherford (2005) and Rao (2007) trace a genealogy of humanistic invective. Rutherford, who argues that by the early fifteenth century humanists were operating with a "good understanding of the rules governing" the genres of prose and poetic invective, gives special attention to Cicero and Jerome as their models. Jerome in particular was significant because he provided a good example of removing invective from its forensic and deliberative context as it was found in Cicero, and establishing it in an epistolary form where it could be developed at greater length. This is particularly important for the humanists, whose invectives, as Rao aptly puts it, "took the form of an open letter sent to a third party" (115). That humanist invective is more textual or literary in comparison to Cicero's speeches is noteworthy, since oftentimes the humanists would quarrel over barbarity in Latin and would quote their opponents to this end. Although both Jerome and the humanists, and Cicero, Aeschines, and Demosthenes to a much lesser extent, quote their opponents to demonstrate their bad style, for the humanists this becomes the central concern rather than a peripheral issue.

Rao (2007) offers a very entertaining survey of humanist invective from its revival in Petrarch in 1352 to 1453, in which year Poggio and Valla concluded their extensive and bitter quarrel. And he does much to situate the invective texts in their historical and cultural contexts.

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[15] Of the eight invectives written against Filelfo and Valla, there are modern editions of only the fourth (Fubini [1966] II.869-885) and the fifth (Bonmatí Sánchez [2006]) against Valla. The reprint of the 1538 collection of Poggio's works is Fubini (1964) I.

Concerning the whole period Rao writes, "invective's peak in popularity and artistic quality coincides exactly with the struggle of the humanists to win acceptance and respect for their movement and for their personally held ideas" (7); moreover, there was fierce competition among the humanists for the few lucrative and prestigious positions that existed, and so it was common that they would resort to denigrating their rivals and defending themselves in order to fortify and enlarge their own reputations (17-21). Rao interprets this as no coincidence, but rather as part of a historical pattern. In looking at the authors that Petrarch cites as influential for his own invectives, for example, we can see how this bears out: Demosthenes and Aeschines came to blows particularly in relation to the advances of Philip of Macedon and the threat that he posed to Athenian autonomy; the Ps.-Sallust and Ps.-Cicero invectives are set in the breakdown of the political and social order in the final years of the Roman Republic; Jerome found himself embroiled in conflict with other Christian writers in the latter decades of fourth and opening years of the fifth centuries, when Christianity had gained the ascendancy over traditional Roman religious practices. This last situation in some ways reflects the political state of Rome after 146 BC: after the destruction of their most formidable enemy Carthage, Romans turned to fight amongst themselves in earnest.

Although these studies are valuable, none of them focus on Poggio's invectives specifically but rather survey a range of authors and works. Greater attention, however, has been recently given to Poggio's invectives by Virginia Bonmatí Sánchez, who has written on Poggio's final two invectives against Valla, the fourth and the fifth, and produced an edition of the fifth.[16] Her work elucidates the general arguments of the invectives and identifies intertexts with

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[16] Bonmatí Sánchez (2005a), (2005b), (2006). Her edition (2006) of Poggio's fifth invective against Valla also includes an edition of Valla's *Apologus* (1452) against Poggio.

classical authors and the works of Valla. Bonmatí Sánchez places Poggio's invectives in the

context of larger debates about Latin that had captured the interest of contempary humanists.

Nevertheless, her studies are primarily summaries. While Bonmatí Sánchez does admirably

illuminate specific points, Poggio's invectives are still in need of a more exhaustive study that

begins with close reading. Such an approach is necessary to appreciate more fully the rhetoric

and logic of Poggio's texts and the cultural beliefs that underpin them. Moreover, considering

the invectives of Poggio and the other humanists in light of the long tradition of Latin invective

that preceded them will make it clearer what mattered for whom when. Accordingly, to deal

with one small portion of this picture, in the following two parts of this chapter I will try to

elucidate what mattered for Poggio in his engagements with Panormita and Filelfo with regard to

the problematic issue of the place of obscenity in literature and in invective. What actually does

language, and the use of obscenity in particular, indicate about a speaker?

