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RHETORICE ACCORDING TO THE SECOND BOOK OF QUINTILIAN'S *INSTITUTIO ORATORIA**

SUMMARY: In the second book of *Institutio oratoria* Quintilian contemplates the definition and nature of rhetoric. The lecture on rhetoric can be divided into three parts: on art (*ars*), master (*artifex*), work (*opus*). The most common definition of rhetoric can be summed up as the power of persuasion (*vis persuadendi*). Every element of rhetoric changes with the content of the cases, the times, the circumstances, the needs. No law proposals, no resolutions passed by the people constituted the noble rules of rhetoric; they were formed by practice. If utility will advise us to do something different, we should follow such advice and not be constrained by the authority of the former masters. The important virtue (*virtus*) of the teacher is to take into consideration the different talents of every student and to discover their natural predispositions. In Quintilian's definition the speaker and his art are not dependent on the effect. Though a speaker aims for victory, then even if he lost the case he still achieved the goal of his art, provided that he spoke honestly.

KEYWORDS: *vis persuadendi*, *rhetoricen esse bene dicendi scientiam*, *inventio*, *elocutio*, *ars*, *artifex*, *opus*, *deceat*, *expediat*, τέλος

Quintilian starts the second book of his manual with a firm remark that in the contemporary Rome there was the increasingly frequent custom of sending boys for studies with Latin and Greek masters of rhetoric at a much later age than what would be dictated by common sense

(*ratio*).[1] For on the one hand the masters of rhetoric, especially the Latin ones, resigned from a part of their duties, while on the other hand those who were teaching in the schools of oratory art took on duties which rightfully belong to others.[2] The former introductory subjects of rhetoric became in his times the final material taught at the grammar school. The effect is that the boys old enough to attend a higher school remain in the lower one and are taught rhetoric by a grammarian. The orators of yore improved their skills by speaking on various general subjects (*theses*[3]*; loci communes*[4]*), which provide material for real or fictitious speeches (controversiae*): *an ignoramus antiquis hoc fuisse ad augendam eloquentiam genus exercitationis, ut thesis dicerent et communes locos [et cetera] citra complexum rerum personarumque, quibus verae fictaeque controversiae continentur?*. The future teacher should realise that the task of unlearning wrong habits is much more strenuous than teaching the new ones. This is why Timotheus, the renowned flute teacher, is told to have set a double price for those students who had hitherto different teachers, while he took the ordinary amount from these who were complete beginners. The well-spoken teacher should be prudent, should know the art of teaching and be ca-

[1] * This paper is a partly changed English version of the second chapter of my book: Śnieżewski S., 2014, *Terminologia retoryczna w* Institutio oratoria *Kwintyliana*, Kraków, pp. 41-64.

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 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] Cf. Querzoli 2003: 37-50; Granatelli 1995: 137-160; Russell 2001: 257 ff.

[3] Cf. Quint., III 5, 11: *quidam putant etiam eas θέσεις posse aliquando nominari, quae personis causisque contineantur, aliter tantummodo positas, ut causa sit, cum Orestes accusatur, thesis, an Orestes recte sit absolutus: cuius generis est 'an Cato recte Marciam Hortensio tradiderit'. hi thesin a causa sic distinguunt, ut illa sit spectativae partis, haec activae: illic enim veritatis tantum gratia disputari, hic negotium agi*.

[4] Cf. Quint., II 4, 22: *Communes loci (de iis loquor, quibus citra personas in ipsa vitia moris est perorare, ut in adulterum, aleatorem, petulantem) ex mediis sunt iudiciis et, si reum adicias, accusationes: quamquam hi quoque ab illo generali tractatu ad quasdam deduci species solent, ut si ponatur adulter caecus, aleator pauper, petulans senex*.

pable of lowering himself to the level of his student. The greatest virtue of the speech is its clarity (*perspecuitas*); the lesser talent a man possess, the more he tries to become aloof and superior. Those speakers who are pompous, mannered and struggling with various forms of bad taste (*cacozelia*[5]*)* have problems not because of too great a strength, but because of weakness. The greatest man, both when it comes to speech and to morals, is the one who, like the Homeric Phoenix, teaches word and deed equally.[6]

In chapter four Quintilian discusses the three types of stories. They are: *fabula*, i.e. the story that can be found in tragedies and poems, far not only from the truth, but even from probability; *argumentum*, that is fictitious story which is similar to the picture of life presented in the comedies; and finally, *historia*, representation of historical events. The stories of poetic nature should be studied under the masters of literature, while the teacher of rhetoric should be the one who introduces his students to the historical stories, because, as history itself is closer to reality, so they carry a meaning greater than the one found in poetry. After a student becomes proficient in the story telling exercises, the time comes to practise refuting or justifying their contents, an exercise called ἀνασκευή and κατασκευή. Such exercise is applied not only to the subjects taken from dramatic plots and poetry, but also to historical events. For example, a student can discuss the question of how probable it is that when Valerius was fighting, a raven sat on his head and attacked with its beak and wings the face and the eyes of his enemy

[5] Cf. Quint., VIII 3, 56-58: *Κακόζηλον, 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, comprensione obscura, compositione fracta, vocum similium aut ambiguarum puerili captatione consistit. est autem omne cacozelon utique falsum, etiam si non omne falsum cacozelon † et dicitur aliter, quam se natura habet et quam oportet et quam sat est*.

