Classica Cracoviensia
XVIII, 2015
DOI: 10.12797/CC.18.2015.18.24

STANISŁAW ŚNIEŻEWSKI
(JAGIELLONIAN UNIVERSITY, KRAKÓW)

THE CRITERIA OF EVALUATING CICERO IN QUINTILIAN'S *INSTITUTIO ORATORIA*

SUMMARY: Quintilian tries to evaluate Cicero on various levels. Examples from the Arpinate's *opera* are interspersed almost in the whole textbook of the orator from Calagurris. He highly estimates Cicero's achievements both in rhetorical practice and theory and appreciates his usage of metaphor, allegory, hyperbole, irony, riddle. The Arpinate is the greatest embodiment of various virtues that are praised in other speakers. As concerns *incisum*, *membrum*, *circumitus*, Quintilian constantly quotes Cicero. The most beautiful kind of speech is the one where analogy, allegory and metaphor are gracefully entwined. Quintilian remains under Cicero's spell. It is obvious that Quintilian would not have written *Institutio oratoria* if he did not use the examples contained in Cicero's works. Poetry raised to its height due to Homer and Vergil, while rhetoric – due to Demosthenes and Cicero.

KEYWORDS: evaluation, rhetorical theory and practice, eloquence, figures of speech and thought, richness of vocabulary, charm, ethics

In the conclusion of *Institutio oratoria* Quintilian encourages his readers to search wholeheartedly for the majesty of the oratory art, the best gift the immortal gods bestowed on men, one without which everything is inarticulate and devoid of both the contemporary fame and the memory of future generations (XII 11, 30).[1] These words are

[1] The text of the *Institutio oratoria* is quoted after the following edition: Radermacher L. (ed.), 1971, *M. Fabi Quintiliani Institutionis Oratoriae libri XII*, pars prior

strongly linked with the rhetorical art of Marcus Tullius Cicero, whose thinking plays a special part in the work of Quintilian.[2] I will be aiming at an analysis of the passages within *Institutio oratoria* where Quintilian evaluates various aspects of the Arpinate's activities, in regards to both the rhetorical art and politics.

Above all, Quintilian holds Cicero's eloquence in high regard.[3] He emphasizes that the Arpinate's art was highly appreciated by the plebeian audience, even when he spoke against the agrarian laws and thwarted the audacious designs of Catiline, and in the time of peace he merited the highest propitiatory sacrifices (*supplicationes*), which are usually granted only to the victorious army leaders. It is the eloquence that often gives new courage to the terrified soldiers and convinces them in a dangerous situation that glory is more precious than life (II 16, 7-8). The Arpinate talks often about thwarting Catiline's conjuration, but he ascribes it either to the steady determination of the senate or to the grace of immortal gods. In his speeches against his enemies and slanderers he gives himself greater credit, because he had to defend his actions against various accusations (XI 1, 23). Marcus Tullius achieved much not only in rhetorical practice, but also in the theory of the art (III 1, 20). Arpinate attributes the beginnings of rhetorical art to the people who founded cities and created first laws, as they had to be naturally gifted with powers of speech (III 2, 4).[4]

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libros I-VI continens, addenda et corrigenda collegit et adiecit V. Buchheit, Leipzig; Radermacher L. (ed.), 1959, *M. Fabi Quintiliani Institutionis Oratoriae libri XII*, pars secunda libros VII-XII continens, addenda et corrigenda collegit et adiecit V. Buchheit, Leipzig.

[2] Albrecht 1997: 1257-1258: "An admirer of Cicero, though less in letter than in spirit, he does not limit himself to the actual vocabulary of the great orator but emulates his great variety of tones and his sense of appropriateness".

[3] See Odgers 1933: 186-187: "Almost three-fifths of his citations of Latin literature are from Cicero. […] many are allusions to the orations or quotations from them, for Quintilian believes that he can find no better illustrations than those provided by Cicero. Over 70 per cent of the citations of Cicero are illustrative in character. Three-fifths of all the Ciceronian citations are actual quotations"; Odgers 1935: 33: "To Quintilian Cicero offered a model of Latinity and the best theoretical presentation of the subject by a man of great attainment and experience"; Tellegen-Couperus 2003: 14; Craig 2010: 264.

[4] However, it is important to note that Quintilian does not agree with this point of view.

The author of *Institutio oratoria* is happy to compare Arpinate with every Greek orator. The virtues of Demosthenes and Cicero are, for the greatest part, the same, namely their intention, the planning of the material, the methods of division, preliminary preparation and evaluation, and finally everything that pertains to inventing the subject of a speech (X 1, 105-106). Nonetheless it was Demosthenes[5] who shaped Cicero. Marcus Tullius created the power of speech equal to that of Demosthenes, a vocabulary range equal to Plato's and charm equal to Isocrates's (X 1, 108). Quintilian emphasizes the virtues begotten by the plentiful fertility (*beatissima ubertas*) of Cicero's immortal genius (X 1, 109). He was a major force in court cases and the posterity holds him in such a great esteem that the name Cicero is no longer the name of a mere man, but signifies the power of speech (*iam non hominis nomen, sed eloquentiae habeatur*) (X 1, 112). Additionally, the Arpinate became a worthy rival (*aemulus*) of Plato (X 1, 123). On the other hand, Quintilian observes that Cicero bragged (especially in his speeches) more about his achievements in politics than in rhetorical arts (XI 1, 17).

The opinions expressed by Cicero both in the senate and in the plebeian council indicate that his eloquence there was brilliant, equal to what he presented in his judiciary speeches, both defensive and accusatory ones (III 8, 65). In another passage Quintilian observes that Cicero was rather humble when it came to his eloquence: he never exaggerated his own prowess during the court cases and he often ascribed greater power of speech to those who represented his adversaries (XI 1, 19).

Cicero is a pleasant (*iucundus*) and sufficiently comprehensible (*apertus satis*) author for beginners. He can not only give aid, but also make a student enamoured of his art. When it comes to other authors, Quintilian believes that the closer they are to Cicero, the more worthy they are of imitation (II 5, 20).

Among the thoughts on the nature of laughter we find a remark that according to many people Demosthenes was lacking in this ability, while Cicero used it without any constraint. The Arpinate was believed to be overly eager for making jokes, not only in things unrelated with court cases, but also when he delivered his judiciary speeches (VI 3,

[5] See May 2010: 260.