II. Poggio and Panormita on Obscenity

As is the case with Cicero, hundreds of Poggio's letters survive.[17] His copious

correspondence provides context for and alternative perspectives on his other literary activities,

including the battles that he waged virulently in his invectives. One particularly interesting

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[17] Poggio assembled for publication three letter collections. The first, consisting of 87 letters from 1416 and 1434 addressed to Niccolò Niccoli that deal in detail with the discovery, copying, and transmission of manuscripts and a 1436 cover letter to Francesco Marescalco, was circulated in 1436. Two years later in 1438, Poggio published a volume that was comprised principally of a second collection of letters written between 1416 and 1437, but also included some funeral orations and other minor works. Poggio issued a revised edition of this book in 1445, entitled *Libri Epistolarum Familiarum*, in which the non-epistolary material was removed, several letters added, and the resulting collection divided into ten books. A third collection, consisting of letters from 1444 to 1459 and incomplete at the time of Poggio's death in the latter year, was edited and published posthumously. On the collection, arrangement, and publication of Poggio's letters, see Wilmanns (1913), Goodwin (1974) 6-10, Harth (1984) 1.xi-ci. For a study of humanist epistolary practices that takes Poggio as a model for investigation, see Harth (1983).

epistolary exchange reveals Poggio dilating on and issuing strictures against the use of obscenity in literary works. In 1425, the Sicilian humanist Antonio Beccadelli (1394-1471), nicknamed Panormita on account of his city of origin, Palermo, published his scandalous two-book collection of epigrams *Hermaphroditus*. Panormita's slim collection of 81 poems in elegiac couplets is rife with graphic depictions of sex, caustic abuse, and the Latin equivalent of four-letter words. While for these reasons the book has (unsurprisingly) for centuries tempted readers to draw it from the shelf and peruse its salacious pages, it is also historically significant as a pathbreaking advance in early Renaissance engagement with classical Latin language, forms, and—most importantly in this case—subject matter. Although initially greeted with praise by other humanists, a few years after publication the work was widely castigated for its lascivious language and content and Panormita found himself under heavy attack.[18]

After the publication of *Hermaphroditus* but prior to the full outbreak of this maelstrom, Poggio and Panormita discussed the place of obscenity in poetry in a brief but respectful and erudite exchange of letters. On 3 April 1426, Poggio, already famous for his manuscript discoveries and his lengthy and able service in the papal curia, wrote a short letter to the younger poet.[19] Poggio begins by noting the pleasure that he received from Panormita's book, goes on to praise Panormita's learning, good humor, and wit, and rounds off the first portion of the letter by thanking him for rousing the Latin muses from their slumbers (Harth II.2.5.1-14). In the second half, however, Poggio—as a result of his goodwill (*caritas*), he claims—effects a sterner

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[18] Although Panormita, citing ancient authorities, defended his poetry in the work itself and in the years following its publication (cf. Chapter 2, where I discuss the opening poem of the collection [1.1] as an example of the *lex Catulli*), he did actually recant in a poem published c. 1435 and addressed to Cosimo de' Medici, the dedicatee of the *Hermaphroditus*. On the controversies (and invectives) that were occasioned by the *Hermaphroditus*, cf. O'Connor (1997), Rutherford (2005), Rao (2007) 41-51.

[19] Harth II 2.5=Tonelli 2.40 (I, pp. 177-78).

disposition and advises Panormita to give his attention to more dignified matters (*graviora*). He

notes that the verses that he has published can be granted to age or to the license of joking: even

a youthful Vergil played in the *Priapea* and many others besides, who afterwards abandoned

their licentious juvenilia for more serious poetry (Harth II.2.5.15-19). Each author claims the

authority of ancient poetic traditions for his position: in the opening poem of the

Hermaphroditus, Panormita justifies his obscene poetry by asserting that it is inspired by ancient

writers who also wrote in this manner, a trope that goes back to Martial and the younger Pliny,

although for them antiquity in itself is not the issue.[20] Poggio, on the other hand, draws on

classical notions of decorum in relation to age and the trajectory of a poetic career to steer the

younger humanist towards loftier kinds of poetry. To authorize as a principle that different

things are appropriate for youth and maturity, Poggio loosely quotes a line from Terence's

Andria in which the *senex* Simo notes that it is time for his son Pamphilus to grow up: *Ut enim*

Terentius noster refert, hec etas aliam vitam alios mores postulat ("For as our Terence says,

'This age requires another way of life, another kind of character,'" Harth II.2.5.19-20).[21]

Aided by such ancient precedent, Poggio proceeds to exhort Panormita to change his

choice of subject on both moral and religious grounds: "And so, it is your part now to dismiss the

licentiousness and write on more earnest topics, lest your life should be shown to be impure on

account of the obscenity of your book. For you know that the same is not allowed to us

Christians that was once allowed to poets who did not know God. But perhaps here I am the

proverbial sow teaching Minerva" (*Itaque tuum est iam missam facere lasciviam et res serias*

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[20] *Hermaphroditus* 1.1.5-8: *Hac quoque parte sequor doctos veteresque poetas,/ Quos etiam lusus composuisse liquet,/ Quos et perspicuum est vitam vixisse pudicam,/ Si fuit obsceni plena tabella ioci.*

[21] Ter. *Andr*. 189: *nunc hic d<ie>s aliam vitam defert, alios mores postulat*.