[6] Cf. Hom., *Il.*, IX 432 ff. Scholars see the theory of the "three styles" in the speeches of Menelaus, Odysseus and Nestor.

the Gall.[7] Such a subject provides a great opportunity to speak "for" and "against". We encounter a similar situation in discussing the serpent which was said to have been the father of Scipio Africanus,[8] the she-wolf of Romulus,[9] Numa and Egeria.[10] Often the subjects of argument are related to time, place, sometimes to person; for example, Livy frequently expresses his doubts on such matters; also other historians greatly differ in their opinions. Once these exercises are mastered, the teacher will move on to more serious ones, that is to praising the virtuous people and criticising the wicked. The mind is thus exercised by discussing varying subjects, while the character is built by pondering what is good and what is evil. This way we gather knowledge of historical events and examples, which is extremely important in all kinds of speeches. The common places are those where without providing any concrete names one can speak against the moral vices themselves, such as adultery, gambling or licentiousness. They are closely related to judiciary speeches.

Judiciary speeches involve the common places related to the witnesses (*testes*) ("are witnesses always to be trusted?")[11] or the proof (*argumenta*) ("should weak proof be taken into account?").[12] It happens that a passage of a general nature does not relate directly to the speech matter, either because it has nothing in common with it or because it was placed in the speech not out of necessity, but as a previously prepared filler. Such sentences should flow naturally from the course of events. The praise and criticism of the legal acts demand more serious preparation and the strength to face the greatest challenges. Whether the exercise is adjusted to advisory (*suasoriae*) or judiciary speeches (*controversiae*) depends on the differences in the customs and laws of the specific countries. Among the Greeks the one who proposed the law used to be summoned before the judge (*ante iudicem*), while among

[7] Cf. Liv., VII 26, 1-5; Liv., *Per.*, VII 10: *M. Valerius tribunus militum Gallum, a quo provocatus erat, insidente galeae corvo et unguibus rostroque hostem infestante occidit et ex eo Corvi nomen accepit.*

[8] Cf. Liv., XXVI 19, 7.

[9] Cf. Liv., I 4.

[10] Cf. Liv., I 19; I 21.

[11] Cf. Quint., II 4, 27: *semperne his credendum*.

[12] Cf. Quint., II 4, 27: *an habenda etiam parvis fides*.

the Romans it was customary to speak for or against a law in the Plebeian Council. Quintilian reminds us that the law is divided into three categories: sacred (*sacrum*), public (*publicum*), private (*privatum*). There can be doubts about the man who proposes a law. That was the case with Clodius who was accused of being chosen as a tribune against the cult prescriptions. There can be also doubts regarding the formal basis of a law proposal. As far as the matter of justice (*iustum*) is concerned, the important question is whether something deserves a reward or a punishment. Regarding utility of a law the question to be asked is whether it is useful in itself or only in some specific circumstances. Sometimes it may be questioned if the things presupposed by the law can be achieved. Occasionally a law might be condemned in its entirety, other times only partially, as evidenced by the examples that are to be found in outstanding speeches. Some laws, Quintilian emphasises, are introduced only temporarily, when they relate to giving honours and mandates, as it happened with *lex Manilia*, a law which is the subject of one of Cicero's speeches.[13] According to the orator of Calagurris, the school custom of giving fictitious speeches based on the real ones which were delivered in the courts of law or in political debates was established in Greece approximately in the times of Demetrius of Phaleron. (Culpepper Stroup 2010: 25) As far as the Latin teachers of rhetoric are concerned, Cicero states that they began to teach near the end of Lucius Crassus's lifetime, and the greatest among them was Plotius Gallus.

The grammarians provide explanations of poetical texts (*enarratio poetarum*), the masters of rhetoric comment on the historical works and, to an even greater degree, on the content of speeches. Pointing out the merits and flaws of style is the most important duty of the master who publicly claims to be a teacher of rhetoric. While reading one should take notice of every detail of the speech, whether in regard to *inventio*, i.e. designing the subject of the speech, or to *elocutio*, i.e. the language and style. When it comes to the style of the speech, one should ponder the phrases that are apt, decorative, elevated, amplified or diminutive, the witty metaphor, the figures of speech, the artistic

[13] In the speech *De imperio Gnei Pompei* Cicero advocated the law which would grant Pompey extraordinary authority in the war with Mithridates VI Eupator.