1-3). Quintilian observes that Cicero's words are usually facetious (*facete*) and the cold remarks (*dicta frigidius*) he makes on Verres are often quotes from other people, so that the less elaborate words he uses may seem more credible to the audience. It is regrettable though that Tiro or another man who published the three books of Cicero's jokes did not limit their number and concentrate more on selection criteria than on diligence in fishing them out (VI 3, 4-5). As Cicero says, laughter is based on a certain ugliness and wickedness (*De or.*, II 58, 236): when it refers to others, it is called refinement (*urbanitas*), when it refers to ourselves, stupidity (*stultitia*) (VI 3, 8). Speaking of amusing things is particularly subtle and apt for an orator; for example, Cicero in *Pro Cluentio*, XXI 58, describes Caepasius and Fabricius, while Marcus Caelius tells his audience of the rivalry between Decimus Laelius and his colleague, when they raced to gain the rule of a province. In all cases such as these the whole narration requires subtlety and grace; whatever commentary the speaker adds should be very amusing (*festivissimum*) (VI 3, 39). The Arpinate believes that humour belongs in the narrative part of the speech, while mockery in the part which contains our accusations against the opponent (VI 3, 42). Jokes derived from proper names can be sometimes extremely humorous. Now and then a fortuitous coincidence gives a speaker an opportunity to use efficiently this type of joke, for example in the speech *Pro Caecina*, X 27, we can read the following words regarding Sextus Clodius Phormio, a witness: *nec minus niger*, *nec minus confidens quam est ille Terentianus Phormio* (VI 3, 56). Poems quoted in an appropriate manner may also evoke a humorous effect. Sometimes proverbs become a successful aid. The evidence of speaker's knowledge is provided when he introduces jokes based on historical facts, e.g. in the court case against Verres, Hortensius told Cicero during the witness interrogation: *non intellego haec aenigmata*. The Arpinate responded: *atqui debes, cum Sphingem domi habeas*; for Hortensius received a priceless bronze statue of Sphinx as a gift from Verres (VI 3, 98).

Quintilian approves Cicero's usage of metaphor (VI 3, 68), allegory (VI 3, 69), hyperbole (VI 3, 67), irony (VI 3, 77; 84), riddle (VI 3, 51[6]).'

[6] *pervenit res usque ad aenigma, quale est Ciceronis in Plaetorium Fontei accusatorem, cuius matrem dixit, dum vixisset, ludum, postquam mortua esset, magistros*

Ενάργεια, which Cicero describes as *illustratio* and *evidentia*[7] *seems not to speak, but to imply. Emotions will be evoked as if we participated in real events (VI 2, 32*[8]*). The lively vividness of expression or, as some call it, the representation (repraesentatio*) is something more than just the clarity of depiction. It is very advantageous to present facts in a clear and vivid way, for the speaker will not achieve the greatest effect if he appeals only to the sense of hearing and if the judge feels that the facts on the basis of which he has to make a decision are presented with words instead of evoked and shown with "the eyes of the mind". In the speech against Verres, V 33, 86 we observe not only the "performers" on stage, but also the place itself, the attire. We can even imagine other details, which the speaker has not described: *stetit soleatus praetor populi Romani cum pallio purpureo tunicaque talari muliercula nixus in litore* (VIII 3, 61-64). Similes give the opportunity to see the subject matter clearly in a concise and energetic way. Brevity (βραχυλογία) is worthy of praise if it is perfect itself (VIII 3, 81-82). Amplification can be strengthened and made more visible if we put side by side words of stronger meaning and words which we want to substitute by them: this is what Cicero does in his speech against Verres, I 3, 9 (VIII 4, 2). Increase (*incrementum*) causes the greatest effect when we amplify the meaning of something which in reality is trifling. This can be achieved by one or multiple degrees of comparison; in effect, we can not only reach the highest point, but even overreach it (VIII 4, 3).[9] A similar thing happens in Cicero's speech against Catiline, I 7, 17: *servi mehercules mei si me isto pacto metuerent, ut te*

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habuisse. dicebantur autem, dum vixit, infames feminae convenire ad eam solitae, post mortem bona eius venierant. [quamquam hic 'ludus' per translationem dictum est, 'magistri' per ambiguitatem].

[7] Probably an allusion to Cicero's *Part. or.*, VI 20.

[8] Four passages from Vergil are provided as an example: IX 474; XI 40; XI 89; X 782.

[9] See Quint., VIII 4, 4-5: *omnibus his sufficit vel unum Ciceronis exemplum: 'facinus est vincire civem Romanum, scelus verberare, prope parricidium necare: quid dicam in crucem tollere?' nam et, si tantum verberatus esset, uno gradu increverat, ponendo etiam id esse facinus, quod erat inferius, et, si tantum occisus esset, per plures gradus ascenderat: cum vero dixerit 'prope parricidium necare', supra quod nihil est, adiecit 'quid dicam in crucem tollere?' ita cum id, quod maximum est, occupasset, necesse erat in eo, quod ultra est, verba deficere*.

metuunt omnes cives tui, domum meam relinquendam putarem (VIII 4, 10). In the speech *Pro Cluentio*, XI 32,[10] in the passage on Oppianicus, the comparison is not aimed to prove that his actions were criminal, but that they can be considered even worse than criminal (VIII 4, 12). In amplification, Quintilian emphasizes, we compare not only the whole with a part, but also a part with another part, as it occurs in the speech against Catiline, I 1, 3. In this passage the Arpinate compares Catiline to Tiberius Gracchus, the condition of the state to the condition of the whole world, political turmoil of little significance to slaughter, conflagration and devastation, a private man to consuls: all these comparisons give vast opportunities for further development (VIII 4, 14). As amplification we may also consider accumulation (*congeries*) of words and opinions bearing the identical meaning. Quintilian again uses as an example his favourite passage from the speech *Pro Ligario*, III 9: *quid enim tuus ille, Tubero, destrictus in acie Pharsalica gladius agebat? cuius latus ille mucro petebat? qui sensus erat armorum tuorum? quae tua mens, oculi, manus, ardor animi? quid cupiebas? quid optabas?*. We can also reinforce the effect by closing the sentence with climax, e.g. *In Verr.*, V 45, 118: *aderat ianitor carceris, carnifex praetoris, mors terrorque sociorum et civium Romanorum,* lictor Sextius (VIII 4, 26-27). Similar rules apply in the case of diminution (*ratio minuendi*). Quintilian states that there are as many degrees of amplification as of diminution. To illustrate this thesis the orator from Calagurris chooses the following example from the speech of Rullus, *De leg. agr.*, II 5, 13: *pauci tamen, qui proximi adstiterant, nescio quid illum de lege agraria voluisse dicere suspicabantur* (VIII 4, 28).

Let us recall other examples discussed by the author of *Institutio oratoria*. Is there anything more harsh for the ear than the words of Verres's lictor or braver than the words of the man who, being flogged as a punishment, uttered only the words: *civis Romanus sum*[11] *(XI 1, 40)?* The words of Milo in the final part of the speech are worthy of the man who, wanting to save the country, repeatedly supressed the

[10] *quanto est Oppianicus in eadem iniuria maiore supplicio dignus! si quidem illa, cum suo corpori vim attulisset, se ipsa cruciavit, hic autem idem illud effecit per alieni corporis mortem atque cruciatum*.