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describere, ne arguatur vita impura libelli obscenitate. Scis emim non licere idem nobis, qui christiani sumus, quod olim poetis, qui deum ignorabant. Sed fortasse sus Minervam, Harth II.2.5.21-24). In direct opposition to Panormita's own claim in his book that his poetry is lewd but his life is upstanding, Poggio's admonishment is founded on the doctrine *talis oratio, qualis vita*. Poggio, however, develops and bolsters the classical formulation of this idea by interpreting it through a Christian framework, as he makes a Hieronymic distinction between the kind of literature that is appropriate for pagan authors and the kind suitable for Christians.[22] Nevertheless, Poggio does not linger here long, as in the next sentence—the reference to the sow teaching Minerva[23]—he turns back to the Greco-Roman pagan literary tradition to soften the edge of his admonition through polite self-deprecation and a hint of irony.

Taken as a whole, Poggio's letter smacks of (premature) elderly condescension (he was 46, Panormita 31 or 32), and if in this drama Poggio takes on the role of Simo the *senex* by quoting that character's words, Panormita becomes the wayward *adulescens* in need of forgiveness and guidance. It is a hallmark of Poggio's and other early humanistis' classicism to turn to ancient authors for literary authority, but in this instance Poggio simultaneously accrues for himself paternal authority through his classical allusion. Nevertheless, Poggio distances himself from the position he advances by voicing it through a dramatic *persona* and by falling back at the end to a proverb that refers to someone teaching a subject about which she is actually ignorant. And so, although Poggio magnifies his point by presenting it through a Christian lens, the charm of Poggio's literary pastiche suggests that the whole matter is in some measure a game

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[22] Cf. Jerome *Ep.* 23, 70.

[23] For this proverb in classical authors, cf. Fest. 408L: *"sus Minervam" in proverbio est, ubi quis id docet alterum, cuius ipse inscius est*. Cf. also Cic. *De Orat*. 2.233, *Fam*. 9.18.3=SB 191, *Ac*. 1.18.

in which the board is the parchment and the pieces are the bits of the classical literary tradition that each author can collect and array for his side.

A couple of weeks later in April 1426, Panormita responded to Poggio's short letter with a longer one in which he likewise makes recourse to ancient precedent in order to defend his book.[24] In contrast to Poggio's letter, however, in which the admonishments are rooted in the conception that style and language are indicative of character, Panormita draws on a wide assortment of authors to make the case that poetic license and classical custom should grant a poet the freedom to use licentious language. Although the two opposing positions here are, broadly speaking, marshalled along the lines of the ancient concepts of *talis oratio, qualis vita* (Poggio) and *lex Catulli* (Panormita), just as we saw in Poggio's letter, Panormita expands and elaborates on the classical idea, transforming it to respond more effectively to his own concerns and context.

Like Poggio, Panormita begins by praising his correspondent's style and learning, claiming that even though Poggio did not sign his own letter, he recognized the author due to the "singular elegance" of its style.[25] Although such a compliment can seem almost perfunctory when sent in response to a letter that also commenced with praise of the recipient's style, it acquires greater significance in the context of the issues being debated in these letters.

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[24] *Ep.* 79v-83r. For the text of this letter, I have used the 1553 edition of Panormita's letters and other works printed at Venice: *Antonii Bononiae Beccatelli cognomento Panhormitae Epistolarum libri V. Eiusdem orationes II. Carmina praeterea quaedam quae ex multis ab eo scriptis adhuc colligi potuere.* The letter is included in Book 4 in this collection. I have altered the orthography to conform to classical standards and expanded the abbreviations.