composition that is fluid and refined, yet retains gravity. Even reading error-ridden speeches, such as are appreciated only by people of perverted literary taste, can be beneficial as one can easily spot words that are misused, incomprehensible, overly ordinary, vulgar, extravagant or effeminate.[14] Those words are acclaimed by many readers and – what is even worse – perversity constitutes the basis of such an acclaim. Simple and natural language is treated by those people as if it was devoid of any artistic quality. Warped words are renowned as being more sophisticated. It is recommended that the masters endeavour to make the students capable of observing and judging phenomena by themselves. They can benefit a lot by reading the speeches of Cicero and Demosthenes. If a teacher corrects the mistakes made by students during declamation, it would be better to show them such errors in real speeches. Quintilian believes that not only in the beginning, but always, a speaker should read the best authors and primarily these who are the clearest and most accessible; thus the youngest students should read Livy rather than Sallust: even though the latter is a much greater writer, comprehending him requires greater skill (*ut Livium a pueris magis quam Sallustium, etsi hic historiae maior est auctor, ad quem tamen intellegendum iam profectu opus sit*). Cicero is pleasant and clear enough for the beginners, he can both benefit and please his readers. As far as other authors are concerned, one should follow Livy's advice, that is choose the writers who are closest to Cicero (*Cicero, ut mihi quidem videtur, et iucundus incipientibus quoque et apertus est satis, nec prodesse tantum, sed etiam amari potest: tum, quem ad modum Livius praecipit, ut quisque erit Ciceroni simillimus*).[15] Firstly, the teacher should not force

[14] Cf. Seneca Rhetor, *Contr*., I *Praef*., 8: *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 inmunditissimis se excolere munditiis nostrorum adulescentium specimen est*.

[15] Cf. Odgers 1933: 186: "To Quintilian the name of Cicero is truly synonymous with eloquence itself. Almost three-fifths of his citations of Latin literature are from Cicero"; Odgers 1935: 33; 35: "Cicero is one of the group of authorities, mostly Roman, from within the first century B. C. and the first century A. D. who constitute a half of the approximately 80 authorities cited by Quintilian"; see Fantham 1978: 107.

his students to stick at reading the Gracchi, Cato and similar writers, only because he himself is overly fond of archaic authors. The students will learn from them only roughness and coldness, and they will not comprehend the power of their thought. Secondly, the students should not feast their minds on the contemporary style, flowery and unbridled as it is. They must be warned not to admire the cloying words which are naturally sweet for the childish mind as they are close to their preferences at that age. When the students will settle in their judgement and they will no longer be in danger of spoiling their taste, it is worth to have them read the "old" authors as, cleansed from the roughness of a primitive age, they will gather thus much honest artistic strength and have their style shine brilliantly. Yet also the latest authors have multiple virtues to recommend them. Some who have flourished in recent times and even some contemporaries deserve to be emulated in their entirety. With time, the students should become wholly independent of their teacher. Otherwise they will fall into a bad habit of slavishly following another's steps and they will become incapable of independent effort. As far as rote-memorizing is concerned, one should choose passages from speeches or historical works and other writers worthy of devoting to them so much effort. Such memorizing is a good practice for more difficult work; it will stand the students in good stead for effortlessly memorizing their own compositions, on which they have worked before. They will familiarize themselves with the best examples which will forever remain their inspiration. Subconsciously they will follow the speech patterns embedded in their minds. They will acquire many excellent phrases, they will be able to align words in an artistic way, they will know the stylistic figures which are not sophisticated, but rather flowing naturally, as if they have sprung from a hidden treasure trove. To this there will be added the ability to quote pertinent sentences from various authors, a thing pleasing in a common speech, but useful in judiciary causes. From time to time the teacher should allow the students to declaim what they have written, so that the fruit of their labours could be the praise they receive from multiple listeners. Such a form of praise is desired most. The said situation should occur only once the prepared declamation is adequately perfected. For the

students, it will be a kind of reward for all the labour, as well as joy that they have merited a public appearance.

Quintilian emphasizes that the important virtue (*virtus*) of the teacher is to take into consideration the different talents of every student and to discover their natural predispositions. It is considered extremely beneficial to mould every student in a way that would make his individual mental faculties to grow and help him to develop his innate talents. If a student is steered against his natural predispositions, he will not achieve satisfying results, and if he does not concentrate his efforts on the gifts he received from nature, he will not become a successful speaker. The student who intends to engage in the court activities will need to work not only in one direction, but gather all knowledge, even if it seems too difficult to acquire. If his natural talents were enough, studying would not be required at all. Isocrates judged Ephorus as lacking curbs and Theopompus as needing spurs (*alteri frenis, alteri calcaribus opus esse*). Thus he clearly stated that the best approach is mixing the natural talents of both writers. Yet when we teach an extraordinarily talented student who we believe will achieve great success as a speaker, then we cannot allow to neglect any of his talents. Though we have to ruthlessly avoid two things: first, to demand of a student to do something above his strength, and second, to move him from the road on which he is achieving good results to another one. It is not enough for the speaker to deliver his speech in a moderate, precise or ear-splitting way, in the same sense that it is not enough for the master of songs to sing solely in high, medium or low voice, or to have his voice range even more limited. Speech is like a musical instrument: perfect only when the sounds it produces are harmonious, from the lowest to the highest one. Thus the studies of oratory art can be undertaken only by harmonious joining of both the teacher and the student's strengths.