[11] See Cic., *In Verr.*, V 62, 162.

seditious citizen and came out of an ambush victorious due to his bravery.12 Sometimes one has to be respectable towards people of high rank in order to reckon up our freedom of speech and not to make someone believe us to be impudently pugnacious or overly persistent in our verbal attack. Cicero, though he intended to speak in a very violent manner against Cotta,13 and the case of Publius Oppius was of such a kind that he could not have acted differently, he justified the necessity of his duty in a long introduction (XI 1, 67). Sometimes it is also appropriate to spare (either truly or seemingly) in the speech people of lower rank and those who are very young. Cicero uses such moderation (*moderatio*) when he defends Caelius from Atratinus. It seems he is not attacking him as an enemy, but admonishing him almost the same way a father admonishes his errant son (XI 1, 68).

Narration serves not only didactic purposes, but also as a decorative effect, e.g. the story of Proserpine's abduction,[14] as described in IX 4, 127. Digressions (*egressiones*) are usually moderate, pleasant and free of passions, e.g. Proserpine's abduction mentioned above, description of Sicily, praise of Gneius Pompeius (XI 3, 164). Digression is supposed to look as if it was made impulsively, as the result of a sudden and uncontrollable urge (IV 2, 105) – as an example serves the passage on Sasia's marriage in the speech *Pro Cluentio*, VI 15. An appropriate result may be achieved if we join the facts with a credible picture of the events, one that would make the audience feel they are witnessing these events in reality. Quintilian quotes the words of Marcus Caelius directed against Gaius Antonius: *namque ipsum offendunt temulento sopore profligatum, totis praecordiis stertentem, ructuosos spiritus geminare, praeclarasque contubernales ab omnibus spondis transversas incubare et reliquas circumiacere passim*.[15] If we have a complicated case which consists of several smaller ones, it is necessary to use something resembling epilogue. In the speech *In Verrem* (I 75; V 117; V 162) the Arpinate laments the death of Philodamus, a captain in the navy, a crucified Roman citizen and many similar tragic fates (VI 1, 54).

12 Cf. Quint., IV 2, 25; VI 5, 10.

13 Cf. Quint., V 13, 20. The speech, delivered in 69 BC, has been lost.

14 See Cic., *In Verr.*, IV 48, 106.

15 See ORF, p. 482-483; Cic., *Pro Cael.*, XXXI 74.

Some authors maintain that *narratio* should be started with referring to a person, next we should praise the said person, if they are on our side, or defame them, if they are on the side of our adversary. People can be introduced at the same time as the circumstances associated with them, if it is probable this will be profitable for us, as Cicero does in *Pro Clu.*, V 11: *A. Cluentius Habitus fuit pater huiusce, iudices, homo non solum municipii Larinatis, ex quo erat, sed regionis illius et vicinitatis virtute, existimatione, nobilitate princeps*. Sometimes though we can omit the circumstances, e.g. *Pro Lig.*, I 2: *Q. enim Ligarius cum esset*, or start with presenting a fact, e.g. *Pro Tull.*, VI 14: *fundum habet in agro Thurino M. Tullius paternum*; Demosthenes, *Pro Ctesiph.*, 18: τοῦ γὰρ Φωκικοῦ συστάντος πολέμου (IV 2, 129-131). The task for the specialist is to discover the inconsistencies, real or apparent, even though sometimes they are not visible in the facts themselves, for example in the case of Caelius, *Pro Cael.*, XIII 31, Clodia on the one hand attests that she borrowed money to Caelius, which is a proof of great intimacy, on the other hand she claims that he prepared poison to murder her, which is a proof of extreme hate (*in causa Caeliana Clodia aurum se Caelio commodasse dicit, quod signum magnae familiaritatis est; venenum sibi paratum, quod summi odii argumentum est* (V 13, 30). The speaker should trust his own strength and speak in such a way as if he had the best opinion of his case. This feature is particularly visible in Cicero. The Arpinate takes much care to create the impression of trust (*securitas*) and when he speaks he does not allow the audience to feel even the slightest doubt, so convincing is the strength of the proofs he presents (V 13, 51-52). Young age compensates defects and when some words are delivered with youthful impetuosity they are accepted as a sign of natural vigour. As an illustration of such attitude Quintilian uses famous words from the speech *Pro Roscio Amerino*, XXVI 72: *quid enim tam commune quam spiritus vivis, terra mortuis, mare fluctuantibus, litus eiectis?* (XII 6, 4). These words were pronounced when Cicero was twenty six years old, but when he got older he admitted himself[16] that with the passage of time he calmed down (*defervisse tempore*) and his style became clearer.

[16] See Cic., *Or.*, XXX 107.

Let us have a look at the appraisal of Cicero as a literary critic. The Arpinate, as Quintilian reminds us, does not believe even Thucydides and Xenophon can be useful for a speaker, though according to him the first one seems to encourage his audience to fight, while the latter uses the same words the Muses do (X 1, 33). Quintilian recalls the opinion of Livy. The Patavinian counsels his son in a letter to read Cicero and Demosthenes, as well as these authors who are most similar to them (X 1, 39). Cicero himself admits that he was supported by the eldest writers who, though they were very talented, lacked any artistry (art of speech) whatsoever. He corrects those places in Gracchus's speeches which he considers too unevenly composed (IX 4, 15).

The Arpinate calls style the best creator and teacher of speech. In the dialogue *De oratore* he backs up his own judgement with the authority of Lucius Cassius (X 3, 1). Cases of lesser significance are suited by simplicity and nonchalance of effortless speech, while the cases of greater magnitude are more suited by a style that can be admired. The uncontested master (*eminet*) of both styles is, according to Quintilian, Cicero (XI 1, 93).

A very important role is played by the remarks regarding poetic inspiration. According to Quintilian, a speaker filled with inspiration and something bordering on madness improvises and achieves a spectacular success, which he would not have been able to achieve even if he had prepared most meticulously. In such a situation the orators of the elder days, such as Cicero, used to say that it was a god that inspired the speaker (X 7, 12-14). From time to time even Cicero surprised his adversaries. Quintilian writes that it is extremely inconvenient when a son or his advocate need to speak against mother. Sometimes though it is absolutely necessary, as it was in the case of Cluentius Habitus (XI 1, 61). In many cases one should mollify the harshness of the speech by adding a more conciliatory tone, as Cicero did in the speech on the children of the proscribed (XI 1, 85).