[25] *Ep.* 4.79v-80r: *Epistolae tuae, quae veterem sane et antiquum illum eloquentiae Romanae morem prae ceteris mea sententia exprimunt, ad me, ut iusseras, perlatae sunt: eas tametsi auctorem obticuisses, abs te tamen pro singulari quadam elegantia profectas animaduerterim. habent enim epistolae tuae nescio quid excelsum, suave, acre, opulentum, grave, atque ea quidem insigniter, ut qui tuas illas esse dubitarit, auctorem quoque praeter te non inveniat oportebit.* In these opening words, perhaps Panormita alludes to Poggio's role as a *senex* in his letter by first noting in compliment that it expresses "that very old and ancient manner of Roman eloquence."

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Panormita's claim that Poggio's style was so characteristic that it functioned as a proxy signature does suggest that Panormita acknowledges some correspondence between the style and the man. As we shall see, however, he also maintains that generic expectations demand performances in which a writer's language should not be interpreted as an indication of his character and morals.

Panormita continues by expressing his gratitude that his book has met with the approval of critics so acute as Poggio and Antonio Loschi, another humanist papal secretary. Which is all the more reason, Panormita notes, that he was surprised that it occasioned some reproach, since they know of so many good authors, both Greek and Latin, who wrote in this way. Indeed, according to Panormita, verses of many classical authors are of such a sort that in reading them you do not know if they are more worthy of the stage or the brothel! (*qui plerumque verba adeo nuda proferunt et dictu foeda ut haud scias scaenane magis an lupanari digna sint*, *Ep.* 4.80r). To support this claim, most of the letter is devoted to adducing examples of ancient authors who wrote bawdy verses, a task Panormita fulfills sometimes by quoting the authors' words themselves and other times by simply producing lists. Significantly, the first author that Panormita discusses at any length is Plato, the *philosophorum princeps* ("prince of philosophers," *Ep.*4.80r-v). While he is not the oldest writer that Panormita adduces as an example,[26] Plato is one of the very earliest sources for the *talis oratio*, *qualis vita* conception of style.[27] Furthermore, Panormita notes that while Plato was not a Christian (*Christianus homo*), he was not ignorant of god (*deum non ignoraverit*); on the contrary, he worshipped a single god

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[26] After discussing Plato, Panormita mentions Solon and Sappho, claiming that the latter's verses were such that they could excite the prurient itch (*prurigo*) in Nestor and Priam (*Ep.* 4.81r), an image derived from Juvenal (6.325-27).

[27] Cf. the discussion of the passage from Book 3 of the *Republic* (400d-e) in Chapter 2 above. In *Tusculanae Disputationes* 5.47 (also discussed in Chapter 2), Cicero, in introducing his virtual translation of the passage from the *Republic*, refers to Socrates as *princeps ille philosophiae*.

(*imo unum deum servaverit*) and said that the others were angels or demons (*Ep.* 4.80v). In granting some religious authority to Plato, then, Panormita near the beginning of his defense responds to Poggio's point that there is a clear distinction between literature fit for ancient pagans and for Christians.

As for Plato's poetry itself, Panormita claims that generally no verses of Plato's exist unless they are soft and amorous, and then quotes the 17 lines of iambic quaternarii that Aulus Gellius said were a rather free Latin imitation by his friend of a distich of Plato's (*N.A.* 19.11). It is clear that Gellius is one of Panormita's sources for this material, but whereas the former makes it plain that his friend developed and expanded on Plato's couplet, Panormita elides the fact.[28] Rather, in introducing the poem, Panormita seems intent on giving the impression that the lines that follow *are* Plato's: *tu Platonem lepidissimum poetam audi; audi, inquam, Platonem poetam lepidissimum* (*Ep.* 4.80v).[29] Panormita turns to another ancient author to interpret "Plato's" lascivious poetry, quoting from the part of the *Apologia* where Apuleius, himself relying on precedent, defends his own licentious poetry on the grounds that there is a difference between a poet's character and his poetry (*Apol.* 10-13). Regarding "Plato's" verses, Panormita notes that Apuleius, "not without taste" (*non ineleganter*), made the bold and perhaps counterintuitive claim that they are composed so much more chastely to the degree that they are directly stated.

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[28] Admittedly, it is unclear in what manuscript(s) Panormita encountered the passage from Gellius. His version of the poem has some differences from that printed in P. K. Marshall's OCT edition of Gellius' *Noctes Atticae*. This poem is sometimes attributed to Apuleius: see Courtney *FLP* 395-97. The poem also appears in Macrobius *S.* 2.2.16-17.