As far as the content of fictitious compositions is concerned, it should be as close to reality as possible and declamation should imitate the real speeches for which it serves as practice. Quintilian thinks there should not be any difference between the style of the real judiciary speech and the style of declamation. In declamation exercises one should introduce people's names as well as think up more convoluted and longer controversies. Moreover, one should not be afraid of

using in them words taken from everyday life and jokes. In epideictic speeches, which are supposed to provide the audience with aesthetic pleasure, it is permissible to use more decorative figures and not only expose openly, but even show ostentatiously the entire art that remains hidden in judiciary speeches. Rhetorical declamation should be similar to the truth because it reflects the judiciary and advisory speeches. There is a large group of speakers who pride themselves on speaking in an inspired and expressive way and claim that in fictitious cases there is no need for either proof or plan, but only for meeting the expectations of the audience by providing lofty phrases, bearing in mind that the more risky a phrase, the better.

In chapter twelve Quintilian says that, according to the common opinion, the less educated in rhetoric a speaker is, the greater power he evidences in his speech. *Divisio*, i.e. separation of the content, though it plays a huge role in judiciary speeches, is perceived as lessening the strength of the delivery (*nam et divisio, cum plurimum valeat in causis, speciem virium minuit*). Unrefined material makes a greater impression than the refined, while dispersed material seems to be more abundant than when it is structured. There exists as well a similarity between virtues and vices which makes us believe an imprecating man to be independent, a foolhardy one to be brave, a verbose one to be eloquent. A speaker who constantly seeks something unusual is capable of inventing an exalted (*grande*) speech, but it happens rarely and does not nullify all his errors. Another reason why uneducated people make an impression of having greater fluidity in their speech is that they say everything they have to say, while the educated people make careful and apt selection. The uneducated gain the fame of excellent speakers more effectively because of their way of delivery (*pronuntiatio*). Why, they scream incessantly, bellow with their hand raised high, run to and fro, become breathless, gesticulate chaotically, shake their heads as if they took leave of their senses. This spectacle impresses the common crowd: the masses like it when the speaker claps his hands, stomps on the floor, smacks his thigh, chest or forehead. Yet the educated speaker knows how to restrain his style, vary and plan it, and his gestures will be suited to the words he speaks.

Rhetoric, as Quintilian emphasizes, would have been a very easy and unimportant art if it could be encapsulated in a simple and brief set of rules. Yet every element of rhetoric changes with the content of the cases, the times, the circumstances, the needs. This is why the essential virtue of a speaker is his critical ability which enables him to suit his conduct to the circumstances of the case. No law proposals, no resolutions passed by the people constituted the noble rules of rhetoric; they were formed by practice. If utility will advise us to do something different, we should follow such advice and do not be constrained by the authority of the former masters. The speaker, whatever he does, should always be guided by two factors: whether a given thing becomes him (*deceat*) and is useful (*expediat*). It is advantageous to change certain elements in their established order, as we can see in sculptures and paintings. A figure shown in a rigidly straight pose has little beauty, but deviation from the norm and movement gives it an element of motion and feeling. This is why in the fine arts hands are not crafted according to one paradigm and the face is presented in various ways. A remarkably perfected example of a figure in motion is *Discobolus* by Myron. If someone disapproved of this masterpiece as inept, he would have been a complete ignoramus about visual arts, in which a special praise is given to innovation and high degree of workmanship. A similar impression of grace and joy is made by the figures of thought and words, for they change a simple thought and they have the virtue of being far from common meaning (*mutant enim aliquid a recto atque hanc prae se virtutem ferunt, quod a consuetudine vulgari recesserunt*). In a picture it is good to present the whole face. Yet Apelles painted only the profile of Antigonus in order to hide from view the other side of his face, disfigured by the loss of an eye. Similarly in the speech: some elements should be neither shown nor expressed in the way they deserve. This method was applied by Timanthes of Cythnus in the picture which brought him victory over Colotes of Teos: painting the sacrifice of Iphigenia, he portrayed sadness on Calchas's face, even greater sadness on Odysseus's, and the deepest despair art can be depict on Menelaus's face. Not being sure how to show the face of the father, he covered his head with a robe and allowed every spectator to imagine for himself

Menelaus's pain.[16] The young people should not believe that they have acquired sufficient rhetorical knowledge by becoming familiar with only short circulating manuals and following religiously the opinions of theoreticians. For the art of speech, says Quintilian, is acquired by great effort, continuous study, varied exercise, multiple attempts, great common sense and extraordinary presence of mind.

Beginning with chapter fourteen, Quintilian contemplates the definition and nature of rhetoric. Rhetoric is a term borrowed from Greek and when translated into Latin some call it *oratoria*, others *oratrix*. According to Quintilian, this translation is not less rough than Plautus's *essentia* and *queentia*; moreover, it is imprecise. The word *oratoria* is formed after *elocutoria* and *oratrix* after *elocutrix*, while the Greek noun ἡ ῥητορική (τέχνη) is equivalent to the Roman notion of *eloquentia*. Among the Greeks this word has a double meaning: first, as an adjective (*appositum*), so that we say *ars rhetorica* the same way we say *navis piratica*; second, as a noun, as in *philosophia*, *amicitia*. Finally, even Cicero himself used Greek terms in his earlier theoretical works.[17] Therefore the lecture on rhetoric can be safely divided into three parts: on art (*ars*), master (*artifex*), work (*opus*).[18] Art is what one can learn by intense study, that is a skill of speaking well (*bene dicendi scientia*). A master is a person who became familiar with the art, i.e. a speaker whose greatest achievement is the ability to speak in an artistic way. A work is the effect of the master's labour, i.e. an artistically composed speech. These three fundamental parts can be divided into smaller sections (*species*). Rhetoric is defined in multiple ways, but the core of the discussion can be narrowed down to two basic things: the difference of the opinion pertains either to the properties of the thing or to the meaning (*comprehensio*) of the words. The first and most important divergence of the beliefs pertains to the fact that some think that the term "speaker" can be also applied to morally evil people, others (and among them Quintilian himself) believe that this term and the ability to

[16] Quintilian recalls even Sallust's words, *Iug*., 19, 2: *nam de Carthagine tacere satius puto quam parum dicere*.