The good choice of words is extremely important. Cicero points out that this is the fourth virtue of a style (XI 1, 1). The best style is the one which, it is universally believed, can be achieved easily by imitation. In reality though such a style is well beyond our capabilities. Cicero, as many other speakers, thinks that *actio*, i.e. the way of delivering

a speech, plays the most significant role in the rhetorical art. The Arpinate shows that Gnaeus Lentulus was valued more because of his art of delivering speeches than because of any eloquence he truly possessed. It is because of *actio* that Gaius Gracchus moved the whole Roman nation to tears and made them lament the murder of his brother; that Antonius, Crassus and indeed above all, Quintus Hortensius gained such importance (XI 3, 7-8).

Cicero ridicules the melodious endings of speeches. This remark pertains to the speakers from Lycia and Caria (XI 3, 58). The Arpinate claims that a song is "incomprehensible" in the speech of an orator (XI 3, 60). Speaking in an effeminate way should be avoided: Cicero, *Brut.*, LXII 225, ascribes such a mode of speech to Titius and adds that this was how the dance called "Titius" originated (XI 3, 128). In another passage Quintilian emphasizes that people are right when they criticise pronouncing words with undue mimicry, awkward gesticulation and abrupt changes of tone. The most accurate remarks on this subject are the ones made by Cicero in the dialogue *Orator*. Similar thoughts can be found in the dialogue *Brutus*, XXXVIII 142. They pertain to Marcus Antonius Orator. Seeking pity can be found in two different forms: one is associated with indignation, as in the passage on condemning Philodamus, the other with a pleading prayer: the tone is then lowered (XI 3, 171). Speaking of gesticulation (I 11, 18), Quintilian quotes Cicero's words from the dialogue *De oratore*, III 59, 220, where the Arpinate points out that a speaker should use *laterum inclinatione forti ac virili non a scaena et histrionibus, sed ab armis aut etiam a palaestra*. As Quintilian emphasizes (IX 4, 92), it is best to start a speech with long syllables, though sometimes it is also correct to start with a short, e.g. *nŏvum crimen* (*Pro Lig.*, I 1). The effect is more gentle if we start with two short syllables, e.g. *ănĭmadverti iudices* (*Pro Clu.*, I 1). Such a start is apt because it begins with an outline (*partitio*), which "takes joy" in rapid pace. The effect will be less strong if we start with a Spondee, preceded by a Pyrrhic or a <Choreus>, e.g. *iudicii Iūnĭānī*; it will be even worse if we precede a Spondee with a Paeon, as in the words *Brūtĕ, dŭbĭtāvī* (*Or.*, I 1), though if we look at it differently, the phrase can be considered to consist of a Dactyl and a Bacchius. As a rule it is not allowed to complete a phrase with two Spondees, unless it is possible to

build it with three separate parts of a period, e.g. *cur de perfugis nostris copias comparat īs cōntrā nōs?* – monosyllable, disyllable, monosyllabe (*Or.*, LXVI 223). What we have here is the word *contra*, build of two syllables and both preceded and followed by a monosyllabic word (IX 4, 101). The final Spondee should not be preceded even by a Dactyl, because the ending typical for poetry is criticised in the ending of a speech. A Bacchius should close a speech and it should be accompanied by another one, e.g. *vĕnēnūm tĭmērēs* (*Pro Cael.*, XIV 33); a proper effect can be achieved as well when a Bacchius is preceded by a Choreus and a Spondee, e.g. *ūt vĕnēnūm tĭmērēs*. Its opposite, i.e. a Palimbacchius, may also close a speech, unless we assume that the last syllable is long and it would be best if it were preceded by a Molossus, e.g. *cīvīs Rōmānūs sŭm* (*In Verr.*, V 62, 162), or by a Bacchius: *quod hic pŏtēst, nōs pōssēmŭs* (*Pro Lig.*, IV 10) (IX 4, 102).

In his deliberations on the artistic composition of words Quintilian emphasizes that we should take into consideration two points of reference: the first is related to poetic feet, the second to grouping words into periods (*comprehensiones*), which is the result of how the feet are built. When it comes to grouping words, we should consider short constituents of a clause (*incisum*), colons (*membrum*) and rhetorical periods (*circumitus*). Here Quintilian uses again an example from Cicero. A short constituent of a clause can be described as expression of a thought which is devoid of rhythm. On the other hand, many authors believe it to be a part of a colon, e.g. *domus tibi deerat? at habebas: pecunia superabat? at egebas* (*Or.*, LXVII 223).[17] A period contains at least two colons. The length of a period should be great enough to guarantee closure of the thought it is supposed to express (IX 4, 121-125).

The speakers of old, Quintilian says, tried to be elegant by using words which sounded alike, or quite the opposite. In this Gorgias knew no measure, while Isocrates, especially in his early youth, was a great enthusiast. Cicero admired this style, but he was moderate in using such words as they are not graceless if not overused; he managed to fill a speech on inconsequential matters (*res levis*) with grave sentences.

[17] See Quint., IX 2, 15-16: *cui diversum est, cum alium rogaveris, non expectare responsum, sed statim subicere* […]. *quod schema quidam 'per suggestionem' vocant. fit et comparatione: 'uter igitur facilius suae sententiae rationem redderet?'.*

This artificial trick (*adfectatio*) is in itself devoid of any vigour and true meaning, yet when it expresses fervent thoughts it seems to possess a natural, not an artificially induced charm (IX 3, 74). The Arpinate often said[18] that the whole art of composing prose is based on rhythm and, according to Quintilian, he is criticised by some authors for constraining the style of speech with cumbersome rules of rhythm (IX 4, 53). Cicero was trying to discover what rhythm truly is. He believed it is more important for a text not to be devoid of rhythm, as this would be unreasonable and tactless, than to be overly rhythmical, as then it would become poetic (IX 4, 56).

Evoking emotions in the judge is done in multiple stages. Quintilian gives as an example several passages from the speech *Pro Ligario*, III 7: *suscepto bello, Caesar, gesto iam etiam ex parte magna*; III 6: *quantum potero voce contendam, ut populus hoc Romanus exaudiat*; III 9: *quid enim tuus ille, Tubero, in acie Pharsalica gladius agebat?*. A speech can be also fuller, slower and consequently better sounding, as in *Phil*., II 25, 63: *in coetu vero populi Romani negotium publicum gerens*. Words can flow even more slowly, e.g. *Pro Mil.*, XXXI 85: *vos, Albani tumuli atque luci*. There are some speeches which sound almost like singing, which makes them gradually quiet down, e.g. *Pro Arch.*, VIII 19: *saxa atque solitudines voci respondent* (XI 3, 166-167).