[29] It should be noted that this introductory statement itself is poetic and, more specifically, Catullan: *Platonem lepidissimum poetam* is a hendecasyllabic line and *Poetam lepidissimum* is the first eight beats of another. Furthermore, the imperative *audi* combined with repetition and variation in word order echoes the hendecasyllabic commands that Catullus exhorts his hendecasyllables join him in chanting (*circumsistite eam, et reflagitate* [10], *conclamate iterum altiore voce* [18]) in poem 42: *moecha putida, redde codicillos,/ redde putida moecha, codicillos* "Rotten adulteress, return the tablets!/Return, rotten adulteress, the tablets!" (11-12, 19-20).

For it is characteristic of a wrongdoer to disguise and conceal; to profess and bring forth openly are characteristic of someone (just) being playful (*"tanto pudicitius compositi, quanto simplicius professi. Dissimulare"* enim *"et occultare peccantis, profiteri et promulgare ludentis est," Ep. 4.81v*).[30] According to Apuleius and, through him, Panormita, it is specifically when a person makes an effort to conceal something potentially disreputable that he reveals his nature. An assumption underlying this position is that what one does in private is especially indicative of character.[31] Doing the same thing openly and publicly, however, becomes a sort of performance or game, an idea conveyed by the verb *ludo* ("play").

This logic should be kept in mind when one considers the obscene language that characterizes the humanist invectives that were circulated as open letters. The composition of these texts seems to a degree to have been a performance in which humanists were attempting to define the boundaries of a distinctly humanist genre, one that melded in an unprecedented way the notions of decorum found in classical rhetoric and oratory with the greater license granted to epigram, satire, and iambic poetry. Whereas, as was noted above, ancient orators when abusing an adversary turned to rhetorical stratagems such as *praeteritio* to maintain an appearance of dignity, the humanists showed significantly less regard for this. Fusing the decorum of oratory with the license of low genres is a difficult endeavor, but perhaps the challenges it presented them drew the humanists to it. They endeavored to throw a much larger variety of ingredients

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[30] Cf. Apul. *Apol.* 11.5-6: *Cuius uersus quos nunc percensui* <u>tanto sanctiores sunt, quanto apertiores</u>, *tanto pudicius compositi, quanto simplicius professi. Namque haec et id genus omnia dissimulare et occultare peccantis, profiteri et promulgare ludentis est; quippe natura uox innocentiae, silentium maleficio distributa.* Panormita incorporates the underlined part of this passage (as well as reminiscences of Catullus 16) shortly earlier in his letter although he does not attribute it to Apuleius (*Ep.* 4.81r-v): *Hodus...falsoque putet me proinde parum pudicum, quia versiculi mei molles atque ludicri sunt, quasi, ut cetera bona, ita illud quoque nescierit, quod scilicet eo iocundiores futuri sunt huiusmodi versus quo minori cum severitate compositi atque* <u>eo sanctiores iudicandi quo apertiores</u> *sunt*.

[31] Cf. Juvenal 2.1-21 on *cinaedi* who pretend to be Stoic philosophers.

into the pot and in the process concocted something new. Generally speaking, we can see here an example of the innovation that was an upshot of the Renaissance imitation of the classics, as novel forms emerge through eclectic imitation.

As Panormita continues his defense, he again suggests that frivolous writings are not incompatible with Christian piety. First, after asking who would dispute that Seneca the Younger knew Jesus, was a friend of Paul's, and occupies a place in the catalog of saints (*in cathalago sanctorum positus*), he notes that if the testimony of Pliny is credible, he wrote not only of serious matters but also trifles and witty jokes (*non seria modo verum etiam lusus ac sales descripsit*, *Ep.* 4.81v).[32] Panormita here suggests that a person can write works of differing character, and that indulging in playful writing does not preclude a writer from treating more dignified topics. While Panormita thus distinguishes between these two types of writing within Seneca's total literary output, when he comes to his next example, a contemporary priest who was held to be no less temperate than eloquent (*Praeterea floret hac in nostra tempestate sacerdos quidam, non minus continens quam disertus atque eloquens habitus* Ep. 4.81v),[33] Panormita makes the more profound point that language should suitably reflect the subject matter that is being treated (*Ep.* 4.82r):

> Praedicationibus saepenumero ipse affui, et, nisi surdus omnino sum, ita eum nudis ac deturpatis affatibus interdum excandescentem in frequentissimum populum exaudivi, ut non dicam in templo, sed ne in foro quidem adesse crederim: an ideo illum turpem iudicabis quia turpia turpiter, idest foedioribus verbis, castiget? Minime, hercle!