[17] Quintilian probably thinks here of Cicero's juvenile work titled *Rhetorici (libri)*, better known as *De inventione*.

[18] This division is based on the one made by Neoptolemus of Parium (3rd century BC), namely ποίησις, ποίημα, ποιητής.

speak can be granted only to morally good people. Among those who do not associate rhetorical skills with moral values some have called rhetoric a power (*vis*), others a skill (*scientia*), but not a virtue (*virtus*), others, a practical proficiency (*usus*), others again, an art (*ars*), but not equal to ability and virtue, finally others, a certain depravation of art, called in Greek κακοτεχνία. All of those believed that the purpose of rhetoric is either to be convincing or to convince by speaking cleverly. For this can be achieved even by a man devoid of morals. The most common definition of rhetoric can be summed up as power of persuasion (*vis persuadendi*). What Quintilian calls *vis*, others name as *potestas* or *facultas*. Such a definition has its origin in Isocrates who claimed that rhetoric is "master of persuasion" (πειθοῦς δημιουργός).[19] Cicero[20] reiterated in many passages that the task of a speaker is to speak in a persuasive way. The theoreticians who believed themselves to be more precise described rhetoric as the power of persuading others with words. In a treatise by Theodectes we read that the aim of rhetoric is "to guide a man with words towards the aim sought by the speaker".[21] Such a definition, says Quintilian, is unsatisfactory. For there are other people who persuade with words, for example prostitutes, sycophants, offenders. On the other hand, a speaker does not always aim to persuade. Not far from this definition is the one provided by Apollodorus who claims that the first and most important task of judiciary speech is to convince the judge and to have him make his judgement in accordance with what the speaker desires. Others forbore the definition directed towards the aim (*eventus*). Aristotle says that "rhetoric is the power to find all things which can have a persuasive nature in speech" (ἔστω δὴ ῥητορικὴ δύναμις περὶ ἕκαστον τοῦ θεωρῆσαι τὸ ἐνδχόμενον πιθανόν).[22] This definition, according to Quintilian, contains an error as

[19] Cf. Russell 2001: 352, n. 2: "It is unlikely that Isocrates himself wrote a textbook, though one (not now extant) passed under his name: Radermacher, *AS* 153-163. The 'power of persuasion' definition was attributed to Corax and Tisias; Plato's Socrates (*Gorgias* 453 A) paraphrases Gorgias' concept in the words '*dēmiourgos* ('craftsman') of persuasion'.

[20] Cf. Cic., *De inv.*, I 6: *officium autem eius facultatis videtur esse dicere adposite ad persuasionem; finis persuadere dictione*; *De or.*, I 31, 138.

[21] A student of Aristotle, he continued his lectures on rhetoric.

[22] Cf. Arist., *Rhet.*, I. 1355 b, 25-26.

it takes into account only inventio, i.e. the process of thinking up the subject of the speech, but it does not encompass elocutio, the style of speaking. Theodorus of Gadara believes that it is "the power of finding and speaking in a beautified style the contents probable in every speech" (*ars inventrix et iudicatrix et nuntiatrix decente ornatu secundum mensionem eius, quod in quoque potest sumi persuasibile, in materia civili*)[23]. In Plato's dialogue[24] Gorgias claims that he is the master of persuasion in the courts and all other gatherings and that he can discuss things both just and unjust; Socrates grants him the ability to persuade, but not to teach. There is also a certain group of authors who admittedly believe rhetoric to be an art, but deny that it can be called a virtue. Among these there are Theodorus of Gadara and Cornelius Celsus. Finally, there are the authors who think rhetoric is neither a power, nor an ability, nor an art: Critolaus treated it as practical prowess (Greek τριβή), Athenaeus as an art of deceit. Others, misunderstanding the gist of the dialogue *Gorgias*, are convinced that according to Plato rhetoric is not an art, but a "certain skill for evoking graceful and sensuous feelings" (χάριτός τινος καὶ ἡδονῆς ἀπεργασίας),[25] as well as "a shadow of a particle of politics[26] and one fourth of flattery". Plato believes real rhetoric to be noble and he ends the discussion with Gorgias stating that "a speaker has to be just, and a just man should desire to conduct himself in a just manner" (οὐκοῦν ἀνάγκη τὸν ῥητορικὸν δίκαιον εἶναι, τὸν δὲ δίκαιον βούλεσθαι δίκαια πράττειν).[27] Next speaks Callicles who concludes that "who is to be a true speaker if not a man who is just and conscious of what just things are" (καὶ τὸν μέλλοντα ὀρθῶς ῥητορικὸν ἔσεσθαι δίκαιον ἄρα δεῖ εἶναι καὶ ἐπιστήμονα τῶν δικαίων).[28] This point is emphasised to an even greater degree in Phaedrus,[29] with a statement that an art cannot be perfect if it lacks justice (*hanc artem consummari citra iustitiae quoque scientiam non posse*). Moreover Plato believed inadequate those teachers who separated rhetoric