The most important task for an orator is to speak in a convincing way[19]. The Arpinate calls rhetoric a "part of political science", *scientiae civilis pars* (II 15, 33). He adds that rhetoric is speech in accordance with the rules of the art. To this point of view ascribe not only speakers, who want to give greater gravity to their art, but also philosophers, both stoics and peripatetics (II 17, 2). In the dialogue *De oratore*, II 57, 232 Marcus Antonius says that rhetoric is based on following certain

[18] See Cic., *Or*., XX 67 sqq.: *quicquid est enim quod sub aurium mensuram aliquam cadit, etiam si abest a versu – nam id quidem orationis est vitium – numerus vocatur, qui Graece* ῥυθμο ς *dicitur. itaque video visum esse non nullis Platonis et Democriti locutionem, etsi absit a versu, tamen quod incitatius feratur et clarissimis verborum luminibus utatur, potius poema putandum quam comicorum poetarum; apud quos nisi quod versiculi sunt, nihil est aliud cotidiani dissimile sermonis. nec tamen id est poetae maximum, etsi est eo laudabilior quod virtutes oratoris persequitur, cum versu sit astrictior*.

[19] See Arist., *Rhet.*, 1355 b 25 sqq.; Cic., *De inv.*, I 5, 6; *De or.*, I 31, 138.

rules, but it is not an art. A speaker, when he utters a falsehood, is aware that he uses a lie instead of the truth. When Cicero boasted that during Cluentius's trial he veiled the eyes of the judges (*se tenebras offudisse iudicibus*), he did not claim with these words that he was unaware of the truth. Sometimes common good demands of rhetoric to defend even falsehood. Quintilian quotes Cicero's words (*De or.*, II 7, 30) which contain substantial contradictions. The Arpinate believes that art is composed of known and concrete things. When it comes to speech, the whole conduct is based on a notion, not on knowledge, because a speaker delivers his speech in front of the people who do not know the truth, and even he himself sometimes speaks of things he is not entirely sure about (II 17, 36-38). Nonetheless, real rhetoric, the one which Quintilian is trying to instil in his students and which is seemly for a noble man, is a virtue (*virtus*). The orator from Calagurris recalls (II 20, 9) the important words of Crassus: *est enim eloquenta una quaedam de summis virtutibus* (*De or.*, III 14, 55). In another passage, Cicero claims that a speaker must have knowledge of all the arts, if his duty is to speak of all things: *mea quidem sententia nemo esse poterit omni laude cumulatus orator, nisi erit omnium rerum magnarum atque artium scientiam consecutus* (*De or.*, I 6, 20).

The Arpinate advises several times[20] that we can speak more fully on general rather than on specific subjects and that whatever applies to the whole applies as well to the specific. Everything that can shape the subject of dispute comes down to three questions: *sitne?*, *quid sit?*, *quale sit?*. Quintilian agrees with Cicero in saying that advisory speeches concentrate primarily around honourable things (*dignitate maxime contineri*). An enthymeme can be used in everything that we encompass with a thought process, but in a narrow meaning it refers to reflection on the contrasts (*ex contrariis*), because this function towers over all the others, as Homer towers over other poets and Rome over other cities. Using an enthymeme is not always restricted solely to the proof, for sometimes it is also employed as a stylistic ornament (*ornatus*). Quintilian backs his reasoning with Cicero's words, *Pro Lig.*, IV 10: *quorum igitur impunitas, Caesar, tuae clementiae laus est, eorum*

[20] See Cic., *Or.*, XIV 45; *De or.*, III 30, 120; *Top.*, XXI 79-81.

te ipsorum ad crudelitatem acuet oratio? (VIII 5, 9-10).[21] An epiphonema is an expression of extreme emotions which accompany the closure of the case or summing up the proofs, e.g. *Pro Mil.*, IV 9: *facere enim probus adulescens periculose quam perpeti turpiter maluit* (VIII 5, 11). As far as epicheirema is concerned, Quintilian concurs with the opinion of other authors who divide it into three parts, namely *intentio*, *adsumptio, conexio* (V 14, 6). Cicero though perseveres in his division into five parts, i.e. *propositio*, *ratio*, *adsumptio*, *probatio*, *conplexio* (V 14, 5). This time we read an example from *De inventione*, I 34, 58: *melius adcurantur ea, quae consilio reguntur, quam quae sine consilio administrantur* (V 14, 7). Quintilian pays great attention to the deliberation on epicheirema. He reminds us that Cicero described epicheirema as *ratiocinatio*, though the Arpinate seems to have derived that name rather from syllogism than anything else. The syllogistic basis (*status*) is defined by him as *ratiocinativus* and he quotes some examples from philosophical treatises (V 10, 6). In another passage he adds that there is no difference between epicheirema and syllogism apart from the fact that syllogism can take many different forms (*species*) and it joins together things that are true, while epicheirema usually refers only to the things that are probable (V 14, 14).[22]

Quintilian appreciates the value of Cicero's various speeches. He emphasizes that in the speech *Pro Milone* Cicero tries to convince the judges that Pompey's armies are not quartered in the courtroom to put them under pressure. Sometimes it is necessary to frighten the judges, as Cicero does in the speech *In Verrem*, I 15 (IV 1, 20). The *exordium* of the speech *Pro Cluentio*, I 1 is excellent (IV 1, 36). The speaker shows there the points he intends to develop in the later parts of the speech: *animadverti, iudices, omnem accusatoris orationem in duas divisam esse partes: quarum altera mihi niti et magno opere confidere videbatur invidia iam inveterata iudicii Iuniani, altera tantum modo consuetudinis causa timide et diffidenter attingere rationem veneficii criminum, qua de re lege est haec quaestio constituta*. During the presentation of proofs (*probationes*) many utterances function as

[21] Regarding enthymeme see also Quint., I 10, 37; IV 2, 107; V 10, 1 sqq.; V 14, 1; 2; 17; 24; 25; VIII 5, 4; IX 2, 106; IX 4, 57; XI 3, 102; XII 10, 51.