> Very often I attended his sermons, and, if I am not utterly deaf, I heard him burning before a great congregation of people with words so unadorned and ugly that I did not think I was in, I won't say a church, but not even the marketplace.

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[32] For this part of the letter, Panormita's primary source seems to be Pliny *Ep.* 5.3.

[33] O'Connor (1997) 999 notes that this priest is "tentatively identified" as Giovanni Capistrano.

But will you therefore judge him shameful because he censured shameful things shamefully, that is, with foul words? By no means!

Here, in a model more flexible than the *talis oratio qualis vita* interpretation, language is not reflective absolutely of the character of the speaker; rather, even in a more serious genre, low language can be appropriate for low subject matter. This mode of interpretation is instructive when turning to Poggio's own invective against Filelfo, for Poggio criticizes Filelfo's obscene language with his own obscene language. So although in this exchange it is Panormita who pleads for the ability to use potentially offensive language in an appropriate context, in practice Poggio granted a similar license to himself. Nevertheless, the theoretical position that each author maintains, as well as the use of obscenity itself, seems to have been a performative act undertaken to meet the demands of a specific rhetorical situation.

III. *In Philelphum invectiva prima pro Nicolao pulchra et elegans*

The intellectual scene in Florence in the early 1430s presented one such situation for Poggio, and in turn he wrote his first invective against Francesco Filelfo, *In Philelphum invectiva prima pro Nicolao pulchra et elegans*. Francesco Filelfo (1398-1481), a precocious humanist remarkably accomplished in both Latin and Greek, was invited by several of the preeminent humanists to Florence in 1429 to teach in the Studio, but his disagreeable nature soon made him unwelcome.[34] In response, Filelfo began in 1430 to publish satires against the people who had recently asked him to come to the city as well as their friends, before finally departing Florence for Siena in 1434. Poggio was among those who had been a target of some of these attacks, and in 1434 he published his first invective against Filelfo. Topics and characteristics that have been

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[34] For the background, cf. Davies (1987), Robin (1991) 17-21.

discussed in connection with other invectives appear here as well: criticism of the language of the opponent, especially its obscene and violent qualities; assertion of the connection between language and character; and a review of the target's life that includes a large number of unproven accusations. Of course, it should go without saying that all of this is expressed in obscene and violent language.[35] As was noted above, Poggio's invectives are distinguished from those of ancient authors by both their extreme scurrility and their markedly heightened interest in language throughout. The humanist fascination with classical Latin and rhetoric becomes the principal focal point in these works, which emerge as laboratories for testing the rhetorical limits of classicizing rhetoric.

Poggio begins his attack on Filelfo's language at the opening of the invective: *Impurissimam atque obscenissimam faeculenti oris tui non satyram, sed vomicam in virum purissimum et continentissimum Nicolaum nostrum nuper a te versibus naturam tuam repraesentantibus editam legi non sine summo mentis dolore*, ("Not without the utmost vexation did I read that most filthy and obscene—I won't call it a satire—but boil of your feculent mouth directed against our most pure and moderate friend Niccoli and recently published by you in those verses that represent your nature," 164).[36] At the outset the reader is immediately confronted with Filelfo's mouth, which is certainly an *os impurum*. In describing his adversary's *os* as *faeculentum*, Poggio establishes a connection between Filelfo's mouth and an anus, which carries the further implication that the words that come out of it are feces. This would then

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[35] And this, in turn, renders the full title of the work in the 1538 edition (*In Philelphum invectiva prima pro Nicolao pulchra et elegans*) humorously ironic. Shepherd (1837) 246, whose biography of Poggio is often eminently readable, calls the exchange between Poggio and Filelfo "learned Billingsgate."

[36] Citations of Poggio's *In Philelphum invectiva prima pro Nicolao pulchra et elegans* come from Fubini (1964) I.164-69, the reprint of the 1538 edition of Poggio's works. Again here I have altered the orthography to conform to classical standards and expanded the abbreviations.