[23] Quintilian quotes words of Theodorus's Latin translators.
[24] Cf. Plato, *Gorg.*, IX 454 B.
[25] Cf. Plato, *Gorg.*, XVII 462 C.
[26] Cf. Plato, *Gorg.*, XVIII 463 D.
[27] Cf. Plato, *Gorg.*, XV 460 C.
[28] Cf. Plato, *Gorg.*, LXIII 508 C.
[29] Cf. Plato, *Phaed.*, XLIII 261 A – 273 E.

from the rules of justice and placed probability above truth (Τεισίαν δὲ Γοργίαν τε ἐάσομεν εὖδειν, οἳ πρὸ τῶν ἀληθῶν τὰ εἰκότα εἶδον ὡς τιμητέα μᾶλλον, τά τε αὖ σμικρὰ μεγάλα καὶ τὰ μεγάλα σμικρὰ φαίνεσθαι ποιοῦσιν διὰ ῥώμην λόγου).[30]

In agreement with the above quoted authors Cornelius Celsus writes that a "speaker aims only at probability"[31] and "not good conscience, but victory is the reward for a litigant". Quintilian recalls also some other definitions of rhetoric. Some believe it equivalent to politics: Cicero describes it as "a part of political science";[32] others, for example Isocrates, claim that is equivalent to philosophy. Such understanding of the nature of rhetoric is expressed by Cleanthes's definition, according to which "rhetoric is the ability of speaking correctly". Areus says that the aim of rhetoric is "to speak in accordance with the virtue (*virtus*) of speech". Albutius, author of *Rhetoric*, agrees that it is the ability to speak well, but, according to Quintilian, he makes a mistake by adding the words "in civic matters and in a persuasive way". The authors who believe the aim of rhetoric is integrity of thought and speech have good intentions. Quintilian does not lay claims to originality and concludes chapter fifteen with a statement *rhetoricen esse bene dicendi scientiam*. Hence comes the clear description of the aim of rhetoric, called in Greek τέλος: for if it is knowledge of speaking well, then its greatest aim is to speak well.[33]

[30] Cf. Plato, *Phaed.*, LI 267 A.

[31] In *Rhetoric*, I. 1355 a, 21-22 the Stagirite proves that rhetoric is useful, because truth and justice inherently have greater worth than their opposites.

[32] Cf. Cf. Cic., *De inv.*, I 5-6.

[33] Cf. Dugan 2010: 13: "Such uncertainty about the status of rhetoric is symptomatic of the fact that rhetoric within the ancient world did not inhabit clearly delineated confines; there is no edenic world where rhetoric's elusiveness was not present […] In general terms, the more extensive definition of rhetoric current in literary theory constitutes a movement away from the constrictive notion of rhetoric as an art of public speaking and toward the idea that rhetoric is a basic component of all language"; Dugan 2010: 16: "As a consequence of rhetoric's status as an expression of, and influence upon, its culture, one, moreover, that enjoyed extraordinary political, social, educational, and literary prestige and authority, scholars analyze rhetoric not solely within the domain of public speaking but as a body of ideas and practices that radiates into manifold aspects of the Roman world".

Chapter sixteen revolves around the question whether rhetoric is useful. Some people are in a habit of accusing it vehemently and for accusing speech they use themselves the impetus of speech. They claim that it is an ability which frees criminals from punishment and by its deceit sometimes has innocent people suffer punishment; that it not only gives rise to unrest and turbulence among the people, but also causes cruel wars; that it brings greatest benefit only when it fights against the truth in defence of a falsehood. Comedy writers accused Socrates of teaching how to present a bad case as good, while Plato stated that Tisias and Gorgias promised similar benefits. To this they added examples from the lives of Greeks and Romans and they mentioned people who, using pernicious speech not only in private but also in public cases, caused strife in their countries or even led them to ruin. This is the reason why rhetoric was banished in Lacedaemon and why it was weakened in Athens by forbidding it to stir emotions amongst the audience. It is an undeniable fact that the disgraceful peace treaty with Pyrrhus was prevented by the famous Appius Caecus due to the power of his speech. The divine oratory art of Cicero was admired by the people, thwarted the ambitions of Catiline and deserved propitiatory sacrifices that are usually accorded only to victorious generals. It is the speech which often gives courage to terrified soldiers and, in the face of many dangers convinces them that glory is more precious than life. As an example can serve not only the Spartans and Athenians, but also the Romans among whom the speakers enjoyed the greatest honour (*dignitas*). Quintilian is convinced that the founders of cities would have never managed to unite the chaotic masses and create a nation without the aid of learned words of rhetoric. The lawmakers, if deprived of the greatest power of speech, would have never made people obey the governance of laws. If rhetoric is an ability to speak honestly and a speaker is primarily a noble man, then we have to admit openly that it is a useful art. The maker has gifted us with an extraordinary mind and he would surely wish that we partake in this mind, together with the immortal gods. Yet even the mind itself would give us aid and would not manifest itself in us with such great clarity if we were incapable of expressing in words the things envisioned in thoughts. It is precisely the lack of speech which is so obvious in animals, more than