[22] See also Quint., IV 4, 1; V 10, 2; 4; V 11, 2; VIII 5, 4; IX 2, 107.

a prooemium, e.g. in the speech *Pro Cluentio* Cicero attacks the censors, and in *Pro Murena* he justifies himself before Servius (IV 1, 75). *Partitio* of the speech *Pro Murena*, V 11 is exquisite: *intellego, iudices, tris totius accusationis partis fuisse, et earum unam in reprehensione vitae, alteram in contentione dignitatis, tertiam in criminibus ambitus esse versatam* (IV 5, 12).[23] Sometimes a speaker should simulate that he shares certain information against the wishes of his client; this is what happens in the speech *Pro Cluentio*, LII 143-145, when the Arpinate discusses the law regarding bribes in the courts (IV 5, 20). Quintilian values Cicero's sharpness of mind. The noteworthy fragment in *Pro Cluentio* is the first representation of the cause, where the speaker discredits the authority (*auctoritas*) a mother has over her son. The next valuable thing is the idea that the responsibility for the accusation of bribing the judges is to be shifted onto the adversary instead of mere denial against the charge due to what Cicero called himself a long-term bad reputation of the verdict; or because in an envy-inspiring case he used law support and thus he additionally wounded the judges' feelings when from the start they were not partial to him. And, finally, the skill he showed when he claimed that he took this course of conduct despite the protests of his client. Quintilian also values highly Cicero's *consilium* in the speech *Pro Milone*. In the first place he freed there the accused from the charges previously raised against him. The hate roused by laying traps he redirected to Clodius, though in fact the fight was coincidental. It is also interesting that at the same time he praised the deed and pointed out that his client was forced to commit it. It is noteworthy that Milo abandoned his pleas and assumed the role of a suppliant. Moreover, Quintilian is full of admiration for the way in which the Arpinate diminished the authority of Cotta,[24] for the charges he exposed himself to when defending Ligarius,[25] for how he saved Cornelius by sincerely admitting to his guilt.[26] Sometimes we encounter a reciprocal accusation, which the Greeks call ἀντικατηγορία, and

[23] Quintilian furnishes this quote with the following conclusion: *nam sic et ostendit lucidissime causam et nihil fecit altero supervacuum*.

[24] See Quint., V 13, 30.

[25] See Quint., V 10, 93.

[26] See Quint., V 13, 18; 26.

some Roman authors, *accusatio concertativa*. Sometimes the accusation is shifted onto another person who cannot take part in a court case and who can be either known or unknown. In such cases we compare the characters, the motives and other circumstances in the same way we do during reciprocal accusation. Cicero in the speech *Pro Vareno* shifts the accusation onto Ancharius's slaves and in *Pro Scauro* he places the mother under suspicion of Bostar's murder (VII 2, 10). It is extremely dangerous to misplace even one single word, as the whole case might be put in jeopardy. The best method is the one somewhat in-between these two. Cicero uses it in the speech *Pro Caecina*, XV 42, when he presents the facts, but he does not test the meaning of the words (*verba non periclitentur*) (VII 3, 17). The proof (*probatio*) can precede the definition (*finitio*), e.g. in the *Philippics*, IX 3, 7 Cicero infers that Servius Sulpicius was murdered by Anthony and only in the conclusion of the speech he introduces the definition: *is enim profecto mortem attulit, qui causa mortis fuit* (VII 3, 18). In the speech *Pro Caecina*, XV 44, he briefly presents the proof based on the beginnings, reasons, results and events that both preceded and followed them. For example: *quid igitur fugiebant? propter metum. quid metuebant? vim videlicet. potestis igitur principia negare, cum extrema concedatis?*. The Arpinate uses in this speech also arguments derived from similarities, XV 43: *quae vis in bello appellatur, ea in otio non appellabitur?* (VII 3, 29). Sometimes we encounter an established definition, upon which both sides agree, e.g. Cicero in *Partitiones oratoriae*, XXX 105 claims that majesty is based on the dignity of Roman rule and of the Roman people. What remains as controversy is the question whether "the majesty was diminished", as in the case of Cornelius (VII 3, 35), among others. As a last resort we might beg for pity (*deprecatio*), though the majority of the authors think this is unacceptable in the courtroom. Cicero seems to share this point of view during the defence of Quintus Ligarius, X 30: *causas, Caesar, egi multas equidem tecum, dum te in foro tenuit ratio honorum tuorum, certe numquam hoc modo: ignoscite, iudices: erravit, lapsus est, non putavit, si umquam posthac* (VII 4, 17-18). By attributing to Sulpicius all virtues (*Pro Mur.*, VII 15), he deprived him of the knowledge necessary to apply for a consulate (XI 1, 69). He treated Cato in a very delicate manner (*Pro Mur.*, XXIX 60). He expressed the

greatest admiration for his character and he wanted to show that the severity and insensitivity he exhibited in some cases was not a result of his personal failings, but the influence of stoicism (XI 1, 70). The Arpinate spoke in defence of Gabinius and Publius Vatinius who were hitherto his mortal enemies: he used to accuse them and even published the speeches. He justified this conduct saying he is not afraid for his reputation of a talented speaker, but for his credibility (XI 1, 73). When he was defending Cluentius, XVII sqq. he had to unveil the crime of Scamander, though before he was speaking in his defence. Nonetheless he justified his conduct in a very elegant way, pointing out the pleas of the people who brought Scamander to him as well as his own young age and the belief he would lose much of his authority, especially in so ambiguous a case, if he admitted that he was prepared to defend guilty people without posing uncomfortable questions (XI 1, 74).

We can give our adversary free choice between two standpoints out of which one has to be necessarily true: as a result, whatever he chooses, it will be detrimental to his case. The Arpinate uses this method in the speeches *Pro Oppio*[27] *and Pro Vareno*[28] *(V 10, 69). The notion of consequentia* should be understood as the arguments which are derived from facts and corroborate one another; some believe they constitute a separate category of arguments and call them ἐκ τῶν πρὸς ἄλληλα, e.g. we can find in Cicero, *De inv.*, I 47: *si portorium Rhodiis locare honestum est, et Hermocreonti conducere* (V 10, 78).[29] Arguments can be built not only on known facts, but also on fictitious ones, a practice which is called by the Greeks καθ' ὑπόθεσιν. Fiction is important when it comes to the quality of a deed (*Pro Mur.*, XXXIX 83) and to amplification (*Phil.*, II 25, 63; *In Cat.*, I 27). The Arpinate divides all arguments in two parts, i.e. analogy (*inductio*) and rationalising (*ratiocinatio*), as do majority of the Greeks[30] who divide them in παραδείγματα and ἐπιχειρήματα, clarifying παράδειγμα as ῥητορικὴ ἐπαγωγή. The following words from the speech *In Verrem*, IV 55, 123 are an illustration of *contrarium*: *Marcellus ornamenta Syracusanis hostibus restituit,*

[27] See frg. A III 1.

[28] See frg. A II 14.

[29] See Quint., V 10, 79: *et 'quod discere honestum, et docere'*.

[30] See Arist., *Rhet.*, I 1356 b.

Verres eadem sociis abstulit (V 11, 7).[31] An argument built on probability (*simile*) can be found in the speech *Pro Murena*, VIII 17, and in *Pro Milone* we can discover an example of the argument *maius minoris* (III 7) and *minus maioris* (XXVII 72). *Dissimile* has many different varieties connected with *genus*, *modus*, *tempus*, *locus* etc. Thanks to them Cicero overthrew almost all initial charges against Cluentius (*Pro Clu.*, XXXII sqq.). Sometimes one can use historical parallels, as Cicero does in the speech *Pro Cluentio*, XXVII 75. Παραβολή, which is translated as *collatio* in Cicero's *De inventione*, I 30, is often employed to compare things that are very distant from one another. It is used not only to compare people's deeds, but also mute animals and inanimate matter (V 11, 23). In the speech *Pro Cluentio*, LIII 146 the Arpinate employs an analogy to the human body, in *Pro Cornelio*[32] *a comparison with horses, and in Pro Archia*, VIII 19 with rocks.