easily explain why Filelfo's poetry is so dirty and foul. Moreover, as Poggio states explicitly, Filelfo's verses reveal the author's nature (*natura*), and so are a way to assess his character. As discussed in Chapter 1, classical rhetorical theory advises that in *vituperatio* the speaker should attack the external goods (*res externae*), body (*corpus*), and character (*animus*) of the opponent, but it is clear that character is the most important topic, since the speaker should discuss how his opponent has used or misused whatever of external or bodily goods were given to him by fortune.[37] Poggio similarly here shows that any discussion of Filelfo's language that follows in the invective concerns his character as well, as Filelfo's words are signs that can be read for information on his nature. Nevertheless, through Poggio's rhetoric Filelfo's words are in fact denied their status as a poem and reduced to a boil (*vomica*). A *vomica* is filled with pus and is etymologically related to the verb *vomo* ("vomit," "puke"); as it replaces *satyra,* Poggio suggests that Filelfo's poetry is indicative of the author's infection and can befoul those who come into contact with it. In other discourses familiar from classical literature, poets claim their poetry will be immortal, since they predict that it will prevail through time or allow them to continue to live even after their deaths.[38] In this passage the opposite is the case: Filelfo's poetry is transformed into a bodily abscess that reminds the reader of the mortal flesh. Filelfo's poetry is actually a way of destroying himself, as well as polluting others.

In sharp contrast to the emphasis on Filelfo's dirtiness and body are the representations of Niccoli and Poggio. The description of Niccoli, *vir purissimus et continentissimus*, echoes the superlatives that qualified Filelfo's *vomica,* and the alliteration and jingling superlatives

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[37] Cf. *Rhet. Her.* 3.10-15.

[38] Cf. Hor. *Carm.* 3.30.

emphasize the contrast between the *vomica* and the *vir*. Whereas Filelfo on account of his

feculent mouth and pus-filled verse poses a permanent threat to defile and pollute others, Niccoli

is clean and continent; the latter attribute (*continentissimus*) is paired antithetically with

obscenissimam, and so suggests that Filelfo's offensiveness is due to his lack of restraint.

Poggio's own reaction to Filelfo's dirty and disgusting poem is confined to his mind, and this in

turn reveals his own character. Through Poggio's direction, Filelfo's reeking and wounded body

is exposed to the hostile gaze of the reader, while Poggio himself emerges as a sympathetic

individual who feels pain on behalf of his friend.

Following this opening, Poggio continues to root his indignation and attacks in Filelfo's

abusive and foul language, stating that his obscene and disgraceful words are the truest evidence

(*testimonia certissima*) of a mind aggravated by vices (165). Poggio here again emphasizes that

scrutinizing language is a means to understanding character, but his specific deployment of

testimonia suggests a connection with legal activity. Although the invectives of the humanists

should strictly be classified as epideictic orations, they often function as extralegal

prosecutions,[39] as they draw on legal language, accuse their targets of transgressing communal

and social norms, and include mock trials, such as that in which Aeacus, Rhadamanthus, and

Pluto damn Valla to hell at the end of Poggio's *Invectiva secunda in L. Vallam* (Fubini [1964]

I.233-4). In these invectives, the speaker presents himself as a prosecutor of his adversaries and

a defender of his friends, and so invokes the forensic importance that invective enjoyed in

antiquity.

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[39] Cf. Corbeill (1996) 19 for Roman invective as an "extralegal means for enforcing codes" akin to *flagitatio*. Cf. also Lintott (1968) 6-21, Achard (1981) 188.

The attack on Filelfo's language culminates in Poggio's description of how Filelfo acquired his *nova abominandaque maledicendi licentia* ("strange and abominable license of abuse," 165):

> Sed ut sordidior quam lenones, inquinatior quam meretrices, impudentissimus omnium videreris, hanc novam abominandamque maledicendi licentiam, tibi novus satyrus atque olidus assumpsisti. Verum nequaquam mirum videri debet, cum cuius mater Arimini dudum in purgandis ventribus et intestinis sorde diluendis quaestum fecerit, maternae artis fetorem redolere, haesit naribus filii sagacis materni exercitii attrectata putredo, et continui stercoris fetens halitus. Ita faucibus famelicis inhiantis filii impressus est, ut nihil queant, nisi olidum ac putridum, exhalare.

> But in order that you would seem dirtier than pimps, filthier than prostitutes, and the most shameless of all creatures, you, a new kind of smelly satyr, took upon yourself this new and abominable license of abuse. But by no means should it be a surprise that a man whose mother has for a long time earned her living at Ariminum by purging bellies and cleaning out intestines of their filth, stinks of the stench of the maternal trade; and hence the putridness of the maternal practice has clung to the nostrils of her wise son, and the breath reeking of continuous shit. And it was so pressed into the starving jaws of this son as he eagerly inhaled it that he is not able to exhale anything that is not smelly and putrid.