the lack of mind and ability to think. Speech is the greatest gift that we have received from the immortal gods and there is nothing we consider more worthy of nourishing and effort, nor more distinguishing us from other people. Therefore the perfection of speech should be desired wholeheartedly; no other skill will reward our efforts in greater measure. It is both a useful and a decent thing for a noble man to defend his friends, to govern the debates in the senate and people's assemblies, to subjugate the army. It is also a wonderful thing when with the aid of the mind and words a speaker achieves such fame and glory that it seems he does not speak and declaim, but, as it was with Pericles, thunders and hurls lightning bolts.

In chapter seventeen, the author of *Institutio oratoria* ponders the question whether rhetoric is an art. Cicero[34] claims that what is called rhetoric is in fact speech in accordance with an art's rules. Quintilian emphasises that there is probably no man uneducated enough who would consider architecture, weaving and pottery to be arts and who would believe that rhetoric, which is the greatest and most beautiful of all skills, could reach such peaks of potential without some aid from art. Some people treat rhetoric as a natural thing, though they do not deny that it can be perfected by practical exercises. For example, Antonius in Cicero's dialogue *De oratore*, II 57, 232 claims that it is based on following certain rules, but it is not an art. Further proof for the naturalness of rhetoric is the fact that even uneducated people, barbarians and slaves, when they speak in their own defence, start with an introduction of sorts, then they explain the case, refute arguments and finally plead for pity (as if in an epilogue). To this there is added as proof the well-known sophistic deduction: what arises from art could not exist previously as an art. Since people have always spoken both in their own defence and in defence of others, and since the teachers of rhetorical art appeared rather late, that is only in the times of Tisias and Corax, it follows that the ability of speaking existed before the art and thus it is not an art itself. Some use the argument that if a man can do something he has not been taught, then this thing is not an art: and people can speak, even the ones who were not taught the skill. As proof

[34] Cf. Cic., *De inv.*, I 6: *eius quaedam magna et ampla pars est artificiosa eloquentia quam rhetoricam vocant*.

for this argument there is quoted the fact that Demades and Aeschines were speakers, even though the first one was an oarsman, and the other, an actor. Aristotle in his work *Gryllos*, where he wanted to sharpen his deductive sense, arrived at certain arguments against understanding rhetoric as an art. On the other hand, he wrote three books about the art of rhetoric, and in the first of them he not only admits that rhetoric is an art, but even ascribes to it some part of politics and dialectics (*particulam civilitatis sicut dialectices adsignat*). Critolaus and Athenodorus of Rhodes wrote against rhetoric. Agnon destroyed his credibility by the announcement he made in the very title of his work, that his aim is to accuse rhetoric. As far as Epicurus is concerned, there is nothing surprising, because he was a staunch opponent of all arts. What remains is the problem of falsehood in rhetoric. Quintilian admits that rhetoric sometimes uses falsehood instead of truth, but he denies that it treats falsehood as truth. It is entirely different when a man himself thinks something is true and when he wants to delude others into thinking something is true. A speaker, when he uses falsehood instead of truth, is completely aware that he speaks falsehood and uses it instead of truth. Therefore he is not lead into error himself, but he misleads someone else. Cicero, when he boasted that he covered the eyes of the judges with a black veil, did not mean that he himself did not see the truth. A similar manner of conduct is typical for a painter: despite the fact that he paints the picture in such a way that some things seem to be closer, others more distant, he himself is perfectly aware that the picture is flat. In Quintilian's definition the speaker and his art are not dependant on the effect. Though a speaker aims for victory, then even if he lost the case he still achieved the goal of his art, provided that he spoke honestly. A speaker realises his goal if he speaks in accordance with the rules of honesty. The accusation that art can achieve its goal, but rhetoric cannot, is false. For everyone can say for himself whether he speaks honestly or not. The allegation that rhetoric makes use of vices (a thing not done by any art), gives false statements and evokes emotions is also unfounded. In certain situations even a wise man is allowed to lie and a speaker is forced to evoke emotions, if there is no other way to convince the judge to give a just verdict. For the judges are often uneducated people and sometimes they need to be told lies

so that they do not make an erroneous judgement. Taking into account the fact that the emotions of the audience are changeable and the truth is often in danger, one should fight with the aid of the art and use all means at one's disposal.