Inventio and *dispositio* are within the reach of any prudent man, but eloquence belongs solely to a speaker and he should care for it the most (*Or.*, XIV 44). Quintilian reminds us of this in book VIII Pr. 14-15. Cicero openly advises (*De or.*, I 3, 12) that in a speech it is probably the greatest error to balk at the common and widely practiced way of speaking. Quintilian claims that in his times Cicero is considered harsh (*durus*) and uneducated. He adds ironically that the contemporary speakers are much better because they do not value highly all the things imposed by nature and they do not look for rhetorical ornaments, but for sophisticated cosmetics (*lenocinium*), while in reality the true strength of words lies in their power to link facts in a logical way (VIII Pr. 25-26). Rhetorical decorativeness contributes to the speaker's success. When the audience listens to us with pleasure, their attention is more fixed, they are more ready to trust what we say and often they derive joy, or even rapture (VIII 3, 5). According to Quintilian, Cicero rightly wrote in his letter to Brutus[33] that eloquence which does not inspire admiration is not worthy of its name (VIII 3, 6).

[31] See also *dissimile*, Quint., V 11, 7: *Brutus occidit liberos proditionem molientis, Manlius virtutem filii morte multavit*.

[32] See Quint., IV 4, 8.

[33] See *Fr. epist.*, VII. 8 Watt.

The Arpinate believes that some words are innate, i.e. they are used in their original sense, while others are derived, that is created from original forms. Quintilian points out tautology, that is reiteration (*iteratio*) of the same word or phrase. It can be often found in Cicero (e.g. *Pro Clu.*, XXXV 96), who does not pay attention to details: *non solum igitur illud iudicium iudicii simile, iudices, non fuit* (VIII 3, 50-51).

Sometimes a speaker should invoke the authority of gods and oracles. This kind of argumentation is employed by Cicero in the speeches *De haruspicum responso* and *In Catilinam*, III 9, 21, when he points to the people the statue of Jupiter on the top of a column, and in *Pro Ligario*, VI 19, where he confesses that the case of Caesar is "better" because the gods are on his side (V 11, 42). We need to consider as well how we should evaluate the arguments of an adversary. If they are clearly untrue, it is enough to simply contradict them. This is what Cicero does in the speech *Pro Cluentio*, where the speaker gainsays the words of the accuser who claims that the man who had drunk a beverage died the same day. Under no circumstances should we quote the charges of our adversaries along with the proof they provided, nor should we stress any point they made, unless we want to disprove it; this is what happens in the speech *Pro Murena*, IX 21. Moreover, when we reply to the accuser, sometimes we can present the whole accusation, as Cicero does in the speech *Pro Scauro*, where, referring to Bostar's death, he almost imitates the speech of his adversary, or in the speech *Pro Vareno* (V 13, 28), where he uses multiple main premises of the argumentation, linked with one another. A speaker should trust his own strength and speak as if he had the best possible opinion on his case. Sometimes a lawyer may refer to the close relationship he has with his client; the Arpinate does it in the speech *Pro Milone*, XXXVII 102: *o me miserum! o te infelicem! revocare me tu in patriam, Milo, potuisti per hos, ego te in patria per eosdem retinere non potero?* (VI 1, 24).

Cicero (*De or.*, III 41, 164) proves that one should avoid inappropriate metaphors (*deformis translatio*); as an example may serve the following phrases: *castrata morte Africani res publica* and *stercus curiae Glaucia* (VIII 6, 15). The best kind of speech is the one where charm is accompanied by analogy, allegory and metaphor, *Pro Mur.*, XVII 35: *quod fretum, quem euripum tot motus, tantas, tam varias*

habere creditis agitationes, commutationes, fluctus, quantas perturbationes et quantos aestus habet ratio comitiorum? dies intermissus unus aut nox interposita saepe et perturbat omnia et totam opinionem parva nonnumquam commutat aura rumoris (VIII 6, 49). It is acceptable to criticise under the guise of praise and to praise under the guise of criticism (VIII 6, 55). Sometimes, with a certain degree of mockery, the orator says things contrary to his plans, for example in the speech against Clodius:[34] *integritas tua te purgavit, mihi crede, pudor eripuit, vita ante acta servavit* (VIII 6, 56). Hyperbole is a cunning way to overstep the boundaries of the truth and it can be used both for amplification and diminution. It is employed in various ways. For example, we speak of something that exceeds the real state, *Phil.*, II 25, 63: *vomens frustis esculentis gremium suum et totum tribunal implevit*. Sometimes one hyperbole can be strengthened by adding another, as in the words of Cicero against Anthony, *Phil.*, II 27, 67: *quae Charybdis tam vorax? Charybdin dico? quae si fuit, fuit animal unum: Oceanus, medius fidius, vix videtur tot res, tam dissipatas, tam distantibus in locis positas tam cito absorbere potuisse* (VIII 6, 70).

Cicero considers the most expressive and most emotion-inspiring expressions to be figures (*quae essent clarissima et ad movendum auditorem valerent plurimum*). Quintilian quotes here verbatim two lengthy passages from the Arpinate's works, *De oratore*, III 52, 201 – 54, 208 and *Orator*, XXXIX 134 – XLI 139[35] (IX 1, 25 sqq.). The more bold form of a figure and one that, according to Cicero, requires greater effort, is the one written and spoken in another person's role, commonly known as προσωποποιία. This measure enriches the rhetorical art in an extraordinary way and makes it more lively (IX 2, 30). Enargeia (*sub oculos subiectio*), as Cicero says in *De oratore*, III 53, 202, usually occurs when we do not limit ourselves to merely mentioning that something happened, but we go further and show how something happened, and we do it taking into consideration not the whole, but the individual parts (IX 2, 40). An unusual mix of figures can be found in the lost speech against Quintus Metellus: *vestrum iam hic factum*

[34] In Cicero's lost speech *In Clodium et Curionem*.