This scatological passage continues to emphasize the connection between Filelfo's mouth and an anus; indeed, Poggio expands the barrage of excrement to cover Filelfo's mother. The description and the reason offered for Filelfo's abusive language are so outrageous and unquestionably abusive that it becomes difficult to understand Poggio's logic in writing this passage. What is the actual meaning of ranting about another's abusive language in utterly abusive language? In classical rhetorical theory, the avoidance of foul words and obscenity was said to indicate good breeding and modesty,[40] and so was a product of the *talis oratio, qualis vita* understanding of the relationship between speech and character discussed above. Poggio,

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[40] Cic. *De or.* 2.242: *praestet idem ingenuitatem et ruborem suum verborum turpitudine et rerum obscenitate vitanda*; Sen. *Controv.* 1.2.23; Quint. 6.3.29; cf. 6.3.83. Cf. Richlin (1992) 13-18 on Roman oratory and obscenity.

however, appears to have disregarded this advice here, and his rhetoric befouls his own writing and undercuts his criticisms of Filelfo. The work is cruder than the classical authorities recommended, and yet this crudeness is apparently effected in order to attack the crude language of another. The seductiveness of rhetoric and love of the Latin language in itself seem to have swept aside Poggio's logical concerns about the contradictory character of his attack. This passage, as well as the bulk of the work, is crammed with foul and abusive language, but it is nevertheless written in an elegant humanist style. Certainly the aesthetic veneer of his style lies just atop a messy, unseemly pool of contradictions in which rhetoric firmly holds sway over logic. Despite Poggio's insistence that Filelfo's language in his poetry reveals his nature, Poggio's own rhetoric leaves the reader asking what Poggio's language reveal about his character. Or, what can language tell us about character at all?

To return to Poggio and Valla, among the manifold arrows and missiles they fired, each accused the other of using incorrect or un-Ciceronian Latin. And each deflected such accusations by adducing a quotation from their own well-stocked armaments of classical texts.[41] Poggio was an ardent devotee of Cicero,[42] and the accusations he and Valla leveled at each other regarding Ciceronian style foreshadow the disputes on Ciceronianism that would rage in the following century.[43] But as I have suggested in this chapter, Poggio's emulation of Cicero went

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[41] For example, in Poggio's *Oratio prima in Vallam*, in his first refutation of a criticism of his marked-up letters—that he should have written *gratiam referas* rather than *gratias referas*—he turns to an example from a letter of Cicero (*Fam.* 5.11), throwing in one of his favorite insults (*belva* "beast") for good measure: *Quid id vitio dat quod in usu est omnium qui Latine scripsere? Agere gratias dicimus, cur non et referre optime dicetur? Quamquam Ciceronis auctoritas illius belvae insulsam dementiam compescit. Ait enim in epistola quadam ad Vatinium, "Non enim tu mihi habuisti modo gratias sed etiam accumultissime retulisti"* (Fubini [1964] I.190-91).

[42] Elsewhere in the invective Poggio claims that Cicero is in all regards the parent of the Latin language (*maxime nostrae eloquentiae parens Cicero*, Fubini [1964] I.192).

[43] McLaughlin (1995) 126-46 discusses Poggio's Ciceronianism and its role in his quarrel with Valla. McLaughlin claims that in his Latin Poggio was a Ciceronian in theory more than in practice, and that a truly rigorous imitation

beyond style: in addition to his oratorical invectives, he imitated Cicero's literary production in his own vast correspondence and his dialogues.[44] But in the end, what did the most devoted imitators of Cicero learn from Cicero, *maxime nostrae eloquentiae parens*: the decorum of the *De Officiis* or the invective of the *Second Philippic*? The weapon of rhetoric or the weapon of slander?

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of Cicero's style would be achieved by later humanists, in which regard Pietro Bembo was perhaps the most successful; cf. Ulery (2007). For his part, Valla rejected strict Ciceronianism. For other quarrels centered on Ciceronianism, cf. McLaughlin (1995), DellaNeva (2007).

[44] Additionally, Cicero was famous in his own day for his quick, biting wit as well as his apparent inability to avoid making jokes, even when the occasion was inappropriate. As noted above, Poggio's most widely appreciated and influential work was his collection of humorous tales, *Liber Facetiarum* (1438-1452), and so in the composition of this work perhaps Poggio also conceived of himself as imitating Cicero. On Cicero's humor, cf. Beard (2014).

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