Rhetoric, as argues the author of *Institutio oratoria*, is not contradictory in itself: we oppose one case against another, not rhetoric against itself. Rhetoric does not destroy the effect of its own labours. If something possesses more credible features it is not contradictory to another thing which is in possession of a smaller amount of credible features. Rhetoric does not teach either what should be said or what is contradictory to the things that should be said: it only defines what should be said in every specific, actual case. It does not always care about the truth, though it should do it as often as possible. Sometimes the common good demands of rhetoric even to defend the falsehood. Quintilian quotes the words of Cicero from the dialogue *De oratore*, II 7, 30, which contain significant contradictions: *oratoris autem omnis actio opinionibus, non scientia, continetur; nam et apud eos dicimus, qui nesciunt, et ea dicimus, quae nescimus ipsi; itaque et illi alias aliud eisdem de rebus et sentiunt et iudicant et nos contrarias saepe causas dicimus*. The Arpinate claims that art is made of things known and concrete. In rhetoric the whole conduct is based on opinion, not on knowledge, because a speaker speaks in front of the people who do not know the truth, and sometimes he even speaks of things that he is not entirely certain of himself. Adversaries make here an additional note that the advocates during the court proceedings often speak in defence of something they have fought against previously. This however is not an error of the art itself, but an imperfection of a man.

In chapter nineteen Quintilian recalls the question what matters more for the art of rhetoric: natural talents or the education gained through knowledge. In response we read that the ideal speaker should possess both. Natural talents allow to achieve a great deal even without education, but education will not achieve any results without talent. Consequently, natural talents are the material of education; nature both shapes and is shaped. Art means nothing without material, but material has value even without art. Where art is highest and material best, there the function of art is more important.

In chapter twenty first, the last in this book, Quintilian adds more comments on the material of rhetoric. According to some authors, the material is speech. Such an opinion is expressed by Gorgias in Plato's dialogue.[35] Others believed that the material of rhetoric is argumentation, the aim of which is persuasion. Argumentation though is the product of an art and it needs material itself. For others, the material of rhetoric are the problems of civic life. This approach demonstrates an inherent quantitative, not qualitative, error, because these problems are the material of rhetoric, but not the only one. There are some authors who believe that the material of rhetoric is the entirety of life, as rhetoric is a virtue. Others express a contrary opinion, claiming that not all virtues have such a character that their material is the entirety of life; most of them pertain only to certain parts of life. This is why also rhetoric should be placed in one part of life and it should narrow down its interest to ethical and practical issues, which are called in Greek πραγματικόν. Quintilian believes that the material of rhetoric are all issues which are in its scope as the subjects of speech. Plato in *Phaedrus*[36] openly proves that "rhetoric is present not only in the courts and public assemblies, but also in private issues and in everyday life" (ᾆρ' οὖν οὐ τὸ μὲν ὅλον ἡ ῥητορικὴ ἂν εἴη τέχνη ψυχαγωγία τις διὰ λόγων, οὐ μόνον ἐν δικαστηρίοις, καὶ ὅσοι ἄλλοι δημόσιοι σύλλογοι, ἀλλὰ καὶ ἐν ἰδίοις, ἡ αὐτὴ σμικρῶν). Cicero in *De oratore*, I 6, 21 believes that the speaker has duty to speak of all things: *quanquam vis oratoris professioque ipsa bene dicendi hoc suscipere ac polliceri videtur, ut omni de re, quaecunque sit proposita, ornate ab eo copioseque dicatur*. This thought is further expanded in the words from book III 14, 54 of the same dialogue: *vero enim oratori, quae sunt in hominum vita, quandoquidem in ea versatur orator atque ea est ei subiecta materies, omnia quaesita, audita, lecta, disputata, tractata, agitata esse debent*. Hermagoras, saying that the material of rhetoric consists of controversial issues and questions, stated that rhetoric encompasses all things which are subordinated to it. Aristotle[37] divided speeches into judiciary, advisory and epideictic ones, and he made all issues the matter of rheto-

[35] Cf. Plato, *Gorg.*, IV 449 E.
[36] Cf. Plato, *Phaed.*, XLIII 261 A.
[37] Cf. Arist., *Rhet.*, I. 1358 b, 1 ff.

ric. Very few authors pondered also what is the tool of rhetoric as an art. Quintilian calls a tool the thing without the aid of which the material cannot be shaped in order to create a planned work. Yet this is required not by art itself, but by the artisan. Ability does not require a tool and can achieve the peak of development even without active work. Tools are required by the creator of the work, for example, an engraver needs a chisel and a painter needs a brush.

Summing up we need to state that the thing that matters greatly to Quintilian is the critical attitude of a speaker, due to which he can adjust his actions to the circumstances. A speaker, whenever he undertakes an action, should take into consideration two basic factors: whether a given thing is becoming (*deceat*) and whether it is useful (*expediat*). The rhetor of Calagurris quotes many various definitions of rhetoric, but the one most frequently used is that rhetoric is the power of persuasion (*vis persuadendi*). Very important is the issue of the morals and duties of the teacher, the exercises practised in the rhetorical school, the comments regarding the readings from speakers and historians, giving the students subjects for discussion, together with guidelines to these subjects, rote-learning, the duties of the students, rhetorical declamations, the plan of the work, the innate abilities and the acquired education.[38]

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[38] Cf. Kennedy 1969: 141: *To the classicist, he* [scil. Quintilian] *is a good example of an intellectual of the Roman Empire. And to all men he is a human being, caught between suffering and success*.

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