[35] See Innes 1988: 307-325; Odgers 1933: 186-187; Logie 2003: 365-373; Fantham 1978: 1-16.

deprehenditur, patres conscripti, non meum, ac pulcherrimum quidem factum, verum, ut dixi, non meum, sed vestrum (IX 3, 40). The first word is repeated at the very end, after a long pause, the middle part of the sentence agrees with the beginning, and the final one with the middle. An example of particular clarity is the beginning of the speech *Pro Caecina*, I 1, where there are joined together the figures ἰσόκωλον, ὁμοιόπτωτον, ὁμοιοτέλευτον: *non minus nunc in causa cederet Aulus Caecina Sexti Aebuti inpudentiae quam tum in vi facienda cessit audaciae* (IX 3, 80).[36]

In the third book of the dialogue *De oratore* Cicero placed a large number of figures which he omitted in the work he wrote later, *Orator*, possibly to show that he is extremely critical of them. Some of those are more figures of thought than of speech, namely an apparent diminution of an expression's strength (*inminutio*), an unusual expression (*inprovisum*), a comparison (*imago*), an answer to one's own question (*sibi ipsi responsio*), digression from the subject of the speech (*digressio*), an argument based on allowing someone else to make a decision regarding the case (*permissio*), an argument *ex contrario*, a proof assumed from the adversary (*sumpta ex adverso probatio*) (IX 3, 90). Cicero says briefly (*De or.*, III 55, 210) that "only one rhetorical style is not sufficient for all the cases, all the audiences, all the speakers, all the occasions". He does not write much more on the subject in *Orator*, XXI sqq. (XI 1, 4).

Speaking with exaggerated mimicry, overdone gesticulation and abrupt changes in tone is rightly criticised. The best remarks on this subject are made by Cicero in the dialogue *Orator*. Similar observations can be found in the dialogue *Brutus*, as a reference to Marcus Antonius Orator (XI 3, 183-184). Marcus Tullius in his political activity always conducted himself as an exemplary citizen (XII 1, 15). As a testimony may serve his consulate held with extraordinary justice, his flawlessly administered province, his rejection of participating in the college of *vigintiviri*. When accused of cowardice he replied that "he does not lack courage in facing dangers, but in predicting them". He attested to this with his own death, which he accepted with an unusual

[36] See Quint., IX 3, 80: *at hoc* ὁμοιοτέλευτον et παρονομασία *est: 'neminem alteri posse dare in matrimonium, nisi penes quem sit patrimonium'*.

strength of spirit (XII 1, 16-17). Quintilian emphasizes that he will look for such a model of speaker as Cicero used to look for (XII 1, 19). Perhaps he would have been able to find in him some unnecessary elements which should be cut off – for the scholars think he possesses multiple virtues and only few faults, and Cicero himself proclaims he managed to curb much of his youthful floridity – yet he did not claim the name of a wise man, even though he had a high opinion of himself. Certainly, he would have been able to speak better if he had lived longer and worked in safer times, and Quintilian would gladly believe that what the Arpinate lacked was that perfection to which no one was ever closer than himself (XII 1, 20). Even Marcus Tullius constantly seeks an ideal speaker and he can only imagine him and create his likeness in his mind (*imaginatur ac fingit*) (XII 1, 21). On the other hand, Cicero is not satisfactory enough for Brutus and Calvus, who undoubtedly criticise the Arpinate's style in his presence, nor can he satisfy both Asinii who criticise his mistakes in many places (XII 1, 22). It is important to note that, as Quintilian observes, Cicero often attested himself (*Or.*, III 12) that he has obligations not so much towards the rhetorical school as towards strolls in the Academy (XII 2, 23). When he already attained an excellent reputation among the court defenders, he sailed to Asia and placed himself under tutelage of various undoubtedly eloquent and well-educated teachers, particularly though Apollonius Molon, to whom he listened before in Rome and who he wished would help him reshape and change his style (*rursus formandum ac velut recoquendum*) (XII 6, 7).

In Cicero we have the greatest embodiment of various virtues that are praised in other speakers. Yet some of his contemporaries dared to criticise him because, in their opinion, he was too lofty, too Asiatic, too effusive, he used repetition too often, he lacked energy in his jokes and he was too artificial, too irregular and completely effeminate in the arrangement of words (XII 10, 12). While some believed him too dry and severe, his personal enemies attacked him for overly ornate floridity of his style and his excessively extravagant talent. Both charges, Quintilian emphasizes, were false (XII 10, 13). He was particularly persecuted by those who wanted to appear as followers of the Attic style. This coquetry, believing itself to be initiated in the mysteries of rhetorical art,

attacked him as a stranger, indifferent to their prejudices and not abiding their laws. Its followers are negation to Cicero's virtues, because they can be characterized as dry (*aridi*), juiceless (*exsuci*), bloodless (*exsangues*) (XII 10, 14). Quintilian remains under Cicero's spell. He cannot find a thing that might be added to improve the beauty of his style, apart from numerous brief thoughts that are expressed in contemporary times (XII 10, 46). Everything that is great and admirable requires time when it was done for the first time. For poetry raised to its height due to Homer and Vergil, while rhetoric – due to Demosthenes and Cicero. In fact even if we have no hope to achieve the greatest perfection, then, as Cicero says (*Or*., I 4), "it is fine to achieve second or third place" (XII 11, 25-26). Rhetorical skills flow from the deepest founts of wisdom and this is the reason why teachers of morals and speech were for a time identical (XII 2, 6). In *De oratore*, III 15, 57 sqq., we read that once ethics and rhetoric were linked because of nature itself and moral obligation, so that speakers and wise men were believed to be the same people (I Pr. 13).

To summarize, we need to emphasize that Quintilian evaluated Cicero on many levels. Examples from the Arpinate's speeches and philosophical dialogues are interspersed almost in the whole textbook of the orator from Calagurris. It can be explicitly said that Quintilian would not have written *Institutio oratoria* if he did not have at his disposal all the examples contained in Cicero's writings. He appreciates the Arpinate's achievements both in rhetorical practice and theory. He values greatly his opinions as a literary critic. The virtues of Cicero equal these of Demosthenes.[37] The richness of his vocabulary is on a par with Plato's, his charm – Isocrates's. This is the highest possible praise. The accusatory and defensive speeches are equally valuable. When it comes to *incisum*, *membrum*, *circumitus*, Quintilian constantly quotes examples from Cicero. He admonishes the readers of *Institutio oratoria* that they should emulate these authors who are most similar to Cicero. The sections on the rhythm of verse and prose are based almost entirely on the Arpinate's texts. The same thing can be said of *compositio*, i.e. the artistic composition of a speech. Quintilian values highly the usage of figures and rhetorical tropes in the Arpinate's works. He emphasizes

[37] See Quint., II 16, 7: *divina M. Tulli eloquentia*.

his genuine power of argumentation and the impression of trust. He pays particular attention to these passages in Cicero where charm is interwoven with analogy, allegory and metaphor, e.g. *Pro Murena*, XVII 35. He values highly the *exordium* of the speech *Pro Cluentio* and the *partitio* of the speech *Pro Murena*.